

FILED

OCT 18 2006

Phil Lambardi, 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 OHIO IMPROPER FILING TO PLACE
FRAUD UPON THE COURT WITH AN AFFIDAVIT**

We the People of the united States of America are filing **IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA** an **OBJECTION TO OHIO IMPROPER FILING TO PLACE FRAUD UPON THE COURT WITH AN AFFIDAVIT**. The fraud that JIM PETRO the Attorney General of Ohio has placed before this Court is another display of the corruption that those so called Public Servants in Ohio committed upon the unknowing citizens of that State and any poor citizens that may travel through that State. The due process violation are that fact those whom office is De-Facto Officer with invalid or no oath of office to such office and lack ary type of valid bond to We the People. The bonds on the public office are made out to one of their public offices to collect instead of the citizen if injury by that public office.

1. JIM PETRO claims to be the Attorney General for the state of Ohio. As and attorney then here knows the proper way to file document in to a court. JIM PETRO has failed to file and enter of appearance into the *IN THE UNITED STATES DISTRICT COURT FOR*

THE NORTHERN DISTRICT OF OKLAHOMA to be properly entered .

2. JIM PETRO has failed to prove that he has a Federal Bar Card to file such document into this Federal Court. Read 29 CFR 2200.23 and 10 USC CH.13. He is in violation of these federal regulation and statutes and this come under as fraud upon the court in turn violate 18 USC 1001 this also violate federal laws.

3. JIM PETRO claim that he represent BOB TAFT and BETTY MONTGOMERY all of these individuals are list as private individuals in the Class Action. Now is the Attorney General office in Ohio now representing private individuals at the tax payer expense? When ever the private citizens has ask the Ohio Attorney Office to step in on their behalf the citizen was turn down. Why if the office can represent these individuals. The explanation that the citizen receive is we can not represent the private individuals not are job. Is the Attorney General in Ohio picking and choosing whom that office is going to represent at tax payer expense? Is this not a Constitutional office it said so in the OFFICIAL ROSTER OF FEDERAL ,STATE AND COUNTY OFFICERS book? By failing to represent the real citizens of Ohio has he not committed perjury and fraud to the taxpayer to hold that office. Has he not violated 18 USC 1621 Perjury to which is a felony also?

4. JIM PETRO, BOB TAFT and BETTY MONTGOMERY lack standing to come before this Court as any Public Officer of Ohio. This in it self is fraud upon this Court.

They have violated 18 USC FALSE PERSONATION

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 43 - FALSE PERSONATION

HEAD

Sec. 912. Officer or employee of the United States

STATUTE

Whoever falsely assumes or pretends to be an officer or employee acting under the authority of the United States or any department, agency or officer thereof, and acts as such, or in such pretended character demands or obtains any money, paper, document, or thing of value, shall be fined under this title or imprisoned not more than three years, or both.

5. JIM PETRO, BOB TAFT and BETTY MONTGOMERY know that they lack 14th amendment standing as they try to pass off a cheap version of the 14th amendment in Ohio on a SJR 2 BILL pass by the Ohio General Assembly.. If you read this document it left out section 2,3,4,and 5 to which is in the real 14th amendment. These individuals knew that in 1868 Ohio rescinded their holding of Public Office for that state. When this discover was made they try to correct this error by creating this fraudulent document know as SJR 2 to pass off to show that they now hold such a position. The mere fact that this was done is proof that Ohio Public Servant never held office under the constitution lawfully. This also validate that Ohio frauded the United States Government out billions of dollars of federal funding and grants over the last 135 years. It is not up to these De-Facto officers to decide if they held office lawfully. It is up to a jury of We the People to make such a decides.

6 . . JIM PETRO, BOB TAFT and BETTY MONTGOMERY also know that Ohio lack standing as a valid state as filed in the complaint under HR 121. This document is in clear violation of the united States Article 1 section 9 clause 3. No Bill of Attainder or Ex-Post- Facto laws shall be passed. Iraq is the prefect example of this issue. Before the people of Iraq could form it government the people in Iraq at gun point by the united States was required to form a constitution to form their government. What better Example to use then that. No Constitution no government. President Bush made this statement.

Ohio Constitution is in question due to the fact the people never Ratify it.

7. . JIM PETRO, BOB TAFT and BETTY MONTGOMERY also know that a 12(b)(6) and 12 (f) and the 11th amendment can not be used in this Court of law as an escape clause from justice. The constitutional mandate that has been filed into this court prevents this court from doing so without running the risk of imprisonment of up to 15 years in the federal prison with loss of retirement.

8. F.R. Civ. P 8 again state that all we are require is make a simple statement, These people know this. By placing this crap before this court is an insult to this court as will as We the People. 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.** Of course, PETRO, like almost all members of the O.B.A. 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 violated, or what crimes must be committed; “Rigging contests renders rigged contest winners stupid.”

“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."

9. JIM PETRO, BOB TAFT and BETTY MONTGOMERY lack any standing to file any

such document before this court of Honor and such document file by them should be disregarded as dishonorable and an insult. Further more We the People of the united States of America further demand any other filing by them are who may represent them in the future be deny due to the fact they have fraud this court once with intend to do so. JIM PETRO claims he the Attorney General then he have full knowledge and understanding of the laws, rules of court and proper procedure to file into this court of honor of what and how to filed proper document he failed and committed fraud upon this court and upon We the People of the united States of America.



[LS]

Rodney D. Class
P.O. Box 435
High Shoals, NC
[28077]

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 OHIO IMPROPER FILING TO PLACE FRAUD UPON THE COURT WITH AN 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 years of 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 these documents that is being place before this court as an Exhibit know as the **HR 121** created by the United States Congress and **SJR 2** created by the Ohio General Assembly in 2003-2004 and the 14th amendment from the united States Constitution that was created by Congress and enacted by Congress and by not We the People of the united States of America.

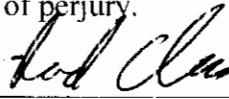
The document known as HR 121 was created by the Presidency in 1953 and passed by Congress in 1953. HR 121 states that it would allow Ohio to joint the Union 1953 and Ex-Post -Facto it back t 1802. This in it self is a violation of the constitution. This violate Article 1 section 9 clause 3. Article II of the Constitution does not allow the President of the United States the Power to create a State. Article I of the same Constitution again does not allow Congress the power to pass such an Bill. The War in Iraq validate that fact as the United States enforced upon the citizens of Iraq at gun point to create such a document as our United States Constitution. This issue was in the news on TV, News paper article, Times, and other such public broadcast station. With out a Constitution the citizens in Iraq could not form a government. Many of our service men die enforcing this policy by shoving it down the throats of the Iraq Citizens at gun point. Now We the People of the united States of America have the proof that such and act of fraud has been placed upon the citizen of Ohio and of this Country. It is not up to those De-facto officers to determine if they hold office but up to the citizen of the united States to make this decisions as it was up to the people in Iraq.

The State of Ohio in 1868 on January 15 rescinded their 14th amendment position to hold lawful Public Office. In the year 2003-2004 this issue was place before the Ohio General Assembly after it was discovered that Ohio lack such a standing. The Ohio General Assembly pass a cheap version of the real 14th amendment off on to the citizen of Ohio. Again these De-facto office knew by leaving out section 2,3,4, and 5 as in the real 14th amendment the unknowing citizens would assume they did their job right and not knowing that those who hold office are still De-Facto and lack standing as a Real public Official. By failing to have a valid 14th amendment holding office those De-Facto office lack the right to receive any type of Federal Funding or federal Grant money. To due so is fraud upon the taxpayer to which the definitions of the IRS policy is what they claim America citizen are. But this is fraud upon the United States Government as will and is in clear violation of title 18 USC 1961, 371, 1001 and violated Due process on ever prisoner and any citizens ever charged in that state that they collected federal funding for.

These document are being placed into evident as an attachment to this Affidavit. The document was not created by We the People but by Public Officials whom hold

office. Again it is not up to those whom hold such office to determine if they hold their position lawful it is up to We the People of the united States of America to make such a decisions by jury. This is called Due Process.

Sworn to under the penalty of perjury.

Prepare and submitted by 
Rodney D. Class
P.O. Box 435
High Shoals, NC 28077

Notary Cheryl K. Gallo
State of North Carolina
County of Gaston

My Commission Expires November 8, 2010