

1 SUPREME COURT OF THE UNITED STATES
2 (IN AND FOR JURIS ET DE JURE)

3 U.S. Supreme Court Building, 1 First Northeast
4 Washington, District of Columbia [20543]

5
6 COVER SHEET

7
8 In The Matter of the Application
9 of Steven Deon Turner Jr, Juris et de
10 Jure

11 petitioner,

12
13 In behalf of STEVEN DEON TURNER JR
14 for a Petition for Common Law
15 Writ of Prohibition

16
17
18
19 Case No.

20
21 Los Angeles County Number: TA13299-01

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SUPREME COURT, U.S.

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23 PETITION FOR COMMON LAW
24 WRIT OF
25 PROHIBITION
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NOTE: Law Librarian refused to

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27		applies to this
28		writ ~

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5

Article 3, section 2 of the constitution

8

for the United States of America

VIVth Amendment

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Fourteenth Amendment

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17, 14

Judicial Notice Fed. Rule of Ev. § 201 (d)

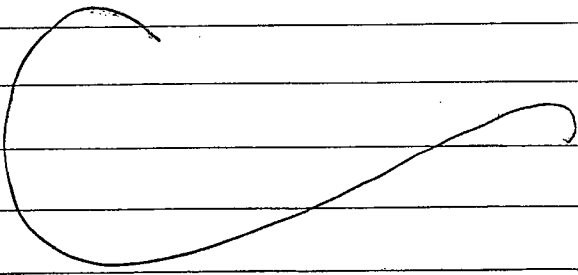
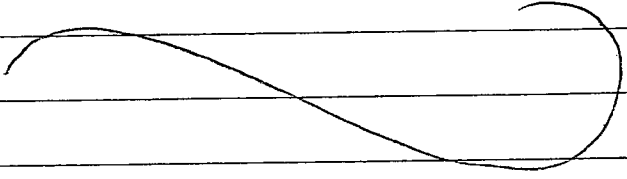
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QUESTION(S) PRESENTED

1
2
3 WHETHER THIS COURT WILL REQUIRE THE CORPORATE
4 RESPONDENTS IN THIS LEGAL ACTION TO PROVE ITS IN
5 REMAND, OR, IN PERSONAM CRIMINAL JURIS-
6 DICTION OVER THE PETITIONER TO BE A FACT
7 OF LAW

8
9 WHETHER THIS COURT WILL DECLARE THE RIGHTS OF
10 THE PARTIES



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SUPREME COURT OF THE UNITED STATES

(IN AND FOR JURIS ET DE JURE)

U.S. Supreme Court Building, 1 First Northeast
Washington, District of Columbia [20543]

In the Matter of the Application
of Steven Deon Turner Jr, Juris et
de jure,

Case No.

petitioner

In behalf of STEVEN DEON TURNER JR
for a Petition For Common Law
Writ of Prohibition

Los Angeles County

Number: TAB299-01

PETITION

FOR COMMON

LAW WRIT OF

PROHIBITION

TO: The Presiding Justice of the above-entitled court:
28 U.S.C. § 2403(c) may apply and 28 USC § 451

PETITIONER

Petitioner is a preamble non-franchised
Juris et de Jure American citizen domiciled
in Los Angeles, California and may be reached
where he's illegally, being held against his will
at:

C. C. I

PO BOX 1905

Tehachapi, California

[93581]

STATEMENT WARRANTING THE COURT TO EXERCISE ITS APPELLATE JURISDICTION

"[W]here there is such great Variety of Learning and abundant Quantity of Nice Matter, with the utmost Care, there must be some Faults and Failings to be Pardon'd by the Reader."

— Giles Jacob. —

(A) WHY ADEQUATE RELIEF
CANNOT BE OBTAINED IN
ANY OTHER FORM OR FROM
ANY OTHER COURT.

(a) The Writ of Prohibition issues only in cases of extreme necessity, and before it can be granted, it must appear that the party aggrieved has applied in vain for redress; (see index of Appendix) and it is never allowed except in cases of usurpation or abuse of power, and not unless other existing remedies are inadequate to afford relief or no other remedy exist.

"How could it when judgment is confessed by silence and equitable estoppel?" see 30 W. Va. 532; 40 La. Ann. 837. Respectfully, this warrant this High Court to exercise its appellate jurisdiction.

(2) When a writ of error or appeal furnishes a complete and effective remedy, a writ of prohibition will not be issued; 98 Mo. 252; 40 La. Ann. 837; 46 id. 29; 78 Ga. 683; 84 Va. 696.

"There is no error or appeal to cure want of subject-matter jurisdiction in rem and personam." Respectfully, this warrants the court to exercise its appellate jurisdiction.

(3) JURIS ET DE JURE

petitioner, is utilizing the code pleadings conclusively, warranting this High Court, to exercise its appellate jurisdiction which is of the petitioner's right, by law. see Heiner v. Donnan, 285 U.S. 312 (1932). Regarding "presumptions" see also Greenl. Ev. § 15, note; Wills, Civ. Ev. § 29; 80st. Proc. 20 § 17; 80st. Ev. § 43; Poyser v. Minor, 7 Q.B. Div. 329, 333 (1881), Lush, L.J. For a definition of Procedure, compare the following:

"Procedure may be as a series of symbolic actions, generally accompanied by words, and, in developed societies, by the exhibition of written documents, by means of Reassertion is the Essence of Procedure; for in the sense in which we shall use the term - the sense of regaining before a competent court a status that has been lost or questioned - it assumes an already violated right." Greenridge, The Legal Procedure of Cicero's Time, Introduction, 1 (Oxford 1901)

(4) Writ of Prohibition -

The Common Law remedy for want of subject-

matter jurisdiction unlawfully exercised in

any inferior legislative court, as mentioned

herein see also N.Y. Laws 1848, c. 379.

Respectfully, A COURT THAT LACK SUBJECT-MATTER

JURISDICTION CAN NEVER RENDER A VALID JUDGMENT;

In summation, courts of the United States have no

discretion to resolve issues common to both types of

claims or defenses, legal and equitable, see Lytle,

831 F.2d 1057 (4th Cir. 1987) (judgment order, in-

published opinion) (available LEXIS, CEINFELD

library) and state law cannot limit and otherwise

appropriate remedy for a constitutional violation.

Miscouri v. Jenkins, 110 S.Ct. 1651 (1990); Dimit v.

Schiff, 293 U.S. 474, 486 S.Ct. 296, 301 (1979), Ed

603, New York Life Insurance Co. v. Seavmour (6th Cir.)

45 F.2d 47, 73 A.L.R. 1523, Scott v. Neely, 140 U.S. 106,

109-110, 11 S.Ct. 712, 714, 35 L.Ed. 358, see also Lomax

V. Woods, 8 Cir. 196 F.2d 828, 833-836, and Gibbach

V. Wilson & Co. (1941), 312 U.S. 1, reh. den., 312 U.S. 655

It is clear, respectfully, want of jurisdiction appears

on the face of this common law proceeding, warranting

this court to exercise its appellate jurisdiction.

RESPONDENTS

Respondents, are citizens of the United States under the XIVth Amendment, section 3, being Public servants under oath to support the Constitution of the United States as well as the Constitution of the State of California. They are employed by the Justice Court of California, also the County of Los Angeles. Wherein, said County acting in its Corporate Capacity has engaged Respondents as Judges of Common Law Crimes and as Chancellors in legislative equity and various employees to compel performance upon the letter of the State's own ordinances and statutes, upon all franchised individuals and Corporate entities. And, all other individuals who fail to timely and specifically object on Constitutional grounds, to the legislative equity jurisdiction of the Corporate County and State, being asserted over their person and property, without proof of the said asserted jurisdiction showing in the Court record. Respondents, Xavier Becerra Attorney General of California, may be reached at the following Postal address,

1 P.O. Box 944255

Sacramento, California 94244-2550

JURISDICTION

It is a fact of law that the person asserting jurisdiction must, when challenged, prove that jurisdiction exists; mere good faith assertions of power and authority (jurisdiction) have been abolished. *Zeller v. Rankin*, 101 S.Ct. 2020, 451 U.S. 939, 65 L.Ed. Common Law, by Constitution, is law of State. *Booch* *Grove Inc. Co v. Civil Rights Com'n* (1968) 157 N.W.2d 213, 380 Mich. 405.

"The particular phraseology of the Constitution of the United

States confirms and strengthens the principle, supposed to be

essential to all written Constitutions, that a law repugnant

to the Constitution is void, and that Courts, as well as other

departments are bound by that instrument." *Marbury v. Madison*,

5 U.S. (2 Cranch) 137, 180 (1803)

"In declaring what shall be the Supreme Law of the Land,

the Constitution itself is first mentioned; and not the laws of

the United States generally, but those only which shall be made

in pursuance of the Constitution, have that Rank."

"Jurisdiction, once challenged, cannot be assumed and must

be decided.

THE QUESTION OF JURISDICTION

The question of jurisdiction in the Court either over the person, the

subject-matter or the place where the crime was committed can

be raised at any stage of a criminal proceeding; it is never

presumed, but must always be proved; and it is never waived by a defendant. [U.S. v. Rogers, 23 F. 658 (D.C. Ark. 1885)]

In a criminal proceeding lack of subject matter jurisdiction cannot be waived and may be asserted at any time by collateral attack. [U.S. v. Gernie, 228 F. Supp 329 (D.C. N.Y. 1964)]

JURISDICTION ESTABLISHED.

"This Code is the official restatement in convenient form of the general and permanent laws of the United States in force December 7, 1925, now scattered in 25 Volumes—i.e., the Revised Statutes of 1878, and Volumes 20 to 43, inclusive, of the Statutes at Large. No new Law is enacted and no Law repealed. It is *prima facie* the Law. It is presumed to be the Law. The Presumption is rebuttable by production of prior unrepealed Acts of Congress at variance with the Code. Augmented Version written by Roy G. Fitzgerald, Chairman. The preface of THE CODE OF THE LAWS OF THE UNITED STATES OF AMERICA OF A GENERAL AND PERMANENT CHARACTER IN FORCE DECEMBER 7, 1925. Scrutiny of this Code is invited. (Constructive)

Constructive criticism is solicited. The reference to "Common Law" refers to claims and defenses for legal as opposed to equitable rights or remedies, however they are asserted *Chaffers, supra Id. at 110 S. Ct. 1344 Poyser v. Minors, 7 Q.B. DN. 329, 333 (1881)*

"State Courts do have concurrent admiralty or maritime in rem and (transitory) in personam jurisdiction, with [substantive] Common Law Constitutional

Courts" C.J. Hendry Co. et al. v. Moore, 318 U.S. 133, 162 (1943)

(Especially the dissenting opinion, cf. The Moses Taylor, 4 Wall (U.S.) 411, 431 (1866)). The writ of prohibition may issue when, by the exercise of its jurisdiction, the inferior court would defeat a legal right; 2 Chitty. P.C. 355. A writ of Prohibition is a civil remedy given in a civil action, even when instituted to arrest a criminal prosecution; 129 U.S. 104; and only lies in case of the unlawful exercise (usurpation) of judicial functions; 31 W. Va. 617; 2 Hill 367; 41 Mo. 44; 33 Wis. 93; 36 Barb. 341 ~

Jurisdiction is vested in this Court under Article 3, Section 2 of the Constitution of the United States of America, in guaranteed Republican Form, and the California Constitution and the Bill of Rights.

~ FACTS OF THIS CASE ~

On "Expatriation" and "Contentions"

On July 27, 1868, one day before the XIVth Amendment was Approved, the "sine die" Congress passed 15 United States Statutes at Large, ch. 249-250, pages 223-224, R.S. 1979 [8 USC. § 1481]. Though it is no longer included in the United States Code, this Statute at Large has not been repealed and is still in effect. Briehl v. Dulles (1957) 248 F. 2d 561, 583 at footnote 21. It reads as follows:

Chapter CCXLIX - An Act Concerning the Rights of American Citizens in foreign States

"Whereas the right of expatriation is a natural and inherent right of

all People, indispensable to the enjoyment of the rights of Life, Liberty, and the pursuit of happiness; and whereas in the recognition of this principle this government has freely received emigrants from all nations, and invested them with the rights of Citizenship, and whereas it is claimed that such American citizens, with their descendants, are subjects of foreign states, owing allegiance to the governments thereof; and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed: Therefore,"

One cannot help but discern from the foregoing that the military dictatorship leading the blind down the path of private Law of Conscience, during this Reconstruction period and having force the states to rewrite their Constitutions, was not referring to emigrants from foreign countries, but the people themselves within the ~~Thirty-three~~ Territorial States comprising the New Federal Corporate Union. How is it possible for a corporation to receive emigrants? Reasonable and prudent men/women cannot help but read the underscored terminology above and come to any other conclusion than that Citizenship (Principal Creditors - Sovereign Electors in the States, on the soil) was to be disavowed, and forever transferred to this advisory Congress under direction of the Office of the President. Continuing:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any declaration, instruction, opinion, order, or decision of any officers of this Government

which denies, restricts, impairs, or questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this government. "Again, this legislative body was adjourned Sine die," it could not act for the American People or the National Government in any capacity as a Corporation, Corporations were prohibited by the Anglo-Celtic Saxon Common Law.

In Heiner v. Donnan, 285 U.S. 312 (1932), the Supreme Court has held: "... it is hard to see how a statutory rebuttable presumption is turned from a rule of evidence or of substantive law as the result of the latter statute making it conclusive. In both cases, it is a substitute for proof, in one open to challenge and disproof, and in the other conclusive. However, whether the latter presumption be treated as a rule of evidence or of substantive law, it constitutes an attempt, by legislative fiat, to enact into existence a fact which here does not and cannot be made to, exist in actuality, and the result is the same... This Court has held more than once that a statute creating a presumption which operates to deny a fair opportunity to rebut violates the due process clause of the Fourteenth Amendment. For example, a constitutional prohibition cannot be transgressed indirectly by the creation of a statutory presumption any more than it can be violated by a direct enactment."

PROOF OF ACKNOWLEDGEMENT

The California Supreme Court in 1855, in Ex-Parte Knowles ruled that "a man or a woman cannot be a United States citizen. That

that capacity belongs only to fictions."

CONTINUATION OF FACTS OF THIS CASE

Petitioner did timely and specifically object to the asserted jurisdiction in legislative equity being imposed, in personam, over his person and property. Respondents are sworn by oath of office and fidelity, to uphold the State and Federal Constitutions. And, thereby to defend the rights guaranteed to all who are protected by the first ten amendments to the federal Constitution. Thus, wherever legislative ordinances and statutes that exceed those guaranteed rights are objected to on Constitutional grounds, it becomes the duty of any Court to temporarily postpone contemplated court action on issues of fact until plaintiff or plaintiff's attorney if plaintiff is a corporate entity has entered the law side of the Court and places into evidence a valid Contract or franchise which gives the Court a valid authority to sit in as chancellor in equity, or as a chancellor in admiralty, where maritime contracts are in dispute. Respondents although put on judicial notice of their sworn duty to respect the Constitutional rights of those who specifically claim them, refused to take the judicial notice.

Although the same was mailed to them by numerous and distinct Letters, Affidavits, Writs, which rest in the Court files on this Cause No. TA132992-01, and S240115. Contrary to their employment Contract, involving their oaths of office, and fidelity, Respondents "willfully" violated their Contract and oaths, and seek to forcefully, deprive Petitioner

of due Process of the Law (which the Respondent did) by ordering that a Warrant be issued for the arrest of "We the People" and their property exemplified by the person of petitioner. Whereby, Respondents plan to find Petitioner in contempt of (their) Respondent's legislative tribunal, has been successful, and has deprived Petitioner of his property even though there is no proof in the case record that the asserted jurisdiction of Respondent's Court exists as a fact of Law.

UNRESOLVED ISSUE OF LAW

Respondents and the Corporate County of Los Angeles has made a Conclusion of Law, that its legislative jurisdiction is unlimited by constitutional restraints. And, that they have authority to conduct criminal actions against anyone who enters or resides in its territory, with a lawful right to compel performance upon the letter of any legislative statute, wherein the only due process granted to the accused is the right to be heard on the facts of the case (was the ordinance or statute breached).

Petitioner has made a contrary conclusion of Law, That his Constitutionally guaranteed rights extend wherever he may go. And, that until otherwise Proven, he is entitled to full due process of Law, including a corpus delicti, or damage party, which he may question as a witness in any criminal action brought against him in the name of "We the People". And that a legal fiction or corporate entity is limited to a written contract or franchise in its issuance of a Bill of Pains and Penalties and it is totally estopped from engaging any Courts

CONTENTIONS

Petitioner contends that;

(1) The respondent(s) in this case are administrative officer(s), representing the corporate and de facto STATE OF CALIFORNIA which has legislative power to compel performance upon the letter of its statutes upon all persons subject to its jurisdiction; furthermore that the only due process that its legislative courts recognize is the right to be heard on the facts of the case.

(2) The corporate Respondent(s) in this legal action before this court has made an unproven conclusion of law that Steven Dean Turner Jr, is among those persons who have lost, or otherwise abandoned, their status in the guaranteed "Republican Form" of Government and who must perform under legislative power upon the exact letter of every legislative statute with no due process of law protection; and

(3) It is from this false conclusion of law that administrative officer(s), issued the Contorted Bill of Pains and Penalties upon Steven Dean Turner Jr (In re De Giacomo, (1874) 12 Blatchf. (U.S.) 391, 7 Fed. Cas No. 3,747, citing Cummings v. Missouri, (1866) 4 Wall, (U.S.) 323 "A bill of attainder is defined to be 'a legislative Act which inflicts punishment without judicial trial.' " "Where the legislative body exercise the office of Judge, and assumes judicial

Magistracy, and pronounces on the guilt of a party without any of the forms or safeguards of a trial, and fixes the punishment." (4) Judicial Notice must be taken by this court that Steven Dean Turner Jr. an unenfranchised individual, has made a contrary conclusion of Law to that of the respondents. Steven Dean Turner Jr. claims that his guaranteed, fundamental and unalienable rights stemming from both the National and State constitutions to full due process of Law in all criminal actions against him, means he is subject only to Judicial Power, not legislative Power. Said judicial power when exercised over him requires a corpus delicti or a damage party who has sworn out a complaint against him. Petitioner further contends. This is lacking in the criminal complaint against Steven Dean Turner Jr.

(5) He has been unlawfully charged and declares that his unenfranchised status as a preamble American Citizen of the guaranteed "Republican form" known as The United States of America and inhabitant of The State of California, that without a corpus delicti, no court judicial or legislative, has a criminal jurisdiction over his person or property. Therefore, the petitioner - specially visits before the law side of this court seeking its protection from the excess zeal of corporate government trusting that this court will assume a neutral stance at Law and require the Corporate respondents,

in this legal action to prove its in rem and, or, in
personam criminal jurisdiction over the petitioner
to be a fact of Law before this court will take on
the role of Judging the facts of this legislative charge
brought before you. Petitioner has no plain, adequate
or complete remedy at Law, to redress the wrongs herein.

REMEDY DEMAND

petitioner demands Remedy in this Court through prohibition of the Respondents from forcing the petitioner to remain in Prison against his will, on a Contempt charge, turn into a fraudulent sentence, which has deprived petitioner of his Property, brought on by a legislative tribunal wherein no proven Jurisdiction of such Tribunal is in the record of this case and the Court or Tribunal is acting the part of prosecutors and Judges in the Persons of Respondents. Petitioner demand further Remedy before this Court that it demands Respondents to appear in person before this Court and set a time and date to show why Petitioner may be lawfully deprived of all constitutionally guaranteed (unalienable) rights, including the right to due process of Law upon entering or residing within the territorial lines or County boundaries of the Corporate County of Los Angeles.

URGENCY OF PETITIONER DEMAND

The potential for "more" considerable damage to the person, property, reputation, and health of Petitioner. can be averted if this Court takes immediate action to prevent it, this environment has already been ruled unconstitutional, unsafe, cruel and unusual. Officers are killing officers, Officers killing inmates and inmates killing inmates here. This Court can prevent the orders of Respondents from being affirmed, and over turn them as being Void, until the Contested Jurisdiction is Proven fact of Law.

The party aggrieved's affidavit and notice, Verification,
Affidavit of Steven Dean Turner in support of Petition
for Common Law writ, is attached hereto and incorp-
orated by this reference as if fully and completely set
forth herein, warranting further mandatory judicial
notice.

SIGNED WITH SPECIAL EXPRESS AND EXPLICIT RESERVATION
OF ALL NATURAL LAW UNALIENABLE GOD GIVEN RIGHTS OF
LIBERTY, WAIVING NONE IN OUR SUPREMACY COMMON LAW
STATE, IN THIS CALIFORNIA COUNTRY IN THESE SEVERAL
STATES IN THIS UNION OF STATES IN AMERICA as in the
Colorable VCC § 1-207, 7, VCC § 1-103.6 and VCC § 1-105
PARTY AGGRIEVED. JURIS ET DE JURE

Steven Dean Turner Jr.

HONORABLE JUSTICE (STEVEN DEAN TURNER JR), JUS SOLI,
JUS SANSUINIS, JURE CORONAE, SUI JURIS, IN CARE OF
postal address: Non-Domestic to the District of Columbia
(PO BOX 1906 near Tehachapi, California) California state,
in these several states in this union of 50 states in
America. Teste Meipso this 21st day of August
in the year of our Al-Mighty God, through our Redeemer,
Emmanuel, the Messiah, two thousand and eighteen AD.

California state)

) SCIL. COMMON LAW VENUE ORIGINAL

Kern County)

) AND EXCLUSIVE JURISDICTION

JUSTUS Township)

JURAT:

COMMON LAW WITNESSES:

Steven Dean Turner Jr

HONORABLE JUSTICE (STEVEN DEON TURNER JR) JUS SOLI, JUS SANGUINIS,

JURE CORONAE, SUI JURIS, JURIS ET DE JURE,

Steven Dean Turner Jr

HONORABLE JUSTICE (STEVEN DEON TURNER JR) JUS SOLI, JUS SANGUINIS,

JURE CORONAE, SUI JURIS, JURIS ET DE JURE,

TESTE THIS 21 DAY OF AUGUST TWO THOUSAND AND EIGHTEEN A.D

**Additional material
from this filing is
available in the
Clerk's Office.**