

ORIGINAL

FILED
OCT 13 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,

Petitioner

Vs

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

UNITED STATES et al,

DEFENDANTS

**OBJECTION TO THE IMPROPER FILING OF THE STATE JUSTICE
INSTITUTE WITH AFFIDAVIT**

We the People come before **THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA** with a **OBJECTION TO THE
IMPROPER FILING OF THE STATE JUSTICE INSTITUTE WITH
AFFIDAVIT.**

The State Justice Institute has failed to file an Enter of Appearance to allow any such documents to be placed upon this court as any recorded and the mere fact that they are also in default because they have failed to file timely. They have also failed to address this court properly.

But never the less they did file. So let debunk their story. Shall we. Now let's remember we have filed that we hold the position as **private attorney general**" The State Justice Institute has claimed that they are a non-profit corporation to further development and adoption of improved judicial administration in state court in the United State. They further states and I Quote and this can be read in their letter to the court "With

respect to grants made and contracts or cooperative agreements entered into under this title , the institute shall ensure that no funds made available to recipients by the institute shall be used at any time, directly or indirectly , to influence the issuance, amendment or revocation of any Executive Order or similar promulgation by any Federal, State or local agency, or to undertake to influence the passage or defeat of any legislation or constitutional amendment by the Congress of the United States, or by any State or local legislative body.”

Now with that being said, We the People are placing into Exhibit (EXHIBIT A) and web pages off the internet from google and over 202 pages of documents in this filing and a transcript of a video that well be filed in a separate filing of a judges conference headed up by Chief Justice Thomas J. Moyer from the Ohio supreme court in 1996 as evident that go back and show that the State Justice Institute does in deed promote by giving grants and federal fund the judicial system to federal fund the courts to profiles the America Citizens as **ANTI - GOVERNMENT.** It further goes in and explains when the citizens come into the court system on how the court are to deal with these Pro Se, Sur Juris, Petitioner, All who represent them self in court as **ANTI- GOVERNMENT** people . The video further state that the Chief Judge from Ohio supreme Court Thomas T. Moyer tells the lower court on how they are to fine these kind of people guilty and when they get the supreme court of that state the supreme court will then up hold the lower courts ruling and that will also goes for the federal level if we go their.

Those whom are classified as **ANTI- -GOVERNMENT** are those who come into court and use and quote from the following documents; The Bible, The Ten Commandments, The Constitution, The Bill of Rights, The Articles of Confederation,

The Declaration of Independent , The Magan Carta, those who use parts of the federal statutes, as well as state statutes, or part of the court rules of procedure. Those who file documents that shows judges do not have immunity on bad behaviour, those who challenge the authority of the public servants, those who made the issue of the use of the rights flag in the court room and not the one with the gold around it. The list goes on, this is all in the book called ANTI GOVERNMENT or on the video transcripts. This include those people whom have proven that IRS is a fraud. By using Congressional documents, Those whom have challenge the right to drive by supreme ruling,

Those who don't think like the judicial system / BAR member are called Militia, Hate groups, Nazis, KKK , Christian, and Constitutionalist and just down and out and out ANTI GOVERNMENT people.

The point is The State Justice Institute is a party to this action as it funds the judicial system in aiding and biding by giving federal funding and grant money to deny the Citizen of their DUE PROCESS in court and violating the Civil Rights of the people in court by profiling all citizens who believe in freedom as ANTI- GOVERNMENT Citizens.

This document is call the **ANTI- GOVERNMENT MOVEMENT GUIDE BOOK** tell a different story to what they have filed into this court and what they want the America people to believe. The transcripts of the video made at the judges conference also validate that the court system has profiled the America whom represent themselves as not more then terrorists because the refuse to hire an attorney who will sell them down the river for federal funding . Your CJS Vol 7 section 4 under Attorney and Client spells that out loud and clear that is the job of your attorney before the court is to sell out their

client.

The State Justice Institute is in default and even if this court could consider The State Justice Institute motion to dismiss, The State Justice Institute paper would still be in contravention of the due process rights of the Plaintiffs, to wit: : In consideration of 12(b)(6) motion to dismiss: (1). The Court must take as true the well-pleaded factual allegations of the plaintiff and draw all reasonable inferences in their favor, (2). Federal Rules of Civil Procedure requires only that a claimant plead a short and plain statement of the claim showing that the pleader is entitled to relief, and (3). **Plaintiff is not required to set out in detail the facts upon which he bases his claim.**

Regardless, neither State The Justice Institute nor any other public official has a right to break the law, to wit: "No man in this country is so high that he is above the law." No officer of the law may set that law at defiance with impunity. All the officers of the Government, from the highest to the lowest, are creatures of the law, and are bound to obey it. It is the only supreme power in our system of government, and every man, who, by accepting office, participates in its functions, is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives. See *INTERNATIONAL POSTAL SUPPLY COMPANY v. BRUCE* (05/31/04) 194 U.S. 601, 48 L. Ed. 1134, 24 S. Ct. at page 609. But immunity from suit is a high attribute of sovereignty -- a prerogative of the State itself -- which cannot be availed of by public agents when sued for their own torts. The Eleventh Amendment was not intended to afford them freedom from liability in any case where, under color of their office, they have injured one of the State's citizens. To grant them such immunity would be to create a privileged class free from liability from wrongs

inflicted or injuries threatened. Public agents must be liable to the law, unless they are to be put above the law. See *OLD COLONY TRUST COMPANY v. CITY SEATTLE ET AL.* (06/01/26) 271 U.S. 426, 46 S. Ct. 552, 70 L. Ed. at page 431. No officer of the law may set that law at defiance with impunity. See *United States v. Lee*, 106 U.S. 196, 220 and *Burton v. United States*, 202 U.S. 344. The objection is that, as the real party cannot be brought before the court, a suit cannot be sustained against the agents of that party; and cases have been cited to show that a court of chancery will not make a decree unless all those who are substantially interested be made parties to the suit. This is certainly true where it is in the power of the plaintiff to make them parties; but if the person who is the real principal, the person who is the true source of the mischief, by whose power and for whose advantage it is done, be himself above the law, be exempt from all judicial process, it would be subversive of the best established principles to say that the laws could not afford the same remedies against the agent employed in doing the wrong which they would afford against him could his principal be joined in the suit." See *IN RE AYERS.; IN RE SCOTT.; IN RE MCCABE.* 123 U.S. 443, 31 L. Ed. 216, 8 S. Ct. at page 512. The liability of state judicial officials and all official participants in state judicial proceedings under § 2 was explicitly and repeatedly affirmed. The notion of immunity for such officials was thoroughly discredited. The Senate sponsor of the Act deemed the idea "akin to the maxim of the English law that the King can do no wrong. It places officials above the law. It is the very doctrine out of which the rebellion [the Civil War] was hatched." Cong. Globe, 39th Cong., 1st Sess., 1758 (1866) (Sen. Trumbull). Thus, § 2 was "aimed directly at the State judiciary." *Id.*, at 1155 (Rep. Eldridge). See also *id.*, at 1778 (Sen. Johnson, member of the Senate Judiciary Committee). There was "no

difference in the principle involved" between a civil remedy and a criminal sanction. *Ibid.* See *BRISCOE ET AL. v. LAHUE ET AL.* (03/07/83) 460 U.S. 325, 103 S. Ct. 1108, 75 L. Ed. 2d 96, 51 U.S.L.W. at page 359. The Court in *Yates v. Village of Hoffman Estates, Illinois*, 209 F. Supp. 757 (N.D. Ill. 1962) held that "not every action by a judge is in exercise of his judicial function. ... it is not a judicial function for a judge to commit an intentional tort even though the tort occurs in the courthouse. When a judge acts as a trespasser of the law, when a judge does not follow the law, the judge loses subject-matter jurisdiction and the judges' orders are void, of no legal force or effect. *The U.S. Supreme Court, in Scheuer v. Rhodes*, 416 U.S. 232, 94 S.Ct. 1683, 1687 (1974) stated that when a state officer acts under a state law in a manner volative of the Federal constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. A judge's private, prior agreement to decide in favor of one party is not a judicial act. Although a party conniving with a judge to predetermine the outcome of a judicial proceeding may deal with him in his "judicial capacity," the other party's expectation of judicial impartiality is actively frustrated by the scheme. It is the antithesis of the "principled and fearless decision-making" that judicial immunity exists to protect. *Rankin v. Howard*, 633 F.2d 844 (9th Cir. 1980) cert. Denied, 451 U.S. 939, 101 S. Ct. 2020, (1981), *Pierson v. Ray*, 386 U.S. 547, 554, 87 S.Ct. 1213 (1967), and *Gregory v. Thompson*, 500 F.2d 59 (9th Cir. 1974).

Both statutes [RICO and Clayton Act] bring to bear the pressure of "**private attorneys general**" on a serious national problem for which public prosecutorial resources are deemed inadequate; the mechanism chosen to reach the objective in both

the Clayton Act and RICO is the carrot of treble damages. See *Agency Holding Corp. v. Malley-Duff & Associates*, 107 Supreme Court Reporter 2759. See also 483 U.S. 143 at page 151 (1987).

In rejecting a significantly different focus under RICO, therefore, we are honoring an analogy that Congress itself accepted and relied upon, and one that promotes the objectives of civil RICO as readily as it furthers the objects of the Clayton Act. Both statutes share a common congressional objective of encouraging civil litigation to supplement Government efforts to deter and penalize the respectively prohibited practices. **The object of civil RICO is thus not merely to compensate victims but to turn them into prosecutors, "private attorneys general," dedicated to eliminating racketeering activity.** ³*Id.*, at 187 (citing *Malley-Duff*, 483 U.S., at 151) (civil RICO specifically has a "further purpose [of] encouraging potential private plaintiffs diligently to investigate"). The provision for treble damages is accordingly justified by the expected benefit of suppressing racketeering activity, an object pursued the sooner the better. See *Rotella v. Wood et al.*, 528 U.S. 549 (2000).

The "**private attorney general**" concept holds that a successful private party plaintiff is entitled to recovery of his legal expenses, including attorney fees, if he has advanced the policy inherent in public interest legislation on behalf of a significant class of persons. Dasher v. Housing Authority of City of Atlanta, Ga., D.C.Ga., 64 F.R.D. 720, 722. See also Equal Access to Justice Act.

The State Justice Institute request are contrary to the *rule of law*, to wit: In consideration of 12(b)(6) motion to dismiss: (1). The Court must take as true the well-pleaded factual allegations of the plaintiff and draw all reasonable inferences in their

favor, (2). Federal Rules of Civil Procedure requires only that a claimant plead a short and plain statement of the claim showing that the pleader is entitled to relief, and (3).

Plaintiff is not required to set out in detail the facts upon which he bases his claim.

The State Justice Institute has never actually studied court rules depending on crooked judges to give them whatever they wants no matter what lies must be told, which rules must be broken, what laws must be broken, or what crimes must be committed; “Rigging contests renders rigged contest winners stupid.”

Conclusion

The documents from the ANTI GOVERNMENT Guide Book does show the true color of The State Justice Institute and that they did fund such a book and by doing so they have violated their contract , their trust, integrity and the value that they claim to have to We the People from which all federal funding comes from. The have give aide and bidding to over throw the citizens and have violated the ture mean of what it mean to educate the court personal they their self have violate what they claim the SEPARATION OF POWER by funding the judicial branch the money and the ways to over throw the citizens of this country by profiling. The State Justice Institute is a party to this Class Action by not being responseable an ensuring that such federal funding and grants was not misused in such a way to defame the America citizens of this country in such a matter.

The fact is the people whom this document defame are more AMERICA then those whom set on our benches today. This type of profiling has cause this Class Action call DUE PROCESS for the very reason that laid out in this book and on the video transcripts. Any educate person whom would read these documents would come to the

same logic that there is a major problem with our court system and that it need to be changed. The courts are nothing more them a means to rape the citizens ,steal their property, their children, all for federal funding and grant money.

Rodney D. Class [LS]

Rodney D. Class
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High Shoals, NC
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CERTIFICATE OF SERVICE

We the People Plaintiff's , do hereby certify, that I have cause to be delivered to the Clerk of Courts of the **UNITED STATES NORTHTERN DISTRICT OF OKLAHOMA** a True, Correct, Certain and Not Misleading Document to be serviced upon this court with a **OBJECTION TO THE IMPROPER FILING OF THE STATE JUSTICE INSTITUTE WITH AFFIDAVIT** and to be serviced upon all named parties. By mail. All of the Plaintiff's Electronic mailed to On this _____ day of _____ 2006 A. D.

 [LS]

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AFFIDAVIT

I Rodney D. Class over the legal of 18 and have take an oath between the 1972 to 1975 to defend the united States Constitution still feel that duty bound to ensure the freedom of all America in the united States do place this Affidavit before **THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA** to be the truth as far as I know and to place into evidence a document that is being place before this court as an Exhibit know as the **ANTI- GOVERNMENT MOVEMENT GUIDEBOOK**. Within this document it give thanks to the defendant know as **THE STATE JUSTICE INSTITUTE** and give the grant number as SJI-96-02B-B159 Within these document it states that the federal funding / grant was given to 27 judges court clerk, court administrators and prosecutors in Arizona to learn about the history and procedure of the common law court movement.

For one to read this document it shows that the court systems that We the People enter into such as this court is conflict with what the people believe is a court of law which up holds the constitutional rights of the people but to find out that these courts are nothing more then a Kangaroo court system that We the People are walking into and are force to defend ourselves to where there is not set guide lines or rule of procedure that apply equally to all parties to operate in.

To a reasonable person with a reasonable mind who would read this document know as the **ANTI- GOVERNMENT MOVEMENT GUIDEBOOK** it clearly show that the court system is brainwashed to believe if a citizens try to represent themselves in these court that these kind of people would classified as anti- America.. Because one would refuse to be railroad by the **BAR** Associations does not cause one to become anti

America but it should promote a higher integrity of our court system to ware the citizen would gain respect in the mere fact that they are trying to keep the court integrity intact, but it appears to have gone the other way to cause a divisions between We the People and you the Public Servants.

This country was found on God, truth and honor. This book reject God the truth and craps on honor and integrity to be up held by our Public Servants. This book promote prejudices, biases, and undo influence to deprive the citizen of DUE PROCESS in the court system as we know it today.

This book to a reasonable person with a reasonable mind would discover that this book does nothing more that cause profiling by the court system to deny a fair and just trail to any and all whom may enter these gates of prejudice judges , clerk of court, prosecutors, and other staff member of the court system as will as the law enforce agency to whom has to met a quotidian to ensure federal funding and grant to their subdivision and court systems.


The State Justice Institute has this statement printed in their court document that has been filed into this court and also send to one of We the People in this action. This statement below is in direct conflict to the funding agreement that was given to these judges and other court officers to whom promoted these ideals. *“With respect to grants made and contracts or cooperative agreements entered into under this title , the institute shall ensure that no funds made available to recipients by the institute shall be used at any time, directly or indirectly , to influence the issuance, amendment or revocation of any Executive Order or similar promulgation by any Federal, State or local agency, or to undertake to influence the passage or defeat of any legislation or constitutional*

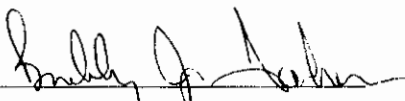
amendment by the Congress of the United States, or by any State or local legislative

body." All it take is a reasonable person with a reasonable mind to see that what was done is in direct violation of what the purpose of what the fund was to be used for. It does not take a rocket scientist to see that these court officers violate the trust and misused the federal fund program to promote more embezzling of federal funds and to create and organization that would cause a monopoly and promote what is know as R.I.C.O. upon the We the People of our nations by using their position and then deny remedy to it citizen .

When a case such as this comes before the court the first obligation is to get their own the 11th amendment immunity or the famous 12(b)(6) and of course 12 f to cover up the corruption of it misuse of tax dollars that is given as wages , grants and federal funding

Sworn under the penalty of perjury to the best of my knowledge.

Prepared and Submitted by 
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NOTARY 
State of North Carolina
County of Garston

