

TO:

The United States House and Senate Judiciary Committee Registered Mail Re 351 890 803 US
United States Supreme Court, Chief Justice John Roberts
United States Provost Marshal
United States District Court Alabama
United States District Court Administrator

James Timothy Turner
c/o
#99120 MCDF
PO BOX 4599
Montgomery, Alabama 36103

Case # 1:12-CR-169 MHT
18-U.S.C. 152(2)
18-U.S.C. 371
18-U.S.C. 514(a) (2)
18- U.S.C. 2
26- U.S.C. 7212(a)
26- U.S.C. 7203

James Timothy Turner)
Complainant ,	) AFFIDAVIT OF INFORMATION.
Vs.	) FELONIES, HIGH CRIMES and
Sandra J. Steward, Acting U.S. Attorney	) MISDEMEANORS US CONSTITUTION
	) 18 UNITED STATES, CODE, Sec. 4;
	) 18 USC, Sec. 241 conspiracy against rights;
	) 18 USC, Sec. 242 deprivation of rights under
	) color of law;
	) VIOLATIONS "Citizens Protection Act 1998;"
	) Security Fraud, Prisoner Bonds;
	) Violation of their oath of office;
	) 42 USC, Ch. 21 Sub. Ch. (1) 1983.
Justin Gelfand, US Attorney	) 18 UNITED STATES, CODE, Sec. 4;
	) 18 USC, Sec. 241 conspiracy against rights;
	) 18 USC, Sec. 242 deprivation of rights under
	) color of law;
	) VIOLATIONS "Citizens Protection Act 1998;"
	) Security Fraud, Prisoner Bonds;
	) Violation of their oath of office;
	) 42 USC, Ch. 21 Sub. Ch. (1) 1983.

Gray Borden, US Attorney

-) 18 UNITED STATES, CODE, Sec. 4;
-) 18 USC, Sec. 241 conspiracy against rights;
-) 18 USC, Sec. 242 deprivation of rights under color of law;
-) Violation "Citizens Protection Act 1998;"
-) Security Fraud, Prisoner Bonds;
-) Violation of their oath of office;
-) 42 USC, Ch. 21 Sub. Ch. (1983).

US District Court Judge Myron H. Thompson

-) 18 UNITED STATES, CODE, Sec. 4;
 -) 18 USC, Sec. 241 conspiracy against rights;
 -) 18 USC, Sec. 242 deprivation of rights under color of law;
 -) VIOLATIONS "Citizens Protection Act 1998;"
 -) Security Fraud, Prisoner Bonds;
 -) Violation of their oath of office;
 -) 42 USC, Ch. 21 Sub. Ch. (1983)
-
-) DEMAND FOR RESOLUTION
 -) DISPUTE IN COMMERCIAL LAW

THIS COMPLAINT AND AFFIDAVIT OF INFORMATION DOES NOT ARISE FROM THE SUBJECT MATTER OF ANY PREVIOUS DISPUTES.

AFFIDAVIT OF INFORMATION in support of a CRIMINAL COMPLAINT

I, James Timothy Turner, the Complainant Affiant in the instant matter, am reporting by AFFIDAVIT, to The United States House and Senate Judiciary Committee, the United States Marshall Service, and the United States Supreme Court.

I, James Timothy Turner have firsthand knowledge of the information and facts herein. This Affidavit is filed pursuant to **18 United States Code, Sec. 4 (18 USC) Section 4** which states: "Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined not more than \$500 or imprisoned not more than three years, or both."

Title 18, U.S.C., Section 241 “Conspiracy Against Rights” states:

“This statute makes it unlawful for two or more persons to conspire to injure, oppress, threaten or intimidate any person of any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States.”

Title 18, U.S.C., Ch. 13- 242 “Deprivation of Rights under Color of Law” states:

“This statute makes it a crime for any person acting under color of law, statute, ordinance, regulation, or custom to willfully deprive or cause to be deprived from any person those rights, privileges, or immunities secured or protected by the Constitution and the laws of the United States.”

42 USC Ch. 21 Sub Ch. (1) 1983 states; “Civil action for deprivation of rights, Every person who harms Timothy Turner, under ordinance, regulation, custom, or usage, of any citizen of any State or territory or the District of Columbia subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof of the deprivation of rights, privileges, or immunities secured by the Constitution”.

I, James Timothy Turner, the Complainant Affiant in the instant matter, herein openly declare and depose that the above named respondents did knowingly and willfully act and conspire to oppress, injure, and damage the Complainant Affiant as herein below set forth, and by evidence set forth in the attached COMMERCIAL AFFIDAVITS sent to the Respondents/Defendants to resolve the disputed issues outside of this forum, it was disregarded and ignored.

The Respondents were previously noticed and warned by the Affiant’s “COMMERCIAL AFFIDAVITS, NOTICE OF NON-JUDICIAL PROCEEDINGS, NOTICE OF WARNING OF COMMERCIAL GRACE,” to which the Respondents did not answer or rebut the demands made. In said LEGAL NOTICE AND WARNINGS the eternal principals of Commercial Law, the underpinnings of all human law and civilization, were clearly and simply set forth and explained, the contractual terms were clearly expressed. The above referenced Respondent parties failed to avail themselves of the remedies and recourse under Commercial Law to resolve the disputes with the Complainant Affiant in a civil, peaceful and honorable manner.

All of the Affidavits, Notices, and Counterclaims of this Complainant Affiant have been issued as the truth, the whole truth, and nothing but the truth, to the best of my knowledge and belief. The Affidavits I have issued were sworn to as TRUE, CORRECT, and COMPLETE. Said Affidavits have never been formally rebutted by affidavits sworn to as TRUE, CORRECT, and COMPLETE by the respective Respondent Parties who have been investigating and have disregarded my “**Legal Notice and Demand**” having agreed therefore by their silence to the recorded documents. **See Exhibit (A)**

By their failure and by their ignoring of the Complainant Affiant’s Legal Notice and Demand, the Respondents are in contractual default. The Respondents have admitted to and acquiesced to the crimes which the Complainant Affiant had recorded in his Legal Notice and Demand and

have failed to protect themselves from further abuses and violations. By their continuing on with wrongful actions against the Complainant, the accused Respondents are acting in knowledgeable and willful criminal assaults against the complainant.

The Respondents continue their criminal trespass. The Department of Justice and their Agents cannot represent the IRS in this case as they are not an agency of the United States and have filed false charges. The IRS is a foreign entity. Complainant is not an employee of their Foreign Agency. The D.O.J. and their Agents have no jurisdiction or authority and have brought Fraud upon the Court. This case must be dismissed and damages awarded.

The Department of Justice has admitted by their failure to answer a Summary Judgment that was docketed by the Court of Appeals for the District of Columbia on August 27, 2012. This Motion was filed by the Spire Law Group LLC, a nationwide law firm. The Motion was based on the un-refuted affidavits and proof that no Constitutional passage occurred for Title 18; it did not pass the quorum clause of the Constitution and therefore is not law, See: Article 1, Section 5 of the Constitution. Title 18 includes the only authorization to allow “**federal courts jurisdiction**” in any criminal case, whether Title 18 (PUBLIC LAW 80-772), Title 21 or including Title 26 See: Title 18, Criminal Code 3231.

Title 28 Section 132 and Section 1331 et seq: The United States District Courts have jurisdiction in civil cases only (**NOT CRIMINAL**). Most all federal prisoners are tried in a jurisdiction that has no authority to hear criminal cases. The District Court in the District of Columbia has the authority to hear both criminal and civil cases.

Many people are being incarcerated every day for Internal Revenue crimes when the IRS is not an agency of the United States Government. Therefore the federal courts by admission of the government’s failure to answer, have agreed and admitted that the United States District Courts have no prior statute that gives the federal courts jurisdiction; that the indictment is void on any federal criminal cases. The Government has admitted that the UNITED STATES OF AMERICA is a Corporation, in other words, a “**FICTION**”. Pursuant to the Administration Procedures Act (APA) the Government was required to answer but has therefore agreed to the Summary Judgment and their silence can only be equated with fraud. See: U.S. v. Pruden, 424 F. 2d 1021(1970).

This honorable Committee has the ability and the authority to verify these truths and facts and the authority and obligation to intercede and alter this injustice immediately and order the release of Mr. James Timothy Turner. A crime is hereby being reported to this committee.

To imprison and detain anyone under a void judgment and commitment order is unconstitutional and unlawful. This entire action is all under the Color of Law. As such, the Accused must be dismissed from these illegal charges, and any other cases that are under the Color of Law. This applies to Title 18, Title 21 and Title 26. See: Glover v. U.S. 198 (2001) where the Supreme Court of the United States held that even a minimal amount of time in prison without legal authority invokes Constitutional violations.

I, James Timothy Turner request that the judicial committee take notice of the Constitution for the United States, 1787 and Bill of Rights 1791; which you have agreed to adhere to before you entered into this honorable position as a public servant. I am also a joint tenant in the "Posterity" of "WE the People" as anticipated in the Preamble. Article 6, Clause 2: "This Constitution and the laws of the United States which shall be made pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, which is the Supreme Law of the land; and all judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding." Article 6, Clause 3, "The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States," shall be bound by their Oaths of all who are receiving this Criminal Complaint.

1. Article 4, Section 4 United States Constitution guarantees, "To every State in this Union a Republican form of Government, and shall protect each of them against invasion;" And, Article 4, Section 3 United States Constitution, "and make all needed Rules and Regulations respecting the Territory or other Property belonging to the United States;" Congress has limited legislative authority over "The People", and broad legislative discretion over "the Territory or other Property" meaning the District of Columbia, enclaves, and federal territories
2. Complainant is not an officer, employee, or elected official of the United States or the District of Columbia. Neither am I domiciled in or do I reside in the District of Columbia, forts, enclaves, or other territories as defined in IRS Code, Title 26, 7701 (9) (10) comprising "United States" or "State".
3. James Timothy Turner is the sole Stockholder, Director, Administrator of the Corporation/ Legal entity known respectively as JAMES TIMOTHY TURNER, and as such does not give any government official, elected or otherwise rights to act as administrator for said corporation lacking permission to use **MY NAME AS A SURETY**.
4. Treasury/Internal Revenue Service Agents, IRS/CID Agents, and FBI Agents are all "Foreign Agents" in that their titles of authority are limited to the District of Columbia, Territories, enclaves, and other property of the United States, as defined in Title 26, Sec 7701 (9) (10). All Respondents have agreed by their non-response to the documents filed into this case.
5. Complainant filed Secured Party Creditor status at Alabama Secretary of State, Reception #20085451 dated September 9, 2008. The Secured Party Creditor documents include a "Legal Notice and Demand" which warns all government officials against trespass on my Unalienable, God Given Rights. Violations for such trespass are recorded as: Assault with Weapon, Denial of Due Process, Threat,

Coercion, and Collusion, among other charges not listed here. For Secured Party Creditor, **See Exhibit (B)**

6. On September 18, 2012, armed agents from Federal Agencies, Names unknown as of this date, all acted under the COLOR OF LAW, arrested, and placed me into custody.
7. US Attorneys and the United States District Court Judge Myron H. Thompson are involved in denying my right to assistance of counsel by not allowing my filings to be placed into evidence and recorded, instead it was filed as an expansion file Docket Annotation and denying me Due Process by stating; "I cannot file anything into the record unless I replace the appointed Court counsel with another attorney". Judge Thompson has stepped off the bench and is practicing law and has violated his oath of office by being bias and prejudice and is in violation of his oath of office and must recuse himself immediately. See: Taylor vs. O'Grady 888 F.2d 1189 (7th Circuit 1989). For Waiver of Counsel **See Exhibit (C)**
8. The Court and the Department of Justice are holding or intercepting the mail of others that is needed for my defense, and attempting to deny Due Process of Law by acting under the Color of Law.
9. The Respondents conspired to appoint counsel by not allowing Complainant to choose his own counsel in violation of the 6th Amendment of the Constitution. The Court had ignored my filed documents that were sent by Registered Mail # RR 375 607 217 US dated November 30, 2012 into the court record. The United States District Court of Alabama and their court officials have denied Plaintiff's fundamental rights to have representation by assistance of counsel that was my right as the Constitution provides for and must not be denied or unreasonably restricted. See: Poindexter v. State 191 S.W.2d 445. The Complainant cannot be compelled or forced to employ counsel, or to accept services assigned by the court. See: People v Shapiro, 188, Misc, 363. The Respondents have refused my right to choose my own choice of legal representation. All documents sent by Registered Mail and ignored. For Waiver of Counsel **See Exhibit (D)**
10. Judge Thompson was acting UNDER COLOR OF LAW, and in COLLUSION with others to deny DUE PROCESS OF LAW to James Timothy Turner.
11. All Respondents are complicit in and guilty of violations of the "Citizens Protection Act of 1998". The violations include, "absence of probable cause seeking indictment", "acting to impede right of discovery", "failure to release information that would exonerate", "attempting to influence/limit testimony to grand jury", and failed to allow his right to defend himself before the Grand Jury in violation of the Constitution.

12. All Respondents are complicit in and guilty of violations of Title 18, Section 241, "Conspiracy Against Rights" and Title 18, Section 242, "Deprivation of Rights Under Color of Law", and 42 USC Ch. 21, 1983, "Civil Action For Deprivation of Rights" warring against the organic Constitution of 1787 and the Bill of Rights of 1791.

Therefore, the Complainant Affiant, James Timothy Turner, sets forth to the candid community of all of those who are receiving these complaints the abuses of FELONY, HIGH CRIMES and MISDEMEANORS by the Respondents. The above named Respondents, in the instant action have supported criminal actions by willfully and knowingly participating in violation of the legal notice and demand and my Constitutional and civil rights.

Listed below are some of the encroachments on my secured rights:

DENIED A RIGHT TO DUE PROCESS OF LAW. Such denials include but are not limited to the right to work, denying access to multiple Constitutional Rights and specifically acting against the Complainant Affiant under a color of official right and under color of law, violating the provisions of the First, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh and Thirteenth Amendments to the Constitution for the United States.

FALSE IMPRISONMENT. James Timothy Turner has been incarcerated and held without bail. Title 18 is not law, and never passed the quorum clause of the Constitution. Article 1 Section 5.

MALFEASANCE OF OFFICE. By such wrongful action, these individuals have acted with malfeasance of office in conspiracy between Treasury, TIGTA, IRS/CID, FBI, U.S. Attorneys, U. S. Magistrate Judges, and Judges deliberately, knowingly and willfully violating said rights, being guilty of misconduct in office, whether public or private.

FRAUD. Permitted and demonstrated acts of fraud and actively participated in a scheming conspiracy of untruths and misrepresentations to deceive those who entrusted themselves in dealing in good faith, while specifically acting in deliberate bad faith when such fraud was shown. (18 USC 1001)

EXTORTION. By actions of fraud, said Respondents, acting under assumed jurisdiction and official right and color of office appear to demand from Complainant Affiant's rights to property and money and trespass. In actuality said Respondents are using foreign agents, and agencies to prosecute Complainant.

CONSPIRACY. A confederation of two or more individuals who may not know each other but, by their joint efforts, commit some unlawful criminal act. Multiple

officials, agents and other persons named and properly noticed by this complaint and affidavit as well as unnamed individuals who under cover of official right and under color of law have committed such acts as fraud, extortion, threats and intimidation. (18 USC 241, and 242)

RACKETEERING. USC, Section 1961 (RICO) Defined as involving a host of patterned criminal actions that includes robbery, bribery, extortion, fraud, slavery, etc.

TREASON. Treason is defined as the assault against the authority to which one owes allegiance. It is one of three specific crimes named in the United States Constitution and requires that one commit an act of war against the Constitution, or give aid and comfort to the enemy. Such clearly defined actions by government officers and agents, in specific connection to the above violation with malfeasance of office, and violating their oath of office along with related and connected activities herein as listed below are nothing short of treason.

Sandra J. Steward, Acting United States Attorney has willfully and knowingly committed fraud, denied right to property, denied right to liberty, conspiracy with others to deny civil rights, abuse of government office, was involved in threats, coercion, collusion, denial of due process, obstruction of justice, false incarceration and imprisonment, violation of Citizen Protective Act of 1998, Sec. 503 B and Sec. 201. By her silence, the Respondent has agreed to my Legal Notice and Demand. Unlawful arrest and false imprisonment was set at 1.6 million per day in the case (Trezevant v. City Tampa) 11th Circuit Court, Florida.

Justin Gelfand, US Attorney has willfully and knowingly committed fraud, denied right to property, denied right to liberty, conspiracy with others to deny civil rights, abuse of government office, was involved in threats, coercion, collusion, denial of due process, obstruction of justice, false incarceration and imprisonment, violation of Citizen Protective Act of 1998, Sec. 503 B and Sec. 201. By his silence, the Respondent has agreed to my Legal Notice and Demand. Unlawful arrest and false imprisonment was set at 1.6 million per day in the case (Trezevant v. City Tampa) 11th Circuit Court, Florida.

Gray Borden, US Attorney has willfully and knowingly committed fraud, denied right to property, denied right to liberty, conspiracy with others to deny civil rights, abuse of government office, was involved in threats, coercion, collusion, denial of due process, obstruction of justice, false incarceration and imprisonment, violation of Citizen Protective Act of 1998, Sec. 503 B and Sec. 201. By his silence, the Respondent has agreed to my Legal Notice and Demand. Unlawful arrest and false imprisonment was set at 1.6 million per day in the case (Trezevant v. City Tampa) 11th Circuit Court, Florida.

U.S. District Court Judge Thompson, Department of Justice, has denied my right to liberty, violated his oath of office, conspired with others to deny rights by falsifying documents, malfeasance of office and denial of due process. Judges who are to be impartial are involved

in making financial investments from every court case into a banking financial securities instrument, fraudulently converting the court into the creditor position. The worst of this exposure is that the judges and the entire court system is knowingly and willingly involved in arranging prisoners for profit as a violation of the judicial canons that they swore to in their oaths, as well as securities fraud.

These allegations could also lead to violation of the Anti-Kickback Act with all participants. This honorable committee is hereby notified of serious crimes and under your investigation the truth can be brought forth to restore the justice back in our country and the courts.

This is a notice that the United States District Court has filed and used my name as surety without my permission; this is fraud and violation of my copyrighted name that was recorded with the Secretary of State in Alabama. This is a crime that is using prisoners for profit. If the members of this prestigious committee are not aware of this crime, there should be a major investigation against humanity. On every court case across this country the prisoners are used for chattel. Included is a copy of Fidelity Investment, case # 1:12 CR-00169 **See Exhibit (E)**

This crime is all under the Color of Law, and in violation of the organic Constitution. The clerks of the House and clerk of Senate have verified that Title 18 has never passed the quorum clause of the Constitution; therefore this nullifies Title 21 and Title 26. Since Title 18 is the only place that gives the US District Court authority to hear Criminal Cases then Federal Courts have no jurisdiction under Title 18, 21 or 26. See: 18 USC Section 3231, this case is clearly filed as a criminal case but there is no jurisdiction in these charges.

Harley G. Lappin, who was the head of the Department of Prisons, sent an internal memorandum to Department Heads of the Bureau of Prisons on July 27th, 2009, in which he states: "In order for any bill to be valid the Journals of both Houses must show that it was passed in the presence of a Quorum." See: United States vs. Balin, Joseph & Co, 144 U.S. 1, 3 (1892). The Clerk of the House states that on May 12, 1947 the vote was a voice vote, but the Parliamentarian of the House states that a voice vote is only valid when the Journal shows that a quorum is present and that it's unlawful for the Speaker of the House to sign any enrolled bill in the absence of a quorum. On May 12, 1947, a presence of 218 Members in the hall of the House was required to be entered on the Journal to qualify a vote. However, only 44 members were present that day and 38 voted for and 6 voted against.

The following letter was sent and presented by the Clerk of the House, Karen L. Haas, dated September 11, 2008, in which she stated: "after conducting a thorough examination of the journal, I found no entry in the journal of the House of any May 12, 1947 vote on the H.R. 3190 Bill...

The following letter was sent and presented by Nancy Erickson to Mr. Wayne E. Matthews dated March 9, 2009 in which she stated that "I asked the Senate Historians office to review the correspondence you enclosed, and they were able to verify that no action was taken by the Senate on H.R.3190 prior to the December 19, 1947 sine die adjournment.

The following letter was sent and presented August 24, 2010 from the office of the Clerk of the House of Representatives which stated "Our Office has conducted research of the House Journal and the Congressional Record in regards to H.R. 3190 and the voice vote that was taken on May 12, 1947. After researching these official proceedings of the United States House of Representatives we have been unable to find the names of the 44 Members who responded to the voice vote."

The following letter was presented by Jeff Trandahl, clerk of the House to Mr. Charles R. Degan dated June 28, 2000, in which he states: "Congress was in session on June 1, 3, 4 7-12 and 14-19, 1948, however Title 18 was not voted on at this time."

THEREFORE, the Respondents are guilty of the above crimes in acting in conspiracy and collusion with such agents of foreign powers, and have agreed to such crimes through acquiescence and non-response to the documents filed into the court record November 30, 2012 to further destroy the Complainant Affiant.

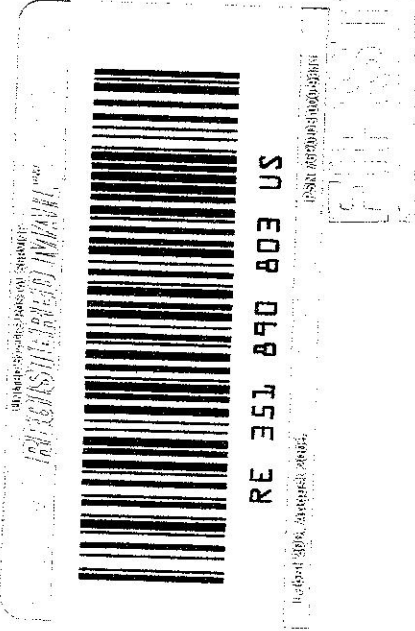
The Complainant Affiant prays that these Respondents be brought to justice, that they be removed from positions of public trust and that the aggrieved parties be awarded with just and compensative damages.

The Accused is aware that the United States House and Senate Judiciary Committee has oversight in matters concerning the Department of Justice, Federal Bureau of Investigation, and Territorial Courts. The Accused assumes the Committee also has oversight over those other agencies such as the Treasury/Internal Revenue if and when they work in collusion and cooperation with DOJ and United States District Courts and FBI.

THESE ARE THE STATUTES, RULES AND REGULATIONS THEY HAVE SWORN TO UPHOLD BEFORE THEY ENTERED INTO THEIR PUBLIC SERVICE TO THE PEOPLE BY THEIR OATHS OF OFFICE.

Wherefore, I, James Timothy Turner, request this case be dismissed and Complainant released from incarceration forthwith on the evidence submitted and Pray for Damages settled in the

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United States House of Senate
Judiciary Committee
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