

Stop the Cop Audio Training

Transcribed by Lisa O'Hanlon 02.20.2012

[None of the following is legal advice, and should not be construed as such. If you are seeking legal advice, leave this document and look up 'attorney' in your local yellow pages. My notes added in brackets. L.O.]

PART ONE OF TWO

YouTube: http://www.youtube.com/watch?v=bb0Aw_p9E7E&feature=related

Hello and welcome to Stop the Cop Audio Training. We are going to show you how to enforce your right to a fair hearing, and to win your ticket in the process. To make this plan work for you, you must listen and speak it out loud to cement it in your brain and tongue so it becomes crystal clear in your own mind, and you will be prepared for any response.

You must be clear enough that you don't have to stop and think, but you must always be in control of this plan. The first appearance you make in court is your arraignment, in which the purpose is for the court to present the charges and find out how you intend to react; by standing up for your rights, or by being fearful and an easy target. During this proceeding the judge will inform you of the charges against you and attempt to get you to enter a plea of guilty or not guilty.

A third choice is no contest, which is essentially pleading guilty without admitting guilt.

*[A fourth choice is to say that you have **made or are making a special appearance to challenge the subject matter jurisdiction**, because that is generally what this argument means and is doing. Some people have never heard of this, and will not be receptive to the phrase. An experienced judge or attorney should immediately recognize the meaning and intent of such a statement.]*

[The first thing you have to do in court is to reserve all of your rights. When you are asked for your name, you do not say, "My name is Bob Jones." You say, "On and for the record I make no waivers and I reserve all of my rights. I am Bob Jones in my proper person."]

Be careful, however because as soon as you open your mouth to enter a plea, you have given them formal jurisdiction over you. If you intend to follow our procedure and win, you must not enter a plea.

The judge's first question to you should be something to the effect of 'do you understand the charges against you?' or it might be 'How do you intend to plea?'

You must say 'no, you do not understand', or you that you cannot enter a plea until you get some questions answered.

[It is imperative to state that you don't understand on and for the record. Even if you think you understand, you probably really don't. This lack of understanding protects you. The reason why has to do with the basic maxims of contracts, contract law, and contract policy under the U.C.C.; generally there must be a 'meeting of the minds'. You

must understand what is happening to you, and since you do not, you must state it for the record in order to protect your interests. I don't feel as though I belong there, and though I don't understand what the hell they really have going on. I know enough to understand that they are up to some shady shenanigans which cannot possibly lead to any real good, and therefore I choose not to participate as often as possible, because it is not good practice to knowingly participate in fraud, especially when you are the victim.]

The judge will probably be irritated and try to intimidate you.

You must politely state that you need to have some questions answered before you can enter your plea. Tell him that you do not understand the nature and cause of the action against you.

Once the judge has agreed to answer your questions, your first question will be, “is this going to be a civil action or a criminal action?”

[On a side note it states very clearly in BOTH the rules of Federal civil procedure as well as the rules of court procedure that there is ONLY ONE FORM OF ACTION; CIVIL ACTION.]

In the highly unlikely chance that the judge answered your question by saying that it is a civil action, your response will be, “Thank you your honor. Let the record reflect that this is a civil action.”

[Traffic falls under 'criminal'. Family issues, collections, all the rest are generally civil. Even criminal, really – because of the statement I mentioned above from the rules of civil procedure. It's very deceptive and confusing. It's meant to be, because the system is designed to maximize funds transfers.]

Technically you have to find someone guilty of a criminal act in civil court before you can have them tried in criminal court. Think of the O.J. Trial. Many lawyers have different approaches to this. Bond v. U.S. From June of 2011 raises some interesting and serious issues about crime and jurisdiction, and positive and negative law.]

“Your honor, since this is a civil action I make a motion to dismiss for lack of a sworn complaint by an injured party, and no injured party is present.”

More likely the judge has stated that this is a criminal action, so you respond:

“Thank you your honor, let the record of this court then show that this action against me is a criminal action. Now I have another question. Your honor, the constitution grants this court two different criminal jurisdictions. One is a criminal jurisdiction under the common law, and the other is a criminal jurisdiction under admiralty, or military tribunal venue from Article 1, Section 8, Clause 17 of the Constitution. In which of these two criminal jurisdictions does the court intend to try me?”

Don't panic if you don't get the Article and Section and Clause, you will have them down by the time you have practiced. But if you are afraid of getting it wrong, it would be wise to have some brief notes

with that Clause number in it.

If the judge gives a specific answer, you will again say, "Thank you your honor. Let the record of this court then show that this action against me is a criminal action under (whichever jurisdiction he replied)."

However, don't expect an easy answer to that question as you have just exposed the court's fraud.

The truth is that they are acting under a military tribunal of which they have no right to use with you, but the judge can't say that. And he can't say common law because if he does you will make a motion to have the case dismissed because there is no sworn complaint by an injured party and no injured party present, exactly like you did if he said it was a civil action.

[You have a right to walk in and set the jurisdiction yourself, just by stating it. I don't really understand this, but I have been reading a lot about jurisdiction and it appears as though the courts are playing dishonest games with this. On any level, it is an issue ripe to be challenged. If you have a firm understanding of jurisdiction, then you could set the proper jurisdiction to do whatever action you are after, because you have to remember this is a game. You have to set your goal. Do you want this dismissed and forgotten? Do you want to file counterclaims and hold persons accountable for your damages? You can take it in any direction, it appears as though the sky is the limit, and you can do anything you want unless and until someone stands to challenge your actions.]

When you protest that there is no injured party, if the judge is silly enough to say that the state of (whatever state you are in) is the injured party then say, "Your honor, I make a motion that this case be dismissed, we are in the wrong court. If the state is a party to the case, they cannot also be the judge and prosecutors. This case needs to be transferred to federal court or be dismissed."

More likely the judge will try to avoid answering and will tell you to get a licensed attorney for such legal advice. Your response will be, "Thank you your honor, but I don't think you would be violating your oath of office if you did your duty under the Constitution. You see I am not seeking legal advice, what I want to know is legal intent."

"I have the right to appear as myself in my own person without a licensed attorney, and in order to intelligently defend myself, I have to know the jurisdiction that this court is operating under because the rules of criminal procedure under a common law jurisdiction are very different from the rules of criminal procedure under an admiralty or military tribunal. I need to know under which jurisdiction you intend to try me in order for me to proceed with this case."

"The sixth amendment grants me the right to know the jurisdiction being applied and it grants you the duty to inform me. And I don't think you would be violating your oath of office for doing your duty. Therefore will you please answer the question so this court is properly identified."

If the judge still responds by telling you to get an attorney, your answer will be:

"Thank you, your honor. Let the record of this court then show that I, (your name here) the accused in this criminal action has asked the court to divulge the nature and cause of the accusation upon the

authority of the Sixth Amendment, and that this court has failed in its duty to inform me of the nature and cause of the action.”

“Furthermore, let the record also show that this court intends to bring this action against me under a secret jurisdiction known only to licensed attorneys.”

At this point, the judge might claim that this is a statutory jurisdiction under the statutes of the state of (whatever state you are in). If he does so, your next statement is:

“Thank you your honor. Let the record of this court then show that it intends to conduct a criminal action against me under a statutory jurisdiction. But your honor that raises another question. I have never heard of such a thing as a criminal action under statutory jurisdiction and there is no such jurisdiction established in the Constitution. I would be happy to accept this your honor if you could please tell me where I can find the published rules of criminal procedure under a statutory jurisdiction and where this nature, cause, and jurisdiction information exist.”

“It is imperative that I have the published rules of procedure so that I may conduct a fair defense and a fair trial.”

Now keep in mind the judge made up this jurisdiction. There is no granted authority for a statutory jurisdiction, and no published rules, but don't expect him to tell you that. He must either lie, dismiss the case, or unlawfully enter a plea on your behalf. In rare cases, he might even threaten you with contempt of court.

If he threatens contempt say, “Your honor, I do not wish to be held in contempt. I am simply trying to exercise my Sixth Amendment right that you disclose the nature and cause of the charges against me. I can provide court citations that show that the exercise of a constitutional right cannot be converted into a crime. Please either identify the properly established jurisdiction or I make a motion that you dismiss the case against me.

[Miller v. U.S., 230 F.2d. 486, 489 “The claim and exercise of a Constitutional right cannot be converted into a crime.”] [Do web searches for relevant case law in your state, and print important decisions to enter into evidence if necessary. Always be prepared with copies of everything for all parties, yourself, and the clerk/judge. Always make sure to get a stamp of filing on your copy of your documents after they are filed with the court.]

Also unlikely, but still possible, is that the judge will tell the truth when you ask under which criminal jurisdiction you are being tried and will tell you that it is an admiralty jurisdiction. If this happens, you would respond:

“Thank you, your honor. Let the record of this court then show that this court intends to proceed with a criminal action against me, (your name here) as a condition of contract under an admiralty jurisdiction as a military tribunal under Article 1, Section 8, Clause 17. However, your honor, you must realize that you have no such jurisdiction without also having a valid international contract in dispute. I am not aware of having entered into any international contracts, so I deny that any such contract exists. Will you please instruct the prosecuting attorney to inform this court if there is such a contract, and if so to place it into evidence and explain how I am party to it and compelled to perform under it. If the

prosecution cannot do so your honor, I make a motion that this case against me be dismissed.

Of course if at any time your case is dismissed, make your pronouncement, “Thank you your honor. Let the record of this court reflect that case number blah blah blah against (your name here) has been dismissed. Now leave quietly, save your gloating for outside of the courtroom. And if at any time you sense a good opportunity to make a motion for dismissal, make it – even if it wasn't part of your prepared script. You need to be flexible and jump on any opportunities that are presented to you.

Let's say that the judge has had enough of your questions and decides to help you out by entering a plea of not guilty on your behalf. Immediately object: “Your honor, I object. For you to enter a plea on my behalf is practicing law from the bench, because entering a plea is my job or my attorneys job. Has the court made a judicial determination that I am not guilty?”

Now you have really trapped him.

For him to say yes, he has admitted that you are not guilty. At this point state, “Thank you your honor. Let the record of this court reflect that the judge has made a judicial determination that I am not guilty of the charges against me. Therefore I make a motion that this case be dismissed because the judge has determined that I am not guilty.

If he says no, he has not made a judicial determination, make a motion that the plea be withdrawn and you be allowed to enter your own plea once you know the nature and cause of the case pending against you.

If the judge enters a plea of no contest, object saying, “Your honor I object. For you to enter a plea on my behalf is practicing law from the bench, because entering a plea is my or my attorneys job. I make a motion that the plea be withdrawn. For you to make a judicial determination that I am entering a plea of no contest would result in the court treating me as though I had plead guilty. The court is trying to constrain me to an unfair plea choice in the absence of my understanding the nature and cause of the charges against me.

Or let's say that the judge instead gives you a continuance and demands that you obtain a licensed attorney. Ask, “Has the court made a judicial determination to deny me the right to defend myself in my own person and to force me into hiring a licensed attorney that will conspire with the court to try me under a secret jurisdiction known only to the judge and the licensed attorney?”

PART TWO OF TWO

YouTube: <http://www.youtube.com/watch?v=b7NlXnYxeZU&feature=related>

If you walk out of this hearing without a dismissal go to step two, Pretrial Motions contained in your written packet. You should ask for a motions hearing, or you could ask to have the motions heard at the beginning of the trial. However to ask for a motions hearing shows the judge that you are not willing to be railroaded so easily. Tell him that you must resolve some pivotal key issues in order to continue, and that these motions must be heard prior to a trial. At a motions hearing you cannot be found guilty, but a case can be dismissed.

Either way when the motions are heard they must each stand on their own and be heard and ruled separately from the rest. Don't just hand over five motions and let the judge say all are overruled.

Make him rule on each one individually.

Now lets take this from the top in the manner in which it will probably happen.

J: Do you understand the charges against you?

Y: No, your honor. I don't. I need you to answer a couple of questions. I need to understand the nature and cause of the charges against me. Is this case going to be heard under a civil jurisdiction or a criminal jurisdiction?

J: Criminal

Y: Thank you, your honor. Let the record of this court then show that the action against me is a criminal action. Now I have another question. Your honor, the constitution grants this court two different criminal jurisdictions. One is a criminal jurisdiction under the common law, and the other is a criminal jurisdiction under admiralty or military tribunal venue from Article 1, Section 8, Clause 17 of the Constitution. In which of these two criminal jurisdictions does the court intend to try me?

J: If you don't understand the law then you need to hire an attorney.

Y: Thank you your honor. But I don't think you would be violating your oath of office if you did your duty under the constitution. You see, I am not seeking legal advice, what I want to know is legal intent. I have the right to appear as myself in my own person without a licensed attorney and in order to defend myself in my own person without a licensed attorney and in order to intelligently defend myself I have to know under which jurisdiction that this court is operating because the rules of criminal procedure are under a common law jurisdiction are very different from the rules of criminal procedure under an admiralty or military tribunal. I need to know under which jurisdiction you intend to try me in order for me to proceed with this case.

The Sixth Amendment grants me the right to know the jurisdiction being applied and it grants you the duty to inform me and I don't think you would be violating your oath of office for doing your duty, therefore will you please answer the question so this court is properly identified.

J: This is a court under statutory jurisdiction under the laws of the state of whatever state you are in.

Y: Thank you your honor let the record of this court then show that it intends to conduct a criminal action against me under a statutory jurisdiction. But your honor, that raises another question. I have never heard of such a thing as a criminal action under a statutory jurisdiction, and there is no such reference in the Constitution. I would be happy to accept this your honor if you could please tell me where I can find the published rules of criminal procedure under a statutory jurisdiction and where this nature, cause, and jurisdiction information exists. It is imperative that I have the published rules of procedure so that I may conduct a fair defense and a fair trial.

J: Look I am just going to enter a plea on your behalf and set a trial date. I enter a plea of no contest.

Y: Your honor, I object. For you to enter a plea on my behalf is practicing law from the bench because offering a plea is mine or my attorneys job. For you to make a judicial determination that I am entering

a plea of no contest would result in the court treating me as though I had plead guilty. The court is trying to constrain me to an unfair plea choice in the absence of my understanding the nature and cause of the charges against me. I make a motion that the plea be withdrawn and that the case be dismissed because the court has failed to identify a legitimate jurisdiction.

J: I deny that motion, your trial date will be such and such a date.

Y: Your honor I would like to request that we set a motions hearing prior to the trial date as I must resolve some pivotal key issues in order to continue and these motions must be heard prior to the trial so that I can properly defend myself.