

FILED

SEP 25 2006

Phil Lombardi, Clerk
U.S. DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA**

WE, THE PEOPLE, et al.,
Plaintiff,

Case No. 06-CV-460-TCK-PJC

v.


United States, et al.,
Defendant.

MOTION TO ADD PLAINTIFF(S)/AFFIDAVITS

COMES NOW, We, the people, I, Carl Weston, Pro se, Member of this Class Case filed, files this Motion to Add Plaintiff(s)/Affidavits and states as follows:

I. The attached two Affidavit(s) marked as Exhibit "A", "B", would like to be added as Plaintiff(s) in this Class Action Suit.

Respectfully submitted,



Carl Weston, Pro se, Class Member
2851 N. Hwy 66, #18
Catoosa, Ok. 74105
918 266 7788

CERTIFICATE OF SERVICE

I, Carl Weston, certify that I deposited in the U.S. Mail a true and correct copy of the foregoing to:

Linda Soper, oba #14127
4545 N. Lincoln Blvd., suite 260
Oklahoma City, Ok. 73105-3498

Respectfully submitted,


Carl Weston, Pro se, Class Member
2851 N. Hwy 66, #18
Catoosa, Ok. 74105
918 266 7788

DOCUMENT MAY
CONTAIN ONE OR
MORE POOR IMAGES -
PAPER COPY OF DOCUMENT
MAY BE AVAILABLE
AT CLERK'S OFFICE

presented the day of the trial and demands for the video airport surveillance went magically "missing" as did the numerous officer's belt tapes despite the two involved, Sergeant's statements that it was standard operating procedure.

5) An illegal evidentiary hearing was granted by Judge Kavanaugh prior to the trial despite and in violation of my right to face my accuser, Officer Novak, who was absent. The Constitution allows for trial by jury not hearing by judge, a fact that was consistently ignored as were statements that the hearings, trial, rulings had no force or effect as due process had been violated early on.

5) ALL my evidence was disallowed.

6) Despite a subpoena of my former attorney Robert Beauvais, an illegal motion in limine was filed by the assistant DA and granted without the required notice or response time. I quote from the illegal motion that was granted: "Qualifications of a person to be a witness is a preliminary question to be determined by court rule 11-104 NMRA. To the State's best information, Mr Beauvais is not a material witness to the events giving rise to the charges against the Defendant". If this is true than either Beauvais should have been allowed to testify or all the other witnesses against me should have been disqualified other than Catherine Novak and Robert Leonard.

7) My testimony was limited and controlled at every turn.

8) I was certainly NOT given a jury of my peers as the pool consisted mostly of those in some fashion connected to the government.

9) My request to recall Catherine Novak was denied.

10) Judge Kavanaugh refused to disqualify himself even though I read him the Code of Judicial Conduct rules, 21-200 through 21-400. He said the time for "recusal", which was not what I required, had passed.

11) Cited failure to rebut or deny rules were denied regarding numerous motions filed by me that were thus automatically granted yet denied or refused to even be

ruled on. Obvious required motions such as to uphold the Constitutions were finally granted after much pressure was applied but subsequently ignored by Judge Kavanaugh's blatant disregard for them throughout the trial.

12) Numerous motions citing or statements requiring proof of jurisdiction were ignored or denied yet jurisdiction was never established although repeatedly claimed in response without the required proof by Judge Kavanaugh.

13) The appellate Judges have failed to dismiss this travesty for what it is and condone the actions of all the above by failing to dismiss this case with multiple opportunities and reasons cited.

14) Judges can only hear matters in controversy and affidavits were sent to and ignored by the various police officers involved who were later called as witness, and subsequently defaulted and filed with the Bernalillo County recorder thus removing any controversy as to the facts that took place. Judge Kavanaugh ignored this, disallowed any testimony of same and proceeded despite my protests.

15) I filed a Notice of Demand requiring proof of surety bonds by all involved in this matter as mandated by Article VI, clause 3, Constitution of the United States and that the proceeding stop until proof was provided which was ignored proving all public officers involved in this case were imposters acting in their private capacity.

16) I filed a motion called MOTION TO REQUIRE THE STATE OF NEW MEXICO TO UPHOLD RIGHTS GUARANTEED IN THE CONSTITUTIONS, SPECIFICALLY DUE PROCESS OF LAW, and, PURSUANT TO DUE PROCESS, TO DISMISS THIS CASE FOR THE STATE'S FAILURE TO HONOR DEFENDANT-IN-ERROR'S DEMANDS FOR DISCOVERY, and PROVIDE DUE PROCESS. This to was denied by Judge Kavanaugh and in so doing he clearly stated he WOULD NOT uphold the Constitutions in defiance of his oath.

17) The STATE granted itself TWO illegal extensions contrary to speedy trial provisions recently ruled on in Zedner vs US.

18) On two occasions numerous witnesses filed affidavits charging Judge Kavanaugh with treason in his blatant disregard for due process, Constitutional rights and court

procedures to name just a few. Under the 14th amendment, article 3, self completing clause Judge Kavanaugh was relieved of his duties for treason. STILL THE ILLEGAL TRIAL CONTINUED!

19) Judge Kavanaugh repeatedly badgered, demanded and even threatened me to accept a lawyer and be defined as pro se rather than sui juris in a blatant effort to control me by his organized crime system of "justice" which constituted a RICO violation. I consistently rejected both. I am aware of how judges meet twice a year at taxpayer's expense to deal with people and issues such as these and profile them with various invalid, slanderous labels. This was clearly apply to me.

20) Various City of Albuquerque officials including Mayor Martin Chavez and Bernadette Lithgow-risk management and the Albuquerque Police via the police Chief were notified of these illegal procedures and did nothing despite their oaths of office to defend and uphold the State and Federal Constitutions.

I cite the following list of those involved in this gross miscarriage of justice but reserves the right to add others at a later time by an amended affidavit:

- a. Judge J Michael Kavanaugh et al and entire staff
- b. Judge Patrick Murdock et al, who conducted an illegal arraignment
- c. Court Administrator et al and or Clerk of the District Court Juanita Duran et al and Court Administration et al Second Judicial District Court 400 Lomas NW, Albuquerque, New Mexico 87102
- d. Judge Designee et al(fake judge) RM Cortez et al Metropolitan Court
- e. Judge Christine Jaramillo et al Bernalillo County Metro Court, Lomas NW, Albuquerque, New Mexico 87102
- f. Assistant District Attorney Ken Williams et al District Court
- g. Carrie Brandenburg, District Attorney et al District Court

h. Twila Hoon et al assistant DA Metro Court
520 Lomas NW, Albuquerque, New Mexico 87102

i. Former Officer Catherine Novak 327-50-2172 Address in
North Carolina unknown

j. Sgt Nicholas Begay, Novak's immediate supervisor
Albuquerque Aviation Police Dept, PO Box 9948, Albuquerque,
New Mexico 87119-1048 (also last known address for
Catherine Novak)

k. Officer Anna Zumwalt

l. Sgt Montano, Zumwalt's and Lewandowsky's supervisor

m. Officer Carl Lewandowsky
City of Albuquerque Police Department 400 Roma NE,
Albuquerque, New Mexico 87102

n. Officer J Perez arresting/escorting officer
Address above may apply or unknown

o. Terrence Rivo et al, Novak's attorney in her personal
capacity
10400 Academy Northeast Suite 200, Albuquerque, NM 87111

p. J Robert Beauvais et al, former attorney
1714 Sudderth Dr, State National Bank Annex, PO Box 2408
Ruidoso, New Mexico 88355

q. Whitney Johnson et al, original, former attorney 300
Central SW Ste 3500-W, Albuquerque, New Mexico 87102

r. witness for hire, Robert Leonard (see court records)

s. 12 jurors under oath to defend the constitution but
failed to and who were not peers (see court records)

t. Bernalillo County Metropolitan Detention Center et al
and involved staff. 100 John Dantis Rd SW, Albuquerque,
New Mexico 87151

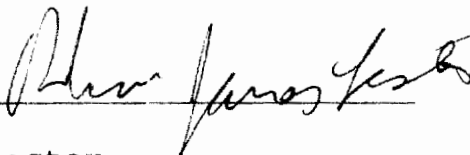
u. New Mexico Court of Appeals et al
Appellate Judges Bustamonte, Alarid, Fry and Sutin
117 Stanford NE Albuquerque, New Mexico 87131

Appellate Judges Castillo, Kennedy, Pichard, Robinson, Wechsler, Vigil along with staff Wallace, Gavahan and Rembo et al Supreme Court Building, 237 Don Gaspar Ave, Santa Fe New Mexico 87501

v. City of Albuquerque et al, Mayor Martin Chavez et al, Bernadette Lithgow-risk management et al, Albuquerque Police et al and police Chief et al.
PO Box 470, Albuquerque, New Mexico 87103

w. The judicial Standards Commission et al and James Nowell et al
PO BOX 27248, Albuquerque, New Mexico 87125

Further I sayeth naught.



Robert James Lester

This instrument was acknowledged before me on the 13th day of September, 2006.


Notary Public

My Commission expires 07/04/2010

NORTHER DISTRICT OF OKLAHOMA

We the People)
 Eddie Andrews)
 Rodney D. Class)
 Angela S. Andrews)
 Richard Andrews)
 Carl Weston)
 Dwight L. Class)
 Maria Janet Moffat)
 Sherwood T. Rodriguez)
 William McDonald)
 John and Jane Doe)
 Plaintiffs,)
 Vs)

Case No. 06cv 460TCK - PJC
 Class Action

UNITED STATES'S)
 States Justice ,Official Capacity)
State of Oklahoma,)
 W. A. Drew Edmondson, individual)
State of Ohio,)
 Jim Petro, individual)
 Betty Montgomery, individual)
 Bob Taft, individual)
 Deborah J. Groom, individual)
 William F. Downes, individual)
 Marsha J. Pechman, individual)
 Robert J. Bryan, individual)
 Lawrence K. Karlton, individual)
 Franklin D. Burgess, individual)
 Joe Heaton, individual)
 First National Bank, Official)
State of Washington,)
 Rob McKenna, individual)
State of California,)
 Bill Lockyer, individual)
State of Texas,)
 Greg Abbott, individual)
State of North Carolina,)
 Roy Cooper, Individual)
 CNA Surety, Official)
 Westfield Insurance, Official)
 Gretchen C. F. Shappert, individual)
 John and Jane Doe)
 Defendants)

DUE PROCESS

Catoosa, OK 74015
 (918)720-2858

Prepared and submitted by: Robert James Lester



Name & Address Robert James Lester PO BOX 15321, Rio Rancho, New Mexico 87174
Phone Number 505 292-0267

Prepared and submitted by: _____

Name & Address
Phone Number

Prepared and submitted by: _____

Name & Address
Phone Number

Prepared and submitted by: _____

Name & Address
Phone Number

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Name & Address
Phone Number

Prepared and submitted by: _____

Name & Address
Phone Number

Catoosa, OK 74015
(918)720-2858

Exhibit 2

1 of 3 pages

ENDORSED
FILED IN MY OFFICE THIS

OCT 14 2005

Quanta M. ...
CLERK DISTRICT COURT

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

STATE OF NEW MEXICO

Plaintiff in Error,

v.

Case No. D-0202-CR-200500085

ROBERT LESTER TM

Defendant in Error,

MOTION TO DEMAND THIS COURT READ ALL PLEADINGS (PLAINTIFF FILES WITH THIS COURT, AND ADHERE ONLY TO CONSTITUTIONALLY COMPLIANT LAW AND CASE LAW, AND MORE PARTICULARLY, THE BILL OF RIGHTS, IN ITS RULINGS

COMES NOW Defendant, Robert James; Lester TM, agent, American Citizen, Defendant in Error, sui juris, and moves this Honorable Court, pursuant to the oaths sworn by the presiding judge and attending public officers, and their duties to the National Constitution, in any and all proceedings before this Honorable Court in this matter:

1. To read, consider, comprehend and rule upon all motions and pleadings Garcia files with this Court, with Court rulings based only in and supported by laws, statutes and case law in agreement with, and not in opposition or contradiction to, the National Constitution, specifically, the Bill of Rights;
2. To honor, uphold and abide by the oaths taken by the presiding judge and attending court officers, pursuant to the Constitution of the United States of America, Article VI, Clauses 2 and 3, and Constitutional requirements thereof;

3. Pursuant to those oaths, to base and support all rulings in law or case law which is **Constitutionally compliant** and which will **not**: (A) deny the powers of and Rights guaranteed in the National Constitution; (B) deny Constitutional Rights to American Citizens, in the instant case, Lester TM; agent, American Citizen, Defendant in Error; (C) violate federal and/or state Constitutionally compliant laws; (D) shield, exonerate or hold Defendant(s) harmless and immune from violating federal or state laws, federal or State Constitutions, violating Lester's TM Constitutional Rights and Rights of due process of law, wrongdoing(s), crimes, criminal activity(ies), fraud, collusion and conspiracy, insurrection, sedition and anarchy. 4. To

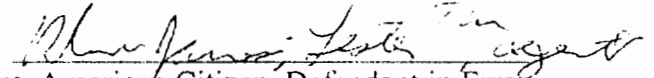
acknowledge that American Citizens, in the instant case, Lester TM, agent, American Citizen, Defendant in Error are Sovereign in this Nation, and that the government, this, and other Courts serve the American Citizens pursuant to: (A) *limited* powers delegated from the Constitution, which delegated powers are *derived from the People*; (B) oaths taken to uphold the Constitution; (C) the Constitution, specifically, the Bill of Rights; (D) powers authorized only by the Constitution or laws in full compliance therewith, specifically, the Bill of Rights, and (E) acknowledge that lack of Constitutional authority precludes any action and voids any ruling by this Court. See Exhibits "A" and "B", which address a federal court ruling which violates all of the provisions specified herein.

Wherefore, since the Constitution is the **Supreme Law of this Land**, to which this Court and presiding judge are sworn, Defendant Lester TM, agent, American Citizen, Defendant in Error respectfully moves this Honorable Court to grant this Motion, based in and supported by the federal Constitution, for the aforesaid reasons, to honor and uphold his Constitutional Rights during all judicial proceedings, to read Lester's TM

proceedings and rule based only in law and case law compliant with, and not in opposition or contradictory to, the Constitution.

American Citizen referred to in this motion is NOT a citizen of the all caps UNITED STATES or any UNITED STATES corporate fiction.

Respectfully submitted,
All Rights Reserved

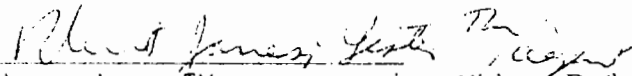


Robert James: Lester™, agent, American Citizen, Defendant in Error
c/o PO Box 15321
Rio Rancho, New Mexico
(505) 292-0267

Certificate of Service

I certify that on this nineteenth day of the tenth month in the year of Our Lord two thousand five in Sandoval County, New Mexico, a true and correct copy of the foregoing Motion was sent by U.S. Mail, first class, postage prepaid to the District Attorneys for Bernalillo County, Ken Williams.

All Rights Reserved



Robert James: Lester™, agent, American Citizen, Defendant in Error

CERTIFIED AS A TRUE AND CORRECT COPY
OF THE ORIGINAL FILED IN MY OFFICE,
JUANITA M. DURAN, Clerk
of the District Court.

By:  Date: 10-19-05
Deputy Clerk

Vincent Ralph Caligiuri
P. O. Box 767
Gold Hill, Oregon.
97525

Affidavit
of
Vincent Ralph Caligiuri

I, Vincent Ralph Caligiuri, being of sound mind and above the age of majority, competent to testify herein and throughout, scire facias by first hand knowledge, being first duly sworn by the below identified Notary Public in and for the State of Oregon, County of Josephine do solemnly affirm that I have submitted the related documents, letters and affidavits as the following is outlined in the attached letters and do know that the contents are true correct and complete, not misleading, the truth the whole truth and nothing but the truth. This sworn affidavit is submitted under the penalties of perjury.

The United States of America Constitution under Article III Section I Authorized. For breach of good behavior standard of the Constitution for violation of 18 U.S.C. 3, 241 and for the conspiracy to violate 18 U.S.C. 1341 and 1961 in direct contravention of Vincent Ralph Caligiuri's Constitutionally reserved Rights to equal protection of the law. The United States shall restore to Vincent Ralph Caligiuri chose in action in re: Federal Case No.'s 04-58810, 06-60341-fra13, 06-61241-aer13, 06-06244-AP by Judges Frank R. Alley III and Albert E. Radcliffe, et al, and all others similarly situated, COLUMBIA RIVER BANK, FREEDOM MORTGAGE CORPORATION INC., LOANCARE SERVICING CENTER INC., WELLS FARGO BANK N.A. INC. NORTHWEST TRUSTEE SERVICES INC. all whom have conspired under color of law to deprive Vincent Ralph Caligiuri of substantive due process, (with verified records attached with this Affidavit) equal protection of the law, (14th Amendment 42 U.S.C. 1981, 28 U.S.C. 1738, 1739) and the right to petition the government. The Machinations of Judges Frank R. Alley III and Albert E. Radcliffe, et al. and all others similarly situated be remanded to Alberto Gonzalez Attorney General of the United States for prosecution.

I have placed these cases of my own free will in this class action law suit, because my adversaries have been protected by these Judges. My constitutional rights and my due process rights have been violated and ignored, by the Judges in these courts. The Judges in these courts dismissed my cases and covered up the frauds of my adversaries.

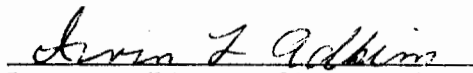
These, Judges Frank R. Alley III and Albert E. Radcliffe have violated their oath of office and the most sacred of public trusts, **“To Protect the Constitution above all else and the people for whom it was written, against all enemies both foreign and domestic, so help me GOD”**

I, Vincent Ralph Caligiuri, being of sound mind and above the age of majority, competent to testify herein and throughout, scire facias by first hand knowledge, being first duly sworn by the below identified Notary Public in and for the State of Oregon, County of Josephine do solemnly affirm that I have submitted the related documents, letters and affidavits as the forgoing is outlined in the attached letters and do know that the contents are true correct and complete, not misleading, the truth the whole truth and nothing but the truth. This sworn affidavit is submitted under the penalties of perjury.

By: 
Vincent Ralph Caligiuri

Subscribed and sworn to before a Notary Public, in and for said State of Oregon, County of Josephine.

This 15th, day of September, 2006 AD


Irvin L. Adkins, Notary Public
My Commission Expires May 11th, 2009
My Commission number is 392713

For the State of Oregon County of Josephine.



NORTHER DISTRICT OF OKLAHOMA

We the People)
 Eddie Andrews)
 Rodney D. Class)
 Angela S. Andrews)
 Richard Andrews)
 Carl Weston)
 Dwight L. Class)
 Maria Janet Moffat)
 Sherwood T. Rodriguez)
 William McDonald)
 John and Jane Doe)
 Plaintiffs,)
 Vs)

Case No. 06cv 460TCK - PJC
 Class Action

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 States Justice ,Official Capacity)
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 Roy Cooper, Individual)
 CNA Surety, Official)
 Westfield Insurance, Official)
 Gretchen C. F. Shappert, individual)
 John and Jane Doe)
 Defendants)

Due Process

(918)720-2858

Prepared and submitted by: _____
Vincent Ralph Caligiuri
P. O. Box 767
Gold Hill, Oregon. 97525
1.541.855.9111

Prepared and submitted by: _____

Name & Address
Phone Number

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