

No. **21-5300 ORIGINAL**  
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SUPREME COURT, U.S.

In The  
**SUPREME COURT OF THE UNITED STATES**

Sibling Case B: Part I DV-18-37/DA 19-577 (Dahood) & Part II DV-18-38/DA 19-578 (Paumie Lussy) MT. District & Supreme Courts

Montana State District Court Kurt Krueger, Montana Supreme Court Justices to US Supreme Court Certiorari 20-5028 & 20-5029

Wednesday April 15, 2020 (Covid) Order List #589 U.S.

ONE COPY 8 1/2 x 11 NOT IN BOOKLETE SIZE.

In re: **RICHARD CHARLES (C.) LUSSY aka R.C. "RICK" LUSSY aka ("RCL")**  
Petitioner Pro Se, Decedent Heir, Injured Party, Candidate & Appellant.

PETITION FOR  
**EXTRAORDINARY WRIT OF MANDAMUS**

Rules 5.4 Oath; Rule 12.4 Consolidated Two \$74,000 Judgments in Parts I & II; Rule 14.1(b)(i) & (iii) Joined 27-Respondents;  
20.1 & 20.3 Extraordinary Writ & 22.2 Application to Individual Justice HJRC with Rule 33.2(b) Proceedings In So Far Applicable

**Application to Honorable John Roberts Chief ("HJRC") Justice Rule 20.1**

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### **ONE QUESTION TO ORDERS-"JUDGMENT": MANDAMUS PETITION**

Joined 29-Respondents clear errors compel Mandamus Ministerial Oath of Office ("MOOF") Warranty

Assumed Risk violate civil rules: unlawful (MCA§28-2-701) *Hicks/Twombly* last resort RCL Pro Se petition.<sup>1</sup>

**Order (bold type)-One-Question:** Of Hon. John Roberts Chief ("HJRC") Justice: ministerially order to set aside two \$74,000-judgments for 103-extrinsic fraud exceptional circumstances to stop petition for 43-years in 9-elections with leave to amend consolidated relief complaint "Sibling Case B Parts I & II," Part II Clerk Krueger did not file; Part I filed," intrinsic 44-fraud inconsistent claims for relief by co-sign any competent lawyer a HJRC Justice letter is needed to hire one, to satisfy 2-judges: two-vexatious litigant orders: for first 100% jury trial verdict a ("JTV-DP-R")<sup>2</sup> [FN#17] (MCA 25-7-103) be complete Nov. 15, 2022 for 2024 election; by Rules Of Civil Procedure for justiciability admissible evidence.

**Support of Order:** Of HJRC Justice: (i) for his time, treasure & talent by clear legal no discretion & no discrimination: duty ministerially paid: \$277,700+ no discretion for competitive neutrality stop absolute despotism public consumer harm by Joined 29-Respondents (72%/21-lawyers) known public salary \$1,153,186+ to enforce petitioned Rules Civil Procedure 8(b)(6), 8(d)(3), 8(c)(1), 15(a)(2), 60(d)(3) as guide-rules. (ii) HJRC last ministerial officer to minister mandamus (MCA§27-26-102) existing civil-tort law, *not Hicks/Twombly et al* hearsay-precedent/*stare decisis*-judge made case "studies" (3<sup>rd</sup> party); (iii) HJRC a public oath charge, pre-sworn to Rule 5.4 Oath aka MOOF Warranty Assumption of Risk for patriotic Pledge of Allegiance (iv) to correct 103+44=147-frauds on court by officers of the court factoro collateral damage MCA: 27-1-307(1) (v) for withholding justiciability of admissible fact/law evidence (vi) Case B: Part I (1-Notice Only: Wade J. Dahood Pro Se; Exhibit A-8547 (3-page) & Part II (3-Notices Only: Paumie Lussy, Exhibit A-8529 (1-pge); Exhibit A-8530 (1-pge) & Exhibit A-8531 (2-pge)) "Notice(s) of Lien'/Not Due" (MCA§71-3-532/§71-3-103); (vii) set aside two-"vexatious litigant," two \$74,000-judgments in two orders: (viii) a 2<sup>nd</sup> juror verdict to verify re: "unreadable" unable to understand complaint after they destroyed Mom's Revocable Living Trust-To-Be-Her-Last Will & Testament a fraudulent bait & switch(MCA§28-2-701) to catch-kill & erase the faces of Blessed Parents: DHL/HFL in care of son RCL Pro Se: "(when) your mother died her Living Trust died" is actual fraud MCA 28-2-405 (3) that prompted Exhibit A-8306 "Full Release of Recipients..." kept a secret with then presiding Pro Se Judge R.J. Dayton subsequently recused after advising WJD Pro Se no Intestate Probate DP 18-31 need be filed. Both knew no other authority: no power of attorney, estate administrator existed. Thereafter, Joined 29-Respondents: manipulated & falsified Exhibit A-8306 to obtain estate income & property directed into names of others; & hid Mother's assets intended for 25-percent equal sharing: personal-jewelry-gifts-wedding ring; 1818 Tammany Street life estate, Butte Georgetown Mining & Milling Inc. from decedent heir RCL Pro Se. During HPL's isolation-abandonment of insightful Mom. She got angry for his unkind: no-tell: where or return; noisily walked roof built an unsightly wood windmill as payback disallowing back yard garden. Life-long loving 94.7-year old Mom DNA refused HPL distemperance. Only made worse by ABA participate, aid & abet cartel mafia in gov't control 24/7 sabotage 43-years.

<sup>1</sup>["Sibling: Case B" Mont. Mandamus OP-19-573] denied 100% jury verdict by *Hicks/Twombly etc. et al* hearsay precedent Part I DV-18-37/DA 19-577 (Dahood) Part II DV-18-38/DA 19-578 (Paumie Lussy) MT Supreme Ct, US Writ Certiorari 20-5028/20-5029.

<sup>2</sup>A 100% jury trial verdict due process redress: 2-judges (State-&Federal), 2-juror oaths (group & person) 4-cameras. RCL write jury questions, instructions & verdict form. No more lawyer molycoddling & mentoring f/lawyer judge@ bench.

LIST OF ALL PARTIES JOINED RULE 14.1(b)(i) KNOWN TO PROCEEDING: RULE 12.3

(Rule 12.4 All joined Different Parties in ***Bold Italics*** joined Directly related Rule 14.1(b)(3))

**Parent Case A:** R.C. "Rick" Lussy ("RICK") **Petitioner/Appellant Pro Se**

VERSUS

**(Federal Court: CV-17-79-BU-JCL-BBM/ 9TH DCA 18-35937)**

Henry Paumie Lussy, Launa Lynn Roque, Jenahlee Murie Bornff; Merna Green Assessors Office Montana Department of Revenue; Tim Fox Montana Attorney General; Wade J. Dahood, Jeffrey Wade Dahood Individually, Knight & Dahood Law Firm; ***Jeremiah C. Lynch U.S. Magistrate and Jeremiah C. Lynch Individually; Brian M. Morris Article III U.S. Judge, Tyler Gilman, Clerk of U.S. District Court; Judge Murguia, Judge Christen, Judge Bade & Molly C. Dwyer Clerk of Ninth District Court of Appeal;*** Andre Burke Director Over Office Of President American Bar Association/Non-Government-Organization; John Mudd Executive Director: Montana Bar Association/Non-Government-Organization; Ben Krakowka Deer Lodge County Attorney. **Respondents' Part Pro Se**

**AND Rule 12.4 Consolidated Part I & Part II, joined Direct related Parties *Bold Italics* Rule 14.1(b)(3))**

**Sibling Case B<sup>3</sup>** **Part 1:** Richard Charles Lussy, ("RICK") **Petitioner/Appellant Pro Se**

VERSUS **Montana State Court DV-18-37/Mont. Supreme Court (Direct Appeal): DA-19-057**

Wade J. Dahood & Jeffrey Wade Dahood Both Individually, ASO Knight & Dahood Law Firm &; Henry Paumie Lussy, Launa Lynn Roque, Jenahlee Murie Bornff; Merna Green Assessors Office Montana Department of Revenue; Tim Fox Montana Attorney General, ***Raymond J. Dayton & Kurt Krueger 2-Montana District Court Judges, Deer Lodge County Court Clerk Susie Krueger and Dayton, Krueger with Susie Krueger individually; Montana State Justice: Chief Mike McGrath; Justice Dirk Sandefur; Justice Ingrid Gustafson; Justice James A. Rice & 4-Justices Individually; Clerk Montana State Supreme Court Bowen Greenwood,*** Andre Burke Director Over Office Of President American Bar Association, Non-Gov't-Organization; John Mudd Executive Director: Montana Bar Association Non-Gov't-Organization; Ben Krakowka Deer Lodge County Attorney. **Respondents' Part Pro Se**

**AND Rule 12.4 Consolidate Part I w/Part II joined Parties *Bold Italics* direct relate Rule 14.1(b)(3)**

**Sibling Case B<sup>3</sup>[FN#3]** **Part 2:** Richard Charles Lussy, ("RICK") **Petitioner/Appellant Pro Se**

VERSUS **Montana State Court DV-18-38/MT Supreme Court (Direct Appeal): DA-19-058**

Henry Paumie Lussy, Launa Lynn Roque, Jenahlee Murie Bornff, Merna Green Assessors Office Montana Department of Revenue; Tim Fox Montana Attorney General; Wade J. Dahood & Jeffrey Wade Dahood ASO Knight & Dahood Law Firm & Both Individually, ***Raymond J. Dayton & Kurt Krueger 2-Montana District Court Judges, Deer Lodge County Court Clerk Susie Krueger and Dayton, Krueger with Susie Krueger individually; Montana State Justice: Chief Mike McGrath; Justice Dirk Sandefur; Justice Ingrid Gustafson; Justice James A. Rice & 4-Justices Individually; Clerk Montana State Supreme Court Bowen Greenwood,*** Andre Burke Director Over Office Of President American Bar Association Trade Union A Non-Government-Organization; John Mudd Executive Director: Montana Bar Association Trade Union/ Non-Government-Organization; Ben Krakowka Deer Lodge County Attorney. **Respondents' Part Pro Se**

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<sup>3</sup> Wade J. Dahood Pro Se refused to counterclaim "A" & waste finite court budget before 4/6/18 "A" no counterclaim Case "A" CV-17-79-BU use **Case "B" (I-II): Notice of Lien Not Due** MCA 71-3-532/71-3-103 in MT power to lever same as CV-78-67-BU.

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#### PARTIES-&-TERMS-IN-ACRONYM: LEGEND

\* ABA aka American Bar Association<sup>4</sup> an unwritten policy for gov't lawyer judges only to approve &

<sup>4</sup> American Bar Association (ABA), (August 21, 1878) voluntary bar association with 194,000 dues-paying members (2017) constitute 14.4% of U.S. attorneys compared to half of all lawyers (1979). HQ in Chicago, Illinois & large office: Washington, D.C. Mission statement is national representative of legal profession, serving public & promoting justice, professional excellence, & respect for law. Lawyers were recently ranked among least trusted of all vocations. Source: www.Forbes Mark A Coen Aug 1, 2018. ABA power is in proposing state & federal laws, reforming court system, accrediting law schools, & evaluating individuals nominated by president for federal judges. Source: ABA Web page; www.encyclopedia.com & Internet June 9, 2021. And ABA represents about a third of the country's 1.2 million lawyers. But it is more than a trade association. It also has some governmental power, which makes its latest foray into political correctness of more than passing interest. States give the ABA power to accredit law schools, which must teach the association's Model Rules of Professional Conduct. The ABA also lobbies state courts to adopt these rules, which become real law governing how and whether lawyers can practice is "power" responsible for making USA Society better. The standard is that all should aspire." The ABA adopted a rule to regulate lawyers' speech "*ABA Overrules the 1<sup>st</sup> Amendment*." Wall Street Journal 8/17/2016, A-9, by Ron Rotunda. (emphasis)

enforce member pleadings with a bar number fulfilling discrimination-loyalty to trade union & creating poverty by lawyer-judge mandate. (i) non-government organization's ("NGO") (ii) discrimination (I am superior, better & serve no one before myself) policy is an (iii) erroneous standard for any NGO monopoly-to-serve-monopoly-USA: John Q. Public, Alice Average Citizen: registered voter taxpayer ("RVT") government, (iv) acting in bad faith (v) with 100-percent market share of all USA government in all levels of society; (vi) governance mandate to re-sell free public law; (vii) make gov't contract(s) with ABA aka Affiliated Business Arrangement (viii) to discriminate ibid (ix) exclusive use monopoly government emolument<sup>§</sup> employment. (x) Government lawyer judge contracts from ABA to ABA to discriminate is in bad faith. (xi) ABA continues control of monopoly governance with sub-subcontracts with Sicilian-Mafia (xii) that sub-sub-subcontracts to *Int'l Green Machine* of London/Luxemburg (xiii) for misappropriation, to manipulate & falsify public records anytime/anywhere for use in hearsay/precedent/*stare decisis*/one-judge made case studies (is 3<sup>rd</sup> party) "law" (1<sup>st</sup> parties). (xiv) Result is successful conversion of public property for private use to exclude all others especially in 9-elections: 1988-92-96-00-04-08-12-16-20 Florida elections.

\* **BLESSED SAINTED PARENTS:** Mother Dorothy Helen & Father Henry Francis Lussy (i) sovereign to 2<sup>nd</sup> Class Citizen RCL pro Se; (ii) become subject matter jurisdiction from: separate, independent to intestate probate DP 18-31 as admitted into evidence Case "A" with 26-fasehoods of Jeffrey Wade Dahood Joined-Respondent's apostasy live argument April 4, 2018 (see page iii) in Case "A:" CV-17-79-BU-JCL-BMM with Certiorari & Mandamus US Mailed June 23, 2021 & Case "B Part I" DV-18-37/DA 19-577 (Dahood) Part II DV-18-38/DA 19-578 (Paumie Lussy) MT Supreme Ct, US Writ Certiorari ""B-I" 20-5028/"B-II" 20-5029; (iii) to retention of case record destroyed to reopen for fraud: Parent Case "A" CV-78-67-BU<sup>§7</sup> (iv) to be spent-out-of-court RCL Pro Se & his Blessed parents DHL & HFL by Pro Se lawyers that call themselves paid-advocates as paid to self-advocate-apostasy: posers-actors to make work by churning lawyer fees by doing useless worthless unnecessary work for judge job security by monopoly discrimination-despotism: refusing oversight 100% JTV-DP-R with 4-cameras. (v) Again, instant CV-17-79-BU/DV-18-37 Part I & DV 18-38 part II; same 2-parties: RCL Plaintiff v Wade J. Dahood Pro Se Defendant. (vi) ABA-ABA discriminate for a living, require their Oath<sup>§</sup> to supersede

<sup>§</sup>Emolument n. (15<sup>th</sup> century) Any advantage, profit, or gain received as a result of one's employment or one's holding of office. Black's Law Dictionary 10<sup>th</sup> Edition. (2014) page-638. [RCL Pro Se adds public charge as subsistence tie to gov't].

<sup>§</sup>CV 78-67-BU caption Henry F. Lussy & Richard C. Lussy vs. Francis R. Bennett; **Knight, Dahood**, Mackay & Mclean, partnership composed **Wade J. Dahood**, Conde F. MacKay & David J. McLean; & David J. McLean individual Defendants. (Built & completed 60-Apartments: Elkhorn & Pintlar: voided \$500,000+/-promissory notes).

<sup>§</sup>CV 78-67-BU case record destroyed: See letter from US Clerk, Feb. 18, 2015. Exhibit A-8978 in Appendix.

<sup>§</sup>CV 78-67-BU case record shall be reopened by civil rule 8(c)(1)/9(b)w/no case records, yet monopoly gov't lawyer imperial Magistrate/ judges/justices deny selves to subordinate authority to Rules of Civil Procedure. Quote Rick Lussy, Clerk Coleen Hanley Chief Deputy Operations 4/10/18 reopen case free opposes *Res Judicata Exhibit A-8538 with envelope*.

<sup>§</sup>Oath of Lawyer enterprise trade union/non-government organization oath to discriminate. Men & women took an oath when they joined the Montana-Bar Association sibling of Parent American Bar Association. They raised their right hand and they pledged allegiance to the trade union. More specifically, they pledged their allegiance to their fellow trade union brothers and sisters. For these men, it was trade union first, client second & country laws last if same laws were not blocked & stopped first from ever being applied. Source Re: R.C. Rick Lussy.



6 & pre-empt United States of America & Montana State Constitutions, (vii) their one rule (precedent) that there are no rules (civil procedure-statutes) applies: gov't lawyer magistrates/judges/justices with 100% control over American society, at all levels. (viii) ABA use no law, no rule: *Twombly* etc. et al case study is to stop 100% JTV-DP-R with 4-cameras as neither, law nor, rule of civil procedure is not substantive: yet 43-years & no 100% JTV-DP-R w/4-cameras (ix) \$905,622<sup>[FN#---]</sup> tax pay salary: do civil-tort/crimes; juror verdict referral public prosecution.

\* BALCCB aka bar association lawyer cartel cabal behemoth with 100% market share, no competition, no consumer freedom of choice, by express omissions, 100% concealment with insider trading of lawyers run USA Society: 50-states/5-populated territories mistook ABA inadequate training no jury trial/moot court/mock trials *juris doctor* & no doctor experience.

\* Bait & Switch Joined 29-Respondents' scheme to take lawyer fees/property & erase faces Mom-Dad-RCL with absolutely no evidence of ownership. RCL separately filed in Anaconda-Deer Lodge County Mother's intestate probate DP-18-31 demonstrate actual fraud that JWD Pro Se admitted: 4/6/2018.

\* Corrupt Persuaders<sup>10</sup> ultimate harm to consumers by ABA-ABA discrimination policy in gov't.

\* Discriminate harm to consumers by denying 100% JTV-DP-R with 4-cameras RCL 43-yrs.

\* Extortion harm consumers by officers of court manipulation & falsification public records.

\* Forty-Three Years harm to consumers between CV-78-67-BU & CV-17-79-BU: Butte Mont. Division. The actual fraud reopening CV-78-67-BU with destroyed case record.

\* HFL & DHL Blessed Dad Henry Francis Lussy ("HFL") & Mom Dorothy Helen Lussy ("DHL").

\* GOV'TOCIDE<sup>11</sup> all self-administered, self-pardoning by & for: TITLED LAWYERS pre-empt all law.

\* HJRC anti-mafia Justice aka Hon. John Robert Chief Justice oath/MOOF Rule 5.4 redo in Map Room.

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<sup>10</sup>Corrupt persuader defined "an intent to . . . impede fact-finding ability of an official proceeding." In convicting Andersen, a federal jury in Houston blamed an Andersen lawyer for persuading others to destroy documents related to investigation of Enron Corp. U.S. v. Arthur Andersen, LLP, No. H-02-121 (S.D. TRx. May 13, 2002), Trial Transcript 1663-1665. Too Big To Jail "How Prosecutors Compromise Corporations" by Branadon L. Garrett 2012 page 41.

<sup>11</sup>Gov'tocide evolved from genocide, homicide now gov'tocide is defined: (1) deliberate & lasting prevarication by use of precedent/*stare decisis*/judge made "case study" (3<sup>rd</sup> party hearsay) incorrectly called "case law" (1<sup>st</sup> parties in caption). (2) Underlying pre-condition is to take ministerial oath of office warranty, assumption of risk ("MOOF"), to become a public charge (obligated at 100-percent government expense) for public employment compensation with benefits; (3) only to refuse to implement MOOF by self-administration & self-pardoning giving exclusive benefit to peer group by oath against America, to discriminate in government by delay, block, stop, vacate, vitiate, void, ignore, self-authored jurisdictional exception rule as sovereign to petitioned existing law with: express omissions, 100-percent concealment, insider trading paid on both ends & molycoddling in middle by judge, to preserve & protect lawyered special interest: non-government-organization ("NGO") &/or trade union: 100% market share, no competition & no consumer freedom of choice.

\* **HTSABBT aka Hunted-Targeted-Stalked-Attacked-Bullied-Badgered-Tormented** Plaintiff RCL Pro Se: 24/7 surveillance electronic & physical comings & goings. Accessory-shills against RCL are insured with credit default swaps as 3<sup>rd</sup> party contacts insured to benefit ABA-ABA as dead peasant-insureds.

\* **Insider Trading is for Misappropriation**<sup>[12]</sup> by triple dipping on taxpayer including RCL Pro Se.

\* **"ITV-DP-R"** aka 100-percent jury trial verdict **due process redress**<sup>[FN#-- & FN#--]</sup> with four cameras is **(a)** mandated by MOOF Warranty assumption of risk **(b)** aka Pledge of Allegiance & **(c)** synonymous with **substantive due process** protection of certain **fundamental rights** from government interference, which prohibit federal & state governments, respectively, from depriving any person of "life, liberty, or property, **includes candidate in elections** without **due process of law**". Substantive due process demarcates the line between the acts that courts hold to be subject to government regulation or legislation & the acts that courts place beyond the reach of governmental interference. Whether 5<sup>th</sup> or 14<sup>th</sup> Amendments were intended to serve that function continues to be a matter of scholarly as well as judicial discussion & dissent.

\* **"Justinhoard"** (justice hoarded) Lawyers deny clear competitive neutrality policy for juries.

\* **MAI** aka **Member Appraisal Institute** RCL cannot discriminate. AI & ABA both **non-gov't organizations** ("NGO"), yet ABA discriminates for a living does supersede/pre-empt Rule 5.4: Oath.

\* **MOOF** aka **ministerial oath of office** Warranty Assumption of Risk as public charges: gov't tax paid.

\* **NGO** aka **non-government-organizations** are trade unions: Mont. Bar Assn & Appraisal Institute.

\* **RICHARD CHARLES (C.) LUSSY** aka **R.C. "RICK" LUSSY ("RCL")** Petitioner Pro Se, Decedent Heir, Injured Party, US Citizen: 1988-92-96-00-04-08-12-16-20 candidate & to be 2024-Candidate in USA.

\* **Respondents Primary:** (part Pro Se): **Henry Paumie Lussy ("HPL")**; (w/2-daughters) **Launa Lynn Roque ("LLR")**, **Jenahlee Murie Bornff ("LMB")**; **Wade J. Dahood Pro Se ("WJD")**, KNIGHT & DAHOOD Law Office Pro Se joined 4/6/18 by (son) **Jeffrey Wade Dahood Pro Se ("JWD")** et.al, Merna Green ("GREEN") employed in Assessors Office (no-one elected) Montana Department of Revenue.

\* **Respondent participants aid & abet-equally culpable**<sup>[13]</sup> **even though not to have personally committed deeds principals are accountable:** Tim Fox ("FOX"); Montana Attorney General; Jeremiah C. Lynch U.S. Magistrate ("LYNCH"); Brian M. Morris ("MORRIS") U.S. Judge, Tyler Gilman ("GILMAN"), Clerk of U.S. District Court; Judge Murguia ("MURGUIA"), Judge Christen ("CHRISTEN"), Judge Bade ("BADE") & Molly C. Dwyer ("DWYER") Clerk of Ninth District Court of

<sup>[12]</sup> **Insider Trading is to misappropriation** ©2021 pending. **Nonfungible Token or NFT** American Bar Association ("ABA") ENTITLED LAWYERS are paid on both ends. First two lawyers (plaintiff & defendant) with the middle: paid referee-lawyer-judge public predicate to MOOF Warranty Assumption of Risk; contracted not to commit gov'tocide. ....

<sup>[13]</sup> Culpable by 18 U.S.C.A. § 2311 et seq. **Dyer Act**. HPL took Mothers car to Moses Lake WA out of Mont. that 19-respondents participated to aid & abet-equally culpable principals-not having done the deed(s) themselves.

Appeal; Andre Burke ("BURKE") Director Over Office Of President American Bar Association Trade Union/Non-Government-Organization; John Mudd ("MUDD") Executive Director: Mont. Bar Assn Trade Union/Non-Gov't-Organization; Ben Krakowka ("KRAKOWKA") Deer Lodge County Attorney.

\* **Shilling Business** aka undercover anti-American public relations: Inter'l Green Machine/mafia.

\* **SSA** aka sabotage surveillance agents as shills<sup>[14]</sup> aka IRS independent contractor 1099's used to bribe 100-percent contacts (business-social-telephonic-electronic business) to RCL Pro Se after 24/7 comings & goings contacts' all to guarantee 100% failure for the rest of his life. WHEREBY organized crime blossoms to further launder free money to purchase businesses, FF&E, real estate to continue pizzo from: (i) American-Collier County monopoly government administered crime witness coordinator, a Collier County employee with felons (over \$300 damage value) (ii) coming out of Collier County Jail going to Justin's Place-homeless shelter/drug rehabilitation center. Cash-crime-take-total: (iii) SSW money with gov't court administration, (iii) County Witness coordination office; (iv) Sheriff Hunter/Rambosk supervision; (v) State Attorney 2-managers, (vi) add private invested-issued: credit-default-swaps ("CDS") to "speculate-a-guaranteed failure" RCL Pro Se for the rest of his life with pre-paid "insurance" to guarantee RCL Pro Se now age 70-after 1988-92-96-00-04-08-12-16-20 failed elections. (vii) Definition: SSA are unregistered lobbyists hired IRS 1099 "independent contractor" to HTSABBT RCL Pro Se sabotaged with lowly shills, (viii) sponsored with CDS insurance contracts for "knife-in-back" of RCL (ix) ultimate beneficiary is ABA job security preserving precedent to void rules civil procedure to apply: statutes & US/Mont. Constitution's 100% JTV-DP-R<sup>[FN#2]</sup>. (x) And to permanently erase faces of Mom-Dad-&-son-RCL Pro Se, (xi) pay \$1,228,413 commit civil-tort/crimes for juror referral public prosecution.

\* **SSW** aka secret surveillance warrants: gov't lawyer judge ordered non-lawyer IRS W-2 County employee: witness coordinator as a go between to benefit TITLED LAWYERS to protect preserve corrupt concealment by Sheriff/County Attorney 100% control 24/7 surveillance-phone taps, electronic computer word/number changes, file deletions with RCL physical comings and goings. To protect least suitable or competent citizens in gov't to keep: gov't lawyer judge jobs-pensions for life: go to daily work late, leave daily work early, take ½ to all Friday off & all religious+-non-holidays off & full gov't pay. Oversight by: Titles of Nobility ("TONA") <sup>[FN#30]</sup> aka Missing 13<sup>th</sup> Amendment<sup>(1819)</sup>.

o [sams@bestselfusa.com](mailto:sams@bestselfusa.com) updated version of Doing Well by Doing Good Executive Coaching<sup>[15]</sup> Coaching Curriculum <http://doingwell21.blogspot.com/> Sam of team Sam & Bunny Sewell exclusive MENSA (high IQ 2% of general population) Society; shall provide you exclusive referral software program of/with peer a MENSA member to improve Court Administration from a CEO/CFO software

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<sup>[14]</sup> Shill n. one who acts as a decoy, as for a cheater, vb. New Merriam-Webster Dictionary 1989. Page 667

<sup>[15]</sup> Team Sam & Bunny (born on Easter): [sams@bestselfusa.com](mailto:sams@bestselfusa.com) updated version of Doing Well by Doing Good Executive Coaching Curriculum <http://doingwell21.blogspot.com/> Sam of team Sam & Bunny Sewell exclusive MENSA (high IQ 2% of general population) Society; shall provide you exclusive referral software program of/with peer a MENSA member to improve Court Administration from a CEO/CFO software program Naples Business Company Owner. This is a RCL Pro Se referral to correct corrupt Federal/state (Montana & Florida) court administration.

program Naples Business Company Owner. This is a RCL Pro Se referral to correct corrupt Federal/state (Montana & Florida) court administration.

\* **TITLED LAWYERS:** Missing 13th Amendment<sup>(1819)</sup> aka Titles of Nobility Amendment [FN#23 & #24].

**SOLICITOR GENERAL & U.S. AMENDMENT(1819) A NON-PRECEDENT**

Rule 29.4(b) requires this office be served when exceptional appellate jurisdiction (Rule 20.1) constitutionality of a congressional act is unlawful pursuant "Montana Code Annotated ("MCA") § 28-2-701"<sup>16</sup> an issue of fact be tried in juror verdict "MCA § 25-7-103"<sup>17</sup>[R.Civ.P.7, 38(a), 39(a) & 48] excludes Subject Matter Jurisdiction: Case "A" Federal Questions & Diversity of Citizenship: MCA 28-2-701 yet includes Case "B Parts I & II" unlawful behavior of courts in States of Montana, Florida with Illinois ABA Headquarters. This Subject Matter Jurisdiction include: ("EC") Exceptional Circumstances as extrinsic **103**-frauds that restrict Oath: right to 100-percent jury trial verdict with four cameras as last resort for Mandamus; including intrinsic **44**-frauds "subject of this lawsuit" called ("ICR") Inconsistent Claims For Relief. Or say: **147-total** frauds on the court by officers of the court. All justiciable evidence do immediate harm to consumer/RCL Pro Se as ABA lawyers of organized crime.

First of numerous: Juror Verdict Questions: (i) Enforce ministerial Rule 5.4-Oath/MOOF Warranty assumption of risk/Pledge of allegiance in this 100-percent jury trial verdict due process redress. (ii) USA governance to immediately stop-&-cancel its affiliation with lawyers in gov't lawyer/judges/ justices employed of non-government organization ("NGO") known as American Bar Association ("ABA") & (iii) to stop judge ordered SSW supplemented (iv) with dues paid SSA: 24/7 HTSABBT sabotage against RCL Pro Se deny competitive neutrality that immediately harms consumer(s)/RCL Pro

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<sup>16</sup> MCA 28-2-701. What Is Unlawful. That is not lawful which is: (1) contrary to an express provision of law; (2) contrary to policy of express law, though not expressly prohibited; or (3) otherwise contrary to good morals.

<sup>17</sup> MCA 25-7-103 When Issues of Fact are to be decided by jury. All questions of fact, where the trial is by jury, other than those mentioned in 25-7-102 are to be decided by the jury, and all evidence there on is to be addressed to them, except when otherwise provided by this code.

Se by (v) not adequately teaching 100-percent JTV-DP-R[FN#2 & #17] & (vi) policy: "no tickie no laundry"<sup>18</sup> to (vii) routinely spend non-lawyers out of court. Do exact petition denied RCL Pro Se only with a bar number; (viii) to insure job security & (ix) enrich gov't lawyer judge/justices as sole 100% market share etc. et al as (x) sole manufacturers refusing 100% JTV-DP-R (xi) oversight of free public law (never trained/prepared except mollycoddling) their own member lawyers, (xii) to make work, doing useless worthless & unnecessary legal work: (xiii) contributing to RCL Pro Se's life stop, no marriage, no family these 43-years after loss of residence: 2565 Magnolia Blvd. West aka 4527 West Raye Street, Seattle WA, 98199<sup>19</sup> to (xiv) insider trading: presiding Marriage Dissolution Superior Court Judge Horton Smith: then replacement owner.

Second: of numerous: Juror Verdict Questions: Uniform Commercial Code ("UCC") § 2-313<sup>20</sup> U.S. Supreme Court Rule 5.4 "Oath-Warranty"/Ministerial Oath of Office ("MOOF") Warranty Assumption of Risk/Pledge of Allegiance to support US Constitution to include: 100-percent JTV-DP-R[FN#2 & #17] is not adequately taught by American Bar Association ("ABA") Harvard & Yale pending verification. All 9-US Supreme court justices graduated from these 2-law schools. And all verified boast of 3-year law school: *juris doctor* diploma's with no doctor experience is actual fraud MCA28-2-405(3) & (5).

Third of numerous: Juror Verdict Questions: State Judge Krueger & Clerk Krueger are of Joined 29- Respondents for mis-appropriated & unconstitutional precedent inclusive use: to "exclude rules of civil

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<sup>18</sup> Unsafe At Any Other Word book: No tickie No laundry" quote of presiding Superior Court Judge Horton Smith in Rick Lussy's marriage dissolution once the judge heard the address his eyes perked up: 2565 Magnolia Blvd. W aka 4527 W. Raye St, Seattle WA, 98199, (five level "Craig Puget" 5,400 sf) water views of Puget Sound f/9-rooms, with 60-foot bridge over a year-round running stream. Former Superior Ct Judge Horton Smith now owns his old house with 5-titles on personal checks. His former inferior condominium residence was in inferior West Seattle. Now in a stand alone single family residence.

<sup>19</sup> Seattle King County Superior Court elective system works as Norton Smith was voted out after "no tickie no laundry" hit Seattle Times about a little person-nobody: oriental-of International Dist.: misdemeanor defendant acted pro se & lost.

<sup>20</sup> Federal Question (First) is American Bar Association force franchise gov't employment termination for forcing one paid to commit civil/tort or crime: Uniform Commercial Code: ("UCC") § 2-313 (1) Express Warranties by the seller are created as follows: (a) Any affirmation of fact or promise made by seller to buyer which relates to goods & becomes part of

procedure. Precedent as hearsay: (State v Hicks 2006 MT ¶22, 331 MT. 471, 133 & *Bell Atlantic Corp. v. Twombly* 550 U.S. 544 127 S. Ct. 1955) with no live fact witness testimony to rebut. A point any first-year law school student should understand, is not-admissible third party evidence (Federal Judge Reggie expert testimonial witness). This issue was already settled in Civil War (1861 to 1865). The ultimate consumer harm is wasted tax monies by imprudent, self-administered-self pardons without oversight of 100% JTV-DP-R with 4-cameras. Now Sibling Case B: Part I DV-18-37/DA 19-577 (Dahood) & Part II DV-18-38/DA 19-578 (Paumie Lussy) to US Supreme Court Certiorari 20-5028 & 20-5029 with rehearing denied thru ABA on monopoly gov't contract: non-government organization ("NGO") ABA "Gov't" lawyer judges don't have the right to change conditions of that treaty expecting United States of America little people to perpetually be suckers & losers tax-paying citizens<sup>[21]</sup> only to allow triple dip pay<sup>[22]</sup> for paying own membership. By fraudulently claiming: no understanding between: "Notice of 'Lien'/Not Due" (MCA§71-3-532/§71-3-103) & no "lien" is a bait-&-switch (MCA§28-2-701) to apply the fraudulent two \$74,000 judgments in this sibling Case "B Part I & II."

WHEREBY *Hicks/Twombly* are not substantive! Both are unlawful, not rules & not statutes pursuant MCA §28-2-701<sup>[FN#16]</sup> per tort/civil legal positivism.<sup>[23]</sup> Both are merely a case "studies"

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basis of the bargain creates an express warranty that the goods shall conform to the affirmation or promise. (b) ... (c) ...

<sup>[21]</sup> The 45<sup>th</sup> President of the United States: Trump Americans Who Dies in War Are 'Losers' & 'Suckers:' The president has repeatedly disparaged the intelligence of service members, and asked that wounded veterans be kept out of military parades, multiple sources said. When President Donald (John) Trump canceled a visit to the Aisne-Marne American Cemetery near Paris in 2018. He blamed rain for the last-minute decision, saying that "the helicopter couldn't fly and that the Secret Service wouldn't drive him there. Neither claim was true. Trump rejected the idea of the visit because he feared his hair would become disheveled in the rain, and because he did not believe it important to honor American war dead... according to four people with firsthand knowledge of the discussion that day. In a conversation with senior staff members on the morning of the scheduled visit. Trump said. "Why should I go to the cemetery? It's filled with losers." In a separate conversation on the same trip, Trump referred to the more than 1,800 marines who lost their lives at Belleau Wood as "suckers" for getting killed." *The Atlantic* by Jeffrey Goldberg September 3, 2020.

<sup>[22]</sup> Lawyer triple dipping (1) stand alone appointee/elected emolument (job security); (2) public paid salaries; (3) now judgments pay their personal negligence/incompetence/malice untrained by ABA not act to further public duty.

<sup>[23]</sup> Contrasting role of case law in common law, civil law, & mixed systems Different roles of case law in civil law & common law traditions create differences in way that courts render decisions (RCL Pro Se opposite Criminal Law). Common law

(third parties) as case "law" (first party primary source). Both are not rules, not law & of no credible persuasion with no similar facts & no similar issues, not in proximity to the instant case, that warrants direct comparison with no objective grid analysis requiring contact verification name, phone number & e-mail address to allow impeachment. Both are not black-letter-law. Criminal law "without a doubt" uses precedent. Both are to be dismissed in this instant case as not relevant for showing similar work product of issues & similar fact evidence suitable for qualitative grid analysis by direct comparison with live fact witness testimony for issue-verification by sworn conference call rebuttal, notary at caller's office. Case "studies" (3<sup>rd</sup> party testimony) vs. case "law" (1<sup>st</sup> party fact live testimony). Not done, all favor RCL Pro Se. This bad boast comparison is for Joined 29-Respondents.

Government Lawyer employees order-to-further mislead: non-lawyer: RCL Pro Se, John Q. Public & Alice Average Citizen as perpetual suckers & losers<sup>[FN#20]</sup> blinded by ABA cartel<sup>[24]</sup><sup>[25]</sup> sole 3-year law school criteria decider graduates with a *juris doctor* diploma offering no doctor experience what-so-

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courts generally explain in detail the legal rationale behind their decisions, with citations of both legislation & previous relevant judgments, and often an exegesis of the wider legal principles. These are called *ratio decidendi* and constitute a precedent binding on other courts; further analyses not strictly necessary to the determination of current case are called *obiter dicta*, which have persuasive authority but are not technically binding. By contrast, decisions in civil law jurisdictions are generally very short, referring only to statutes, not very analytical, & fact-based. (Footnote #23.) Brian A. Blum, *Contracts*, 4th ed. (New York: Wolters Kluwer, 2007), 37. Reason for this difference is that these **civil law jurisdictions apply legislative positivism** – a form of **legal positivism** – which holds that legislation is the only valid source of law because it has been voted on democratically; thus, it is **not the judiciary's role** to create law, but rather to interpret and apply statute, & therefore their decisions must reflect that. ... This result is legislative positivist view that court is only interpreting legislature's intent & therefore detailed exposition is unnecessary. Wikipedia Free Dictionary p14 of 30. Conclusion: Statutes are fact based. Precedent is hearsay with no first party fact live witness testimony. Tort/civil legal positivism not create unlawful precedent as does: Twombly(MCA 28-2-701). (**emphasis**)

<sup>[24]</sup>The University of Chicago law professor Todd Henderson ...blunt assessment: "The American Bar Association operates state-approved cartel" *Atlantic*, "Gilded future of top 10 percent-& end of opportunity for everyone else" 6/2018 page 56.

<sup>[25]</sup>"Law schools have all but abandoned education of trial lawyers, & truth is that you'll graduate knowing very little more about art than you do now... What you have to do is go to work for someone who's in court every day. Do that even if you have to pay him for education. Cut classes if you have to, but go to court." F. Lee Bailey, Defense Never Rests, (1971) P17.

ever. Again, monopoly gov't lawyer "authorities" smirk as least suitable or competent citizens; untrained for governance to guarantee incompetence delay-block & stop & die in gov't employ.

- Include ABA accredited 3-year law school criteria with no jury trial/moot court or-mock trials;
- Include *juris doctor* diploma & no doctor experience requirements: what-so-ever.
- Include self-administer, self-pardon, no-personal-accountability; not pre-empt/supersede law.

The end result is to further compound manipulation & falsification of public records contribute unsuccessful 9-County Property Appraiser Elections: 1988-92-96-00-04-08-12-16-20 to 24-election.

WHEREAS, equal opportunity under existing law in this civil-tort/fraud on the court by lawyer officers of the court/decedent heir, Injured party/Candidate as Appellant seek only one 100% JTV-DP-R as Curtis Flowers v Mississippi<sup>[26]</sup> murder case, precedent was granted six jury trials by this court. Same Mississippi Prosecutor abandoned: as an unable lawyer. Instant subject non-precedent<sup>[27][28]</sup>

Most important to compete with lawyers is this Fourth of numerous: Juror Verdict Questions:

*Missing 13<sup>th</sup> Amendment aka (1819) Titles of Nobility Amendment ("TONA")*<sup>[29][30]</sup> On page iii ¶1 via Rule

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<sup>[26]</sup> This petition is for just one tort/civil JTV-DP-R whereas, US Sup. Ct allowed 6-separate murder-criminal jury trials: Curtis Flowers v Mississippi 476 U.S. Sup. Ct 79 (2018). Result gov't lawyer prosecutor gave up-as-unfit.

<sup>[27]</sup> Analogy: Bad Precedent follows non-market practices, is not legislative/existing law. America's double standard not to rely on functional literacy cannot be countenanced. **Both US Supreme Court & lower court precedent** must demonstrate similar facts & issues & do not thereby: 100% disqualify: *Bell Atlantic Corp. v. Twombly* 550 U.S. 544 127 S. Ct. 1955 as incorrect bold & brazen use by State Judge Kruger & Chief Justice Mike McGrath to not "comply" with written U.S. constitution & MOOF Warranty assumption of risk by 100% discrimination legislation work around. ABA policy is to discriminate, requires civil/tort precedent to litigate is to waste tax monies. Criminal law not civil law require precedent/*stare decisis*/judge made case studies (3<sup>rd</sup> party) "law" (1<sup>st</sup> party fact witness phone, e-mail to rebut/impeach. Lawyers intent to pre-empt/supersede Rule-of-Law-constitution law & no Rules Civ.P. for 100% JTV-DP-R & 4-cameras.

<sup>[28]</sup> Precedent maxim of English Barristers/Solicitors: no written (US) constitution. Jonathan Swift in passage: *Gulliver's Travels* (1726) satirize British law, "whatever has been done before, may legally be done again; & therefore they take special care to record all decisions made against common justice, & general reason of mankind." Book: *The Rule of Lawyers* "How New Litigation Elite Threatens America's Rule of Law" Walter K. Olson Litigators on Horseback (2003), P-293.

<sup>[29]</sup> Titles Of Nobility Amendment ("TONA") And Honor In the winter of 1983, archival research expert David Dodge, and former Baltimore police investigator Tom Dunn, were searching for evidence of government corruption in public records stored in the Belfast Library on the coast of Maine.

By chance, they discovered the library's oldest authentic copy of the Constitution of the United States (printed in 1825). Both men were stunned to see this document included a 13th Amendment that no longer appears on current copies of the Constitution. Moreover, after studying the Amendment's language and historical context, they realized the principle intent of this "missing" 13th Amendment was to prohibit the entitled from serving in government. So began a seven-year, nationwide search for the truth surrounding the most bizarre Constitutional puzzle in American history -- the unlawful



29.4(a) complies with Rule 14.1(b)(3) when United States or federal office agency officer(s) are joined as a party is at issue on page iii: Order One Question with Support of Order page ii. This mandamus petition enforces exceptional appellate jurisdiction Rule 20.1, to enforce Rules of Civil Procedure

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removal of a ratified Amendment from the Constitution of the United States. Since 1983, Dodge and Dunn have uncovered additional copies of the Constitution with the "missing" 13th Amendment printed in at least eighteen separate publications by ten different states and territories over four decades from 1822 to 1860. In June of this year (1991), Dodge uncovered evidence that this missing 13th Amendment had indeed been lawfully ratified by the state of Virginia and was therefore an authentic Amendment to the American Constitution. If the evidence is correct and no logical errors have been made, a 13th Amendment restricting lawyers from serving in government was ratified in 1819 and removed from US Constitution during tumult of Civil War. Since Amendment was never lawfully repealed, it is still Law today. Implications are enormous.

Petitioner Pro Se "Rick" Lussy (RCL) a 70-year old US Citizen active 43-years since CV-78-67-BU, document intimate monopoly government lawyers' freedom (read as total lack of restraint) versus liberty, which is the ability to choose behavior under the law as long as that behavior doesn't deprive anyone else of their liberty use of free public law in free public courthouse(s). See "*no tickie no laundry*" also "*no tea no talk, no money no honey*" aka no pay lawyer fee no get free law enforcement. RCL's remedy is government without discrimination, as the American Bar Association ("ABA")-lawyers use government to discriminate. RCL Pro Se is a member of Appraisal Institute ("MAI") & Senior Residential Appraiser ("SRA") that cannot discriminate. The Appraisal Institute ("AI") is an international institution, the ABA is not. Both ABA & AI are non-government-organizations ("NGO") & trade unions: however. Again, the ABA discriminates-prevaricates for a living. The AI cannot. Any government whose independent judiciary discriminates acts independent of existing law, herein. Our USA judicial NGO is illegal/unconstitutional as it is continued from old England's legislation with no written Constitution. Perfect fit is described in the (1816) Titles of Nobility Amendment aka Missing 13<sup>th</sup> Amendment. The existing 13<sup>th</sup> Amendment only stopped slavery.

These careful words make up a mixed word salad that is called gov't sponsored discrimination aka social justice.

Story of this "missing" 13<sup>th</sup> Amendment is complex & at times confusing as the political issues and vocabulary of the American Revolution were different from our own. However, there are essentially two issues: What does the Amendment mean? and, Was the Amendment ratified? Before we consider the issue of ratification, we should first understand the Amendment's meaning and consequent current relevance.

<sup>30</sup> Text: "Missing" 13th Amendment aka Titles of Nobility Amendment to Constitution of U.S. follows:

"If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honour (see "Historical Context, see, "Honor", see "What If" & please see "Arguments"), or shall without the consent of Congress, accept & retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."

At first reading, meaning of this 13th Amendment (also called "title of nobility" Amendment) seems obscure, unimportant. References to "nobility", "honour", "emperor", "king", & "prince" lead us to dismiss this amendment as a petty post-revolution act of spite directed against British monarchy. But in US modern world of Lady Di & Prince Charles, anti-royalist sentiments seem so archaic & quaint, that Amendment can be ignored.

Not so. First, "titles of nobility" were prohibited in both Article VI of Articles of Confederation (1777) & Article I, § 9 & 10 of Constitution of the United States (1787); Second, although already prohibited by the Constitution, an additional "title of nobility" amendment was proposed in 1789, again in 1810, & according to Dodge, finally ratified in 1819. Clearly, the founding fathers saw such a serious threat in "titles of nobility" & "honors" that anyone receiving them would forfeit their citizenship. Gov'tocide<sup>[FN#10]</sup> particularizes no MOOF Warranty assumption of risk oversight with 100% JTV-DP-R<sup>[FN#2]</sup> petition in "A & B" cases]. Since government prohibited "titles of nobility" several times over four decades, and went through the amending process (even though "titles of nobility" were already prohibited by the Constitution), it's obvious that the Amendment carried much more significance for our founding fathers than is readily apparent today to remedy gov't lawyer judge/mini-King George III's capricious authority: issue continuing in precedent with no written constitution.

noted by U.S. Justice Stephen Breyer<sup>31,32,33</sup> to throw out as bad irrelevant precedent not based on rules of civil procedure, no longer relevant for precedent/stare decisis/judge made case study. Finality in criminal law specializes in hearsay/precedent/*stare decisis*/judge-made-case-studies, exclusive of this instant case "B" as civil-tort law requires succinct, short, legislative positivism. See footnote #20. Precedent/*stare decisis* overreach to: "persuasive" precedent<sup>34,35</sup> is not applicable as it is hearsay-precedent/*stare decisis*-judge-made-case-studies from Montana State Supreme Court similar opinions: Wade J. Dahood v. Richard Charles Lussy Defendant & Appellant. Pro Se Montana Supreme Court's caption incorrectly omits counterclaim and added indispensable parties in appendix.

**INITIAL BRIEF (Sibling Case "B Part I"): For Caption see footnote**  
**APPELLANT LISTS: 34-Manifest Abuses of Discretion: JUDGE KRUEGER**  
ON APPEAL FROM THE MONTANA THIRD JUDICIAL DISTRICT COURT, COUNTY  
OF DEER LODGE CAUSE NO. DV-18-37  
HONORABLE KURT KRUEGER PRESIDING DISTRICT COURT JUDGE

In appendix identical narrative with different Caption Page → ignored 34-manifest abuses:

**INITIAL BRIEF (Sibling Case "B Part II"):**  
**APPELLANT LISTS: 34-Manifest Abuses of Discretion: JUDGE KRUEGER**  
ON APPEAL FROM THE MONTANA THIRD JUDICIAL DISTRICT COURT, COUNTY  
OF DEER LODGE CAUSE NO. DV-18-38

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<sup>31</sup> "...if it violates some rule of civil procedure other than that, it will be thrown out." Quote by U.S. Justice of Supreme Court Steven Breyer. Lines 13-15, page 10, October 2, 2017; Epic Systems Corp v. Jacob Lewis, No. 16-285, Ernst & Young LLP. Et al., v Stephen Morris, No. 16-300 and National Labor Relations Board v. Murphy Oil USA, Inc., et al. No. 16-307, Supreme Court of U. S., [www.hrccourtreporters.com](http://www.hrccourtreporters.com). (emphasis)

<sup>32</sup> "Justice Breyer rejects 'court-packing' call." Soon to retire: Breyer described as institutionalist & pragmatist, self-characterize: optimist. *USA Today* Thursday 8A April 9, 2021. He pragmatically never experienced 43-years of non-lawyer/RCL Pro Se petition: gov't lawyer judge policy: refuse enforce existing law remedy. Discrimination-&-bias against juror trials not taught in 3-year law school *juris doctor* diploma with no doctor experience.

<sup>33</sup> "Breyer 'basically optimistic' about US." Spoke of his more than 25-years on court... *finding common ground...what we learned in fifth grade, that people work together, they'll get it.* Naples Daily News 2B, 5/30/21.

<sup>34</sup> "Must confront reality of common law development ...." "Rule 11 in Constitutional Case" (1988) 31-pges, pp787-817 on Pge810.

<sup>35</sup> Large-scale obfuscations & stone walling. Lawyers And Justice, Luban (1988) p 96.

As in a venomous, toxic atmosphere RCL Pro Se requires a HJRC Justice letter to hire a lawyer.

Lawyers do not work for little people with tiny budget-monies to spend. RCL Pro Se evidences this:

(Montana) *State v. Hicks*, 2006 MT 71, paragraph 22, 331 Mont. 471, 133 P.3d 206 "[A] district court's decision is presumed to be correct," and the appellant has the burden to demonstrate that an error was made. (Montana) *State v. Gomez*, 2007 MT 111, paragraph 33, 337 Mont. 219, 158 P. 3d 442. "Richard has not even come close to meeting this burden." (Richard C.) *Lussy v Bennett* 214 Mont. 301, 303, 692 P.2d 1232, 1234 (1984)...We have determined to decide this case pursuant to Section I, Paragraph 3(c) of our Internal Operating rules, which provides for memorandum opinions. This appeal presents no constitutional issues, no issues of first impression, and does not establish new precedent or modify existing precedent. Affirmed.

The ignored 34-manifest abuses of discretion of Judge Krueger and refused to "research" or comment by Chief Justice Mike McGrath is fraud on the court. *Hicks/Twombly* 550 US Sup. Ct. 544 (2007) (4/6/18 transcript P12 L24-25) of dissimilar issues & facts for direct comparison here. Twombly first case cited by Pro Se Judge Krueger filed by Pro Se Clerk Krueger identical Montana State Case "B Part I,"<sup>[36]</sup> & Case "B Part II."<sup>[37]</sup> Judge/Clerk Krueger/Krueger as public-oath-charges<sup>[38]</sup> as deriving all income-to live/subsistence from monopoly gov't 100% subject to U.S. Supreme Court Rule 5.4

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<sup>[36]</sup> Wade J. Dahood Pro Se v. RCL Pro Se: **Cause Number DV-18-37**, Conclusions of Law: Document #35, FILED 4/4/2019: (1) *Ashcroft v. Iqbal*, 556 U.S. 662, 678-79 (2009) quoting (2) *Bell Atl. Corp vs. Twombly* 550 U.S. 544, 570 & 555-56, 127 S. Ct. 1955, 1964-65, 167 L. Ed. 2d 929, 75 (2007); (3) *Ryan c. City of Bozeman*, 279 Mont. 507, 511-13, 928 P.2d 228, 230-32 (1996); (4) *Mysse v. Martens*, 279 Mont. 253, 266, 926 P.Ed 765, 773 (1996); (5) *Jones v. Montana University System*, 2007 MT 82 82 ¶42, 337 Mont. 1, 155 P.3d 1247. (6) *Anderson v. Reconstruct Company*, 2017 MT 313 (2017). (7) *Papasan v. Allain*, 478 U.S. 265, 285, 106 S. Ct. 2932, 92 L.Ed.2d (1986); (8) *Richard C. Lussy v. Davidson*, 683 P. ed. 915, 210 Mont. 353 (1984); (9) *Lussy v. Bennett*, 214 Mont. 301, 692 P2d, 1232, 1234 (1984).

<sup>[37]</sup> *Henry Paumie Lussy v. RCL Pro Se: Cause Number DV-18-38*, Itemized Conclusions of Law: Document #46, Filed 4/4/2019: (1) *Ashcroft v. Iqbal*, 556 U.S. 662, 678-79 (2009) quoting (2) *Bell Atl. Corp vs. Twombly* 550 U.S. 544, 570 & 555-56, 127 S. Ct. 1955, 1964-65, 167 L. Ed. 2d 929, 75 (2007); (3) *Ryan c. City of Bozeman*, 279 Mont. 507, 511-13, 928 P.2d 228, 230-32 (1996); (4) *Mysse v. Martens*, 279 Mont. 253, 266, 926 P.Ed 765, 773 (1996); (5) *Jones v. Montana University System*, 2007 MT 82 82 ¶42, 337 Mont. 1, 155 P.3d 1247; (6) *Anderson v. Reconstruct Company*, 2017 MT 313 (2017); (7) *Papasan v. Allain*, 478 U.S. 265, 285, 106 S. Ct. 2932, 92 L.Ed.2d (1986); (8) *Richard C. Lussy v. Davidson*, 683 P. ed. 915, 210 Mont. 353 (1984); (9) *Lussy v. Bennett*, 214 Mont. 301, 692 P2d, 1232, 1234 (1984)

<sup>[38]</sup> USCIS defines "public charge ... at government expense." See 64 FR 28689 (5/26/1999). ... No single factor, *other than lack of affidavit of support*, ... is a public charge. Internet 5/10/19.

Oath/MOOF warranty assumption of risk/Pledge of Allegiance. Known public official Montana state salaries to date \$1,153,185<sup>39</sup> to bring this case here & now to exclude Hon. John Roberts Chief Justice. The looks of hatred for threatening the ABA-lawyer monopoly in gov't running Collier County Jail, subsidies house organized for 3<sup>rd</sup> party sub-contracts to SSA with Sicilian organized crime as Naples Collier County Florida is a organized crime replica of Naples Italy. Sicilians in Florida & New York call themselves Italian. Overseers in not-for-profit social service centers while owning for-profit-business centers & gov't employed skills are of interest to organized crime solicitation at homeless shelters.

HEREAFTER (previous to this day) Pro Se Montana State Supreme Court Chief Justice McGrath err use of hearsay precedent<sup>40</sup> as policy to discriminate is under their semi-gov't authority that ABA-NGO willfully ignores 34-Manifest Abuses of Discretion hereafter (time after this day) concurrent ministerial Oath for gov't emolument-employment<sup>41</sup> as non-member/non-lawyer RCL Pro Se's

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<sup>39</sup> Gov't Salaries \$1,153,185/year + staff etc. spent to prove there is no Rule 5.4-Oath/MOOF Warranty Assumption of Risk/Pledge of Allegiance: 1.) Deer Lodge County Court Clerk (retired) Susie Krueger Salary \$61,516+; 2.) Butte District Court Judge Kurt Krueger: \$136,885/yr. +; 3.) Montana State Supreme Court Clerk Bowen Greenwood \$106,725+; 4.) Mont. State Chief Supreme Court Justice Salary \$151,495/yr.+; 5.) Mont. 3-Associate Supreme Court Justice Salary \$149,677/yr. X 3 = \$449,001, plus ADLC Attorney "Krakowka" \$110,649 Grand Total → \$1,153,185/yr + benefits +staff

<sup>40</sup> Pro Se Montana State Supreme court's No caption: no order/mandate/judgment: **Counterclaim by RCL Pro Se v. Wade J. Dahood Pro Se** from: US Writ Certiorari **20-5028/19-577/DV 18-37**; FILED 5/5/2020: "order/mandate/opinion caption-omitted;" (1) (Mont.) State v. Hicks, 2006 MT 71, ¶ 22, 331 Mont. 471, 133 P.3d 206. "district court's decision is presumed to be correct," and the appellant has the burden to demonstrate that an error was made." (2) (Mont.) State v. Gomez, 2007 MT 111, ¶ 33, 337 Mont. 219, 58 P. 3d 442. Richard has not even come close to meeting this burden." (3) Lussy v. Bennett, 214 Mont. 301, 303, 692 P.2d 1232, 1234 (1984). And this is identical to **Counterclaim by RCL Pro Se versus Henry Paumie Lussy**: U.S. Certiorari: **20-5029/19-578/DV 18-38**; FILED 5/5/2020.

<sup>41</sup> **OP 19-573** Pro Se Montana State Supreme court's No caption: "memorandum" stated on last page with no bold lettering: earned Joined 27-Respsndents: "...This appeal presents no constitutional issues, no issues of first impression, and does not establish new precedent or modify existing precedent. Affirmed" DA 19-577 & DA 19-578 **AFTER Mandamus OP 19-573 (see appendix)** "We further point out that Lussy has found "a plain, speedy, and adequate remedy at law[]" because he has since filed two appeals with this court. Smith, paragraph 28. Accordingly, IT IS ORDERED that Lussy's Petition for a Writ of Mandate is DENIED and DISMISSED." **CONCLUSION: No short succinct, yet screed rambling insist no facts-law-constitutions are of record: juror verdict issue**<sup>[FN#17]</sup>.

justiciability<sup>42</sup> is admitted evidence: *Notice of Lien/Not Due is no Lien*<sup>43</sup> contests all: 100-percent Pro Se Mont. Supreme Court's Internal Operating Rules,<sup>44</sup> errs Joined 29-Respondent for public pay, known: \$1,153,185+ [FN#39]: "our internal Operating Rules" do no "research"/reading appendix exhibits: *err Dahood: "lien" versus RCL Pro Se: "4-Notice(s) of 'Lien'/Not Due"* (MCA§71-3-532/§71-3-103); to correct two-err pile on "vexatious litigant," two err \$74,000-judgments & two-err orders for collateral source MCA 27-1-307(1) of deep pockets a juror verdict[FN#17] United States & Mont. State Constitution petition. Yes, Chief Justice McGrath refuses to "research" read 34-manifest discretion abuses in this appendix.

Finality "B Part I," [FN#36] Case "B Part II," [FN#37] determines criminal precedent/*stare decisis*/judge-made-case-studies, is excluded in this ministerial civil-tort law. Again, precedents are not existing law, yet persist these 43-years from #12773/DV-80-41(See Appendix). Become extrinsic frauds aka Exceptional Circumstances that follow sworn written-constitution, 245-years not to dishonor America war-for-freedom-dead: not suckers & losers<sup>45</sup> always for freedom & liberty against foreign-domestic absolute despotism exists with Joined 29-Respondents reliant these 43-years on make believe unverified precedent cases: not guide rules.

WHEREBY HJRC the anti-mafia Justice's time, talent & treasure is to enforce rules of civil

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<sup>42</sup> Justiciability n. The quality or state of being appropriate or suitable for adjudication by a court. See Mootness DOCTRINE; RIPENESS, Cf. STANDING C.J.S. Actions §§ 38-45.] Black's Law Dictionary 8<sup>th</sup> Edition (2004) page 882.

<sup>43</sup> Notice of Lien/not due: Sibling: Case "B Part I" (1-Notice Only: Wade J. Dahood Pro Se; Exhibit A-8547 (3-pge) & Part II (3-Notices Only: Paumie Lussy, Exhibit A-8529 (1-pge); Ex. A-8530 (1-pge) & Ex. A-8531 (2-page)) in Appendix.

<sup>44</sup> Pro Se Montana State Supreme Court: **Internal Operating Rules:** ¶7 "We (Pro Se Montana State Supreme Court) have determined to decide this case pursuant to Section 1, paragraph 3(c) of our Internal Operating Rules, which provides for memorandum opinions, This appeal presents no constitutional issues, no issues of first impression, and does not establish new precedent or modify existing precedent. Affirmed." No Order/Opinion/Mandate/caption for clarity: source: **Page 4: Filed May 5, 2020: Wade J. Dahood Plaintiff & Appellee v Richard Charles Lussy, Defendant & Appellant: (Direct Appeal) DA 19-0577 sibling case "B" Part I: Near identical is this sibling case "B" Part II: Source: Page 4: Filed May 5, 2020: Henry P. (Paumie) Lussy Plaintiff & Appellee v Richard Charles Lussy, Defendant and Appellant: (Direct Appeal) DA 19-0578.**

<sup>45</sup> Trump 45<sup>th</sup> US President veteran dead "suckers" & "losers" *Atlantic*, J. Goldberg 9/3/20.

procedure after destroyed: **Revocable Living Trust-To-Be-Mom's-Last Will & Testament** bait & switch(MCA§28-2-701) to catch-kill to erase the faces of: Blessed DHL/HFL c/of son RCL Pro Se: "(when) **your mother died her Living Trust died**" with actual fraud MCA 28-2-405 (3)<sup>46</sup> manipulated & falsified public record Exhibit A-8306 for "**Full Release of Recipients...**" secretly agreed with then presiding Pro Se Judge Raymond J. Dayton, subsequently recused that no Intestate Probate DP 18-31 need be filed. Knew or should have known, he with Jointed 29-Respondents (72% lawyers) had neither, credible nor, written authority particularized as no power of attorney, no named estate administrator, no conservator, no guardian to legitimize this "full release" Exhibit A-8306 on Jointed 29-Respondents.

#### **CORPORATE DISCLOSURE STATEMENT**

Rule 29.6 Respondents destroyed "**Revocable Living Trust-As-Last-Will-&-Testament**" April 6, 2018; Judge Kruger/Clerk Kruger/Pro Se Chief Justice McGrath Mont. Supreme Court May 5, 2020, no caption: no order/mandate/ "vexatious" litigant to hide petition remedy:Blessed-Sainted team Mother-Father DHL/HFL care/of RCL Pro Se.

This Subject Matter Jurisdiction includes: ("EC") Exceptional Circumstances as extrinsic<sup>103-</sup> frauds that restrict Oath: rights to keep RCL Pro Se from obtaining 11/15/22 first 100% JTV-DP-R before 11/2024 election to present this case before 2024 election & to set aside two-fraudulent judgments etc. et al as necessary for Mandamus; to include intrinsic<sup>44-</sup>frauds "subject of this lawsuit" called ("ICR") Inconsistent Claims For Relief. All justiciable evidence RCL Pro Se has sworn does immediate harm to consumer/RCL Pro Se.

The courts below Judgment In A Civil Case Decision by Court & no jury verdict. Non-public, family:

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<sup>46</sup> MCA 28-2-405 Actual Fraud, (2019) within the meaning of this part consists in any of the following acts committed by a party to the contract or with the party's connivance with intent to deceive another party to the contract or to induce the other part to enter into the contract: (1) The suggestion as a fact of that which is not true by one who does not believe it to be true; (2) the positive assertion, in a manner not warranted by the information of the person making it, of that which is not true, though the person believes it to be true; (3) **the suppression of that which is true by one having knowledge or**

Butte Georgetown Mining Inc. is civil-tort & for criminal referral issue in 100% JTV-DP.R<sub>[FN#2&#17]</sub> for public prosecution of fraud, incitement, entrapment & RICO after bait & switch for catch & kill to erase the faces of blessed Mom DHL, Dad HFL & son RCL.

#### **OPINIONS BELOW**

3-page ORDER Filed Oct 15, 2019: OP 19-573 Mont. Sup. Ct. Writ of Mandamus: Denied

Sibling Case "B" Part I & II: 1-page Feb. 5, 2021 US Sup. Ct. 20-5028 & 20-5029 Writ of Certiorari Petition for Rehearing Denied

Sibling Case "B" Part I: 1-page January 11, 2021 US Sup. Ct. 20-5028 Writ of Certiorari Petition for Rehearing Denied. The Chief Justice took no part ...of this petition."

Case "B" Part I: 4-pags Filed May 5, 2020 Mont. State Supreme Court DA 19-577 Denied  
Cited 3-case precedents with no reference to RCL Pro Se statutes presented/argued.

Case "B" Part I: 3-page DA 19-577, 10/7/19 Mont. State Supreme Court Progress Docket.

Case "B" Part I: 1-page DV 18-37 DAHOOD v. RCL Sept. 6, 2019 Doc. 44, JUDGMENT;

Case "B" Part I: 2-page DV 18-37 Aug. 2, 2019, Doc. 42, ORDER AWARDING DAMAGES;  
ATTORNEY FEES & COSTS;

Case "B" Part I: 1-page April 9, 2019, Doc. 37, ORDER FOR RELEASE OF LIEN;

"B" Part I: 4-page 3/29/2019, Doc. 35, Findings of Fact, Conclusions of Law & Order;

"B" Part I: 4-page 2/18/21 Anaconda-Deer Lodge County District Court Progress Docket.

Sibling Case "B" Part II: 1-page January 11, 2021 US Sup. Ct. 20-5029 Writ of Certiorari Petition for Rehearing Denied. The Chief Justice took no part ...of this petition."

Case "B" Part II: 3-pges Filed May 5, 2020 Mont. State Supreme Court DA 19-578 Denied  
Cited 3-case precedents with no reference to RCL Pro Se statutes presented/argued.

Case "B" Part II: 1-page NOTICE OF FILING DA 19-578, May 21, 2020 Mont. State Supreme Court Remittitur has been issues on this date.

Case "B" Part II: 1-page DV 18-38 H. PAUMIE LUSSY v. RCL Aug. 9, 2019 Doc. 53, JUDGMENT;

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belief of the fact; (4) a promise made without any intention of performing it; or (5) Any other act fitted to deceive.

Case "B" Part II: 2-p **DV 18-38** 8/2/19, Doc 53 ORDER AWARD DAMAGES; ATTY FEES & COSTS;

Case "B" Part II: 1-page **DV 18-38**, 4/9/19, Doc. 48, ORDER FOR RELEASE OF LIEN;

"B" Part II: 4-page 2/29/19, Doc. 46, Findings of Fact, Conclusions of Law & Order;

"B" Part II: 4-page 2/18/21, Anaconda-Deer Lodge County District Court Progress Docket.

27-page 1/11/20, INITIAL BRIEF **CASE NO. DA 19-677** APPELLANT LISTS: 34-MANIFEST ABUSES OF DISCRETION: JUDGE KRUEGER

DUPLICATE 1-page only: (with 1-page to reduce bulk) different cover page → same content.  
1-page cover only (for 27-page) 1/11/20, INITIAL BRIEF **CASE NO. DA 19-678**

APPELLANT LISTS: 34-MANIFEST ABUSES OF DISCRETION: JUDGE KRUEGER

15-page 9/27/19, WRIT OF MANDATE CONSOLIDATE **CASE NO. \_\_\_\_\_**

**FROM CV-78-67-BU To Consolidate DV-18-37 With DV 18-38**

**DA 19-677** APPELLANT LISTS: 34-MANIFEST ABUSES OF DISCRETION: JUDGE KRUEGER

Exhibit A-8508 (6-pages) Dec. 7, 2010 Knight, Dahood, Everett & Sievers Case "B Parts I & II."

→ Exhibit A-8544 (1-pge) April 17, 2018 This office... no Estate or will has ever been filed. Susie Krueger Clerk of District Court Barbara ----.

→ Deer Lodge County Certification of A Death Certificate Dorothy Helen Lussy Nov. 02, 2015.

Exhibit A-8547 (3-pages) November 17, 2017: **First Lien NOTICE OF CLAIM OF LIEN AGAINST WADE J. DAHOOD ESQ.: FORFITURE OF HIS PROPERTY PURSUANT: CV-78-67-BU Henry F. Lussy & Richard C. Lussy vs. Francis R. Bennett, Knight, Dahood, Mackay & McLean, by This Special, General Factor Pro Se Plaintiff 100% Stakeholder: Rick Lussy Esq.**

Exhibit A-8529 (1-page) Nov. 21, 2015: **First Lien NOTICE TERMINATES TENANCY: EVICTION**

Exhibit A-8530 (1-page) Nov. 21, 2015: **First Lien NOTICE OF BY PRIOGENITURE ABOLISHED.**

Exhibit A-8531 (2-pages) Dec. 16, 2015: **First Lien NOTICE OF CLAIM BY SPECIAL, GENERAL FACTOR TO 75%, FROM 25% STAKEHOLDER**

Letter: → November 18, 2019 from Anaconda Deer Lodge County Clerk of District Court... that you were prohibited from proceeding or filing any further pleadings pro se without leave of the Court. By Susie Krueger Clerk of District Court.

Letter: → Dec. 30, 2019 from Anaconda Deer Lodge County Clerk of District Court... Therefore, Motion 7 Affidavit were not filed in District Court. By Susie Krueger Clerk of District Court.



Letter: → Exhibit A-8978 (1-pge) February 18, 2015 "I regret to inform you that I am unable to supply copies of the documents you requested in Case CV 78-67-BU, as the case file has been destroyed. By Geth Conley Chief Deputy.

**OPINION for Order 1-Origin:**] Bias gov't lawyer judges manipulate & falsify public record.

Mother D.O.D. 11/2/15 to 11/7/15 funeral to 11/9/15 KNIGHT & DAHOOD Law Office meeting:

***"When your mother died her Living Trust died with her, (no copy was available) as destroyed: "Revocable Living Trust-To-Be-Her-Last Will & Testament."*** In re: Townhouses LTD both RCL with Seattle & Missoula counsel and Wade J. Dahood Pro Se were separate 30% co-investors. In CV-17-79-BU from CV-78-67-BU<sup>[FN#6,#7,#8]</sup> reprisal to impugn: ***Never give (RCL) opportunity to file Amended Complaint under the (free public law) rules ... unintelligible footnotes."*** RCL Pro Se remedy is honest 2<sup>nd</sup> opinion jury verdict.

- Consolidated complaints DV-18-37/38 Monetary Demand-Claim For Relief \$65 Billion (9-zeros) for compensatory, punitive, costs, fees & RCL attorney pro se fees with justiable fact-to-issue jury verdict<sup>[FN#2]</sup> total: \$1,111,671 (@ 2015 assessed values: are \$439,453 Estate + \$672,218 Dahood Pro Se need deep pockets as \$120,000 Wade J. Dahood Defendant Pro Se paid to settle CV-78-67-BU/DV-80-41/#12773 (appendix Exhibit A-8508 2 of 6) on \$500,000+/- void interest bearing: promissory notes still outstanding. Typical commercial & extraordinary residential appraisal Errors & Omission insurance is for negligence & does not cover syndication/limited partnerships. No insurance rider is apparent for WJD Pro Se.

- Civil-tort Jury verdict referral for public prosecution: criminal/RICO prosecution for invasion-of-privacy, removal (theft for return for benefit of other all out-of-state-grand-girls) the personality of Mom. Dad-jewelry-gifts-&-rocks with modest wedding ring & Tiffany of Naples gifts-RCL etc. etal.

## MANDAMUS EXCEPTIONAL CIRCUMSTANCES' FOR APPELLATE REVIEW

Deputy Clerk Ms. Lisa Nesbitt (202-479-3038) stated there is no submission deadline after *Writ of Certiorari* (appendix) dated: Jan. 11, 2021 denial #20-5028/20-5029/19-8630 & May 15, 2021 for corrected resubmission Case "A" (& "B Parts I & II" late delay) June 2021 after Feb. 18, 2021 remote sabotage with daily deletions of Mandamus. Rule 20.1 include exceptional circumstance(s)!

*"[T]he chief Justice took no part in the consideration or decision of this petition."*

/s/ Scott S. Harris, Clerk. RCL petition particular to Honored John Roberts Chief ("HJRC") Justice to participate per religious: Oath Rule: 5.4, 12.2 & Mandamus: MCA 27-26-102.<sup>47</sup>

- RCL Pro Se locked out of 9-Fla. Elections as 2016/20 forums not let him speak: STING.
- Extra-judicial unregistered lobbyists 24/7 HTSABBT (legend page x) 100% stop life.
- ABA gov't lawyer judges 100% discriminate never enforce non-lawyer petition law.

Applied before Hon. John Robert Chief<sup>48,49</sup> ("HJRC") anti-mafia Justice petition your treasure of time & talent Oath Rule 5.4: non-discretionary-ministerial-MOOF warranty assumption of risk (in comity with Florida Statute §768.28 (9)(a))<sup>50</sup> Waiver of Sovereign Immunity Tort Actions) for Joined 19-

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<sup>47</sup> Montana State Supreme Court Order OP 19-0573 Case "B-parts I & II" near identical to Montana Federal Case "A" Montana Code Annotated ("MCA") 27-26-102. (Mandamus) When & whom issued. (1) Writ of mandamus may be issued by the supreme court or district court or any judge of district court to any lower tribunal, corporation, board, or person to compel performance of an act that law specially enjoins as a duty resulting from an office, trust, or station or to **compel admission of a party to use & enjoyment of a right or office to which party is entitled** and from which the party is unlawfully precluded by the lower tribunal, corporation, board, or person. (2) Writ must be issued in all cases which there is no plain, speedy, & adequate remedy in ordinary law.

<sup>48</sup> Application to Chief John Roberts Justice not participate: Writ of Certiorari "A"19-8630/"B"20-5028/"B"20-5029.

<sup>49</sup> *"It is Emphatically the Province & Duty of the Judiciary Branch to Say What the Law Is, Not What It Should Be"* Part III pp146-164. Ideas & Consequences (2015) "Federalist Society & Conservative Counterrevolution" Amanda Hollis-Brusky.

<sup>50</sup> Waiver Sovereign Immunity Fla. Statute 768.28 (9)(a) No officer, employee, or agent of the state or of any of its subdivisions shall be held personally liable in tort or named as a party defendant ..., unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. (emphasis) [copasetic with following footnote].

individuals<sup>51</sup> bad-faith accountability & to hold gov't 100-percent harmless by juror deciders. These 43-years of fraud-by-sting to extort (DV-18-37/38) with \$1,153,185/year +benefits without staff expenses paid to discriminate NOT to protect & serve by-ABA-BALCCB-NGO gov't lawyer judge-employees in complete agreement to discriminate without "research" reading provided documents.

Exceptional Circumstances Rule 20.1 for Mandamus is essential for appellate review of Amended Complaint document 8 a second amendment as no precedent/*stare decisis*/judge made case study is made for civil-tort law<sup>[FN#25]</sup>. *Hicks/Twombly* precedent cannot *pre-empt* or supersede RCL Pro Se plead rules of civil procedure to apply Montana Code Annotated ("MCA") to U.S. Constitution Bill of Rights. Public-oath-charges<sup>[FN#38]</sup> per Rule 5.4<sup>[FN#72]</sup> Oath/MOOF warranty assumption of risk/Pledge of Allegiance: page x make U.S. Supreme Court Case: *Hicks/Twombly* moot as this is the primary focus of State Judge Krueger & Chief Justice McGrath/police are public, the public are the Police/judges. There's women and men alike. "Brothers & sisters, uncles aunties, just regular people but with a uniform to help & protect," not discriminate as required since ABA as organized August 17, 1878.<sup>[FN#4]</sup> "WE THE PEOPLE" registered voter taxpayer ("RVT") pay public servant salaries & are prospective jurors hold selves financially harmless for gov't judicial negligence-&-will not compound actual fraud<sup>[FN#46]</sup> inside free public courtrooms. Judicial review power by Public Official Standing Doctrine<sup>52</sup> was first articulated in *Marbury v. Madison*, 5 U.S. 137 (1803) & tailored for RCL Pro Se

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<sup>51</sup> 28 §USC 2674 et seq. Personal gov't employees culpable are allowed by gov't to pay own court costs/jury-judgment. i.e. "Ex-VW CEO, Other Executives To Pay Firm In Emissions Suits...\$351 million to settle lawsuits for use of illegal (MCA § 28-2-701) software." Decades long emissions fraud 6-years after U.S. authority disclosure." WSJ B2, Thursday, 6/6/21.

<sup>52</sup> Power of Judicial Review: Public Official Standing Doctrine & Its Vital Role in Preserving Our Constitutional Separation of Powers, Florida Bar Journal, March/April 2021 pages 9-17.

legal multiple claims: Webster v. Doe.<sup>[53]</sup> Joined 19-Respondents include U.S. Magistrate Lynch & Article III U.S. Judge Morris, 9<sup>th</sup> DCA Appellate Judges & two U.S. Clerks. As wisdom to restrain judicial power is to impose restraints on themselves: not cogs in a-bureaucratic-machine. It is a network of complicity that cannot vacate U.S. Supreme Court Rule 5.4 Oath<sup>[FN#72]</sup>/MOOF Warranty Assumption of Risk & Pledge of Allegiance by each Joined-Respondent to include employee-public charges<sup>[FN#43]</sup>. Thus expose judgitis<sup>[54]</sup> bulldozing brass knuckled bias of State Judge Krueger & Chief Justice McGrath which this Mandamus Writ holds to account.

This is RCL Pro Se's last resort as lower district courts have no jurisdiction of a suit seeking mandamus against United States. United States v. Jones 131 U.S. 1 (1889); Minnesota v. United States, 305 U.S. 382 (1939); McCune v. United States, 374 F. Supp. 946 (S.D.N.Y. 1974. 28 U.S.C. § 1361, giving United States Supreme Court remanded jurisdiction of "an action in nature of mandamus" to compel officer<sup>[55]</sup> or employee of U.S. or any agency thereof to perform a duty owed Pro-Se-Plaintiff-Petitioner-RCL to compel enforcement of existing-specific statute-codified law(s) thru Rules of Civil Procedure (Legal Argument) for an order noted. Committee report enactment make clear legislation does not create new liabilities or new causes of action against United States. See S. Rep. No., 1992. 87<sup>th</sup> Cong., 2d Sess. 2; H. Rep. No. 536, 87th Cong. 2nd Sess.1. [www.justice.gov/jm/civil-resource-manual-215-mandamus](http://www.justice.gov/jm/civil-resource-manual-215-mandamus).

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<sup>[53]</sup> Superb CIA Agent Barookner's legal claims against own CIA's internal regulations: "arbitrary, capricious & an abuse of discretion, unlawful under Fifth Amendment & the Administrative Procedure Act" by her employer CIA of jealous co-workers bad-mouthing her: fired her. Favorably settled on day of it was to be heard in court pp 52 & 53: no case reference as settled out of court. Later & consistent: Webster v. Doe, 486 U.S. 592 (1988). "CIA, As exempted & Partially Exempted Agency" Piercing the Veil of Secrecy Litigation against U.S. Intelligence, by Janine M. Brookner (2003) 166 pages.

<sup>[54]</sup> Judgitis (1956) An emotional disequilibrium that results when a judge confuses the trappings of judicial office with his or her own personal grandeur; the self important condescension to which certain emotionally insecure judges are susceptible. See Judicial Diva(2) Black's Law Dictionary 10<sup>th</sup> Edition (2014) page 970.

<sup>[55]</sup> Mag. Jeremia C. Lynch in separate concur agreement signed by U S Art. III Judge Bernard M Morris.

Mandamus extraordinary remedy exceptional circumstance is peculiar emergency of public importance given impacting 9-Florida Property Appraiser Elections 24/7 sabotage "HTSABBT" with RCL Pro Se has no remaining recourse for 100% JTV-DP-R remedy pre-11/15/2022. LaBuy v. Howes Leather Co., 352 U.S. 249 (1957); US v. McGarr, 461 F. 2d 1 (7<sup>th</sup> Cir. 1972). Mandamus may "appropriately issue to confine an inferior court to lawful exercise of prescribed jurisdiction" or when there is "usurpation of judicial power" in company of Federal Case "A," this State Case "B" Part I & II near identical Mandamus. JWD/WJD in Knight & Dahood Law Firm Pro Se could have counterclaimed Case A. Instead Wade J. Dahood Pro Se Defendant filed Case "B Part I & II" in Montana State District Court to obtain 100% coop-corrupt-two: \$74,000 judgments. Case B independent filing: hereafter: Schlagenhauf v. Holder, 379 US 104 (1964).

**APPELLATE REVIEW OF EXCEPTIONAL FACTS:**

**AUTHORITY SET ASIDE TWO \$74,000 JUDGEMENTS, TWO VEXATIOUS ORDERS IN  
AMENDED COMPLAINT: SIBLING CASE "B: Part I & II"**

Over three years ago only one trial court hearing occurred: April 6, 2018 in Parent Case "A" transcript copy RCL Pro Se sent to Judge Kruger per his permission is more no-good behavior.<sup>56</sup> Judge Kruger was not "competitively neutral" & Chief McGrath refused "research" in the appendix. His pre-disposed: policy fiat: ABA-BALCCB-NGO is to discriminate. His "public servant" moniker is pure-widow-dressing. Lynch's behavior broadcast: "ultimate-permanent-consumer-harm." ABA-Lawyer policy 43-year history<sup>[FN#4]</sup> of: 100% market share, no competition, no consumer freedom of choice, express omissions, 100% concealment, insider trading to discriminate, come from this grain of history:

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<sup>56</sup> U.S. Constitution Article "III § 1. "The judicial Power of the United States, shall be vested in one supreme Court, & in such inferior Courts as Congress may from time to time ordain & establish. The Judges, both of the supreme & inferior Courts, shall hold their Offices during good Behaviour, & shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office. (*Emphasis*)

Plaintiff Pro Se American War for Independence (1775-1783) versus Defendant Pro Se Old England's King & Westminster Parliament. Analogy: ABA/Old England King refuse parties to act/speak for themselves for fear of lost King/lawyer fees.

**PRO SE DAHOOD LAW 100% OTHERS LIABILITY IS JOINT & SEVERAL**

PRO SE JUDGE RAY J. DAYTON Anaconda, Montana State District Court: "...I have been hearing about this dispute between the Dahood's (CV 78-67-BU[FN#6,#7&#8]) & the Lussy's since I had short pants." Trial transcript consolidated June 6, 2018, Status Conference Case "B Parts I & II" Page 6, Lines 11-13 as sibling to parent Case "A" Jeffrey Wade Dahood process server for parent Case "A" CV-17-79-BU.

AND

PRO SE JUDGE RAY J. DAYTON "...I know from my own personal recollection that the, Dahood's & the Lussy's have been fighting with each other over the same subject matter or similar subject matter or related subject matter since prior to the time I was a Law Clerk for (presiding over 10b-5 securities fraud case CV-78-67-BU) U.S. Judge Murray & I would've been like 25-years old or 26 years old or something like that. And I was Judge Murray's Law Clerk..." Ibid p 6-7, L 14-25 & 1-13.

**RESULT:** Deer Lodge County Dist. Judge Ray Dayton requested recusal & to inquire for

Silver Bow County Judge Krueger to take this case as in proximity. So RCL Pro Se agreed.

**CAUSE FOR RELIEF, TIME LINE:** Mother Dorothy Helen Lussy ("DHL") (D.O.D. 11/2/15) Father Henry Francis Lussy ("HFL") (D.O.D. 1988); Roman Catholic funeral/burial (11/7/15) in late morning (11/9/15) Law Office surprise unscheduled meeting with Wade J. Dahood ("WJD"). A classic *bait & switch* for *catch-to-kill sting* with "full release Exhibit A-8306" public record manipulation & falsification to erase the faces of DHL/HFL in care of RCL Pro Se to benefit Joined 29-Respondents that pay themselves to commit civil tort & jury verdict referral crime(s) with \$1,153,185[FN#39] government salaries. The jury verdict referral for public criminal prosecution scheme provides a bonus: \$439,453 (doc. 9 p24 of 62) monies plus real & personal property, cars lock box jewelry earned & multiple gifts:

Dad, RCL from Tiffany's of Naples & Grandfather Charles a Jeweler<sup>57</sup> gifted Mother "rocks" & jewelry: 100%: missing as held in Vancouver, WA.

**The 26-Falsehoods: April 6, 2018 Hearing implicate Judge Ray J. Dalton**

Prevarication ("lying") facts continue unrelentingly from Jeffrey Wade Dahood one of 21-(72%) lawyers add 8-non-lawyers to total Joined 29-Respondents of joint & severable liability.

**LEGAL ARGUMENT: ONE-ORDER TO SET ASIDE TWO JUDGEMENTS & VEXATIOUS LITIGANT CLAIMS: AMEND COMPLAINT "B Part I & II": ORDER FROM HJRC JUSTICE FOR LAWYER TO HIRE**

1.)Federal & Montana Rule of Civil Procedure Issue: 60(d)(3) set aside judgment for fraud on court by officers of the court Joined 29-Respondents continues these 43-years against Wade J. Dahood Pro Se Defendant etc. et al his ABA-NGO Montana Bar Assn: credible liability comes without doing the deed.

Particularized Issue: Pro Se Montana State Supreme Court violating their own mission statement: **"Service Is Our Only Product"** allows individual personal responsibility Montana State Constitution Article II § 16<sup>58</sup> in comity with Fla. Statute 768.28(9)(a). [FN#50] Joined Defendant JWD Pro Se refers to **"unintelligible footnotes"**. RCL Pro Se for emphasis.

**Order-#1-Question:** Of Honorable John Roberts Chief ("HJRC") anti-mafia Justice: **(i) ... (ii) ... (iii)** order leave to amend complaint co-signed by competent lawyer: satisfy 2-judges for 100% JTV-DP-R with 4-cameras first jury trial phase process pray for completion by November 15, 2022 before the 2024 election. Rest to follow.

Only 1-issue is to Amend this parent Case "A" complaint is by use Rules of Civil Procedure:

**a.)** Original 5-defendants **did not answer** with not understanding 4-lines of text. The rule

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<sup>57</sup> Grandfather Charles Lussy as Jeweler gifted Mother "rocks/jewelry" on Butte arrival from Cincinnati OH.

<sup>58</sup> Montana State Constitution Article II, § 16. State Subject To Suit. The state, counties, cities, towns, and all other local governmental entities shall have no immunity from suit for injury to a person or property. ... after July 1, 1973.

states to: **affirm or deny**: An answer of not understanding does not to affirm or deny. Thus becomes a violation to Fed./Mont. R.Civ.P. Rule 8(b)(6) of Procedure **Effect of Failing to Deny**.

**b.)** Original 5-defendants **did not answer** with 4-lines of text: affirm or deny: Rule 60(b)(3):

Federal/Montana Civil Rule of Procedure fraud on court **60(d)(3)** concurrent: **60(b)(3)**— Relief From Judgment or Order (b) Mistakes; Inadvertence; Excusable Neglect; Newly Discovered Evidence; Fraud, etc. On motion and upon such terms as are just, the court may relieve a party or a party's legal representative from a final judgment, order, or proceeding for the following reasons: **(3)** fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of adverse party.

**c.)** Original 5-defendants **did not answer** with 4-lines of text: affirm or deny: Rule 15 (a)(2):

Federal/Montana Civil Rule of Procedure 15 **(a) Amendments Before Trial. (2) Other Amendments** In all other cases, a party may amend its pleading only ...court should freely give leave when justice so requires.

**d.)** Original 5-defendants **did not answer** with 4-lines of text: affirm or deny: Rule 8(d)(3):

Federal/Montana Civil Rule of Procedure 8(d)(3)-**Pleading to Be Concise and Direct; Alternative Statements; Inconsistency *Inconsistent Claims or Defenses***. A party may state as many separate claims or defenses as it has, regardless of consistency. RCL Pro Se shall explain **#103-exceptional circumstances are extrinsic frauds** warranting exercise of Court's discretionary powers in appellate review & no discrimination to allow ministerial mandamus.

**e.)** Original 5-defendants **did not answer** with 4-lines of text: affirm or deny: Rule 8(c)(1):



Federal/Montana Civil Rule of Procedure 8(c)(1) **Affirmative Defenses. In General.** In responding to pleading, party must affirmatively state any avoidance or affirmative defense, include: fraud allowing this ministerial mandamus.

**f.)** Joined 29-Respondents in civil-tort jurisdiction requires public criminal jurisdiction jury verdict referral MCA 25-7-103<sup>[FN#16]</sup> as paid to commit tort/crimes 6-continuing crimes.<sup>[59]</sup>

**g.) Support of this Order):** Of HJRC anti-mafia Justice's time treasure & skill requires:

**g-i.)** courts appeal jurisdiction: fraud, incitement & entrapment pay State Judge Kruger etc. etal as gov't paid to commit crimes totally controlled by ABA for breach of MOOF as-party-defendants-sworn:

**Ministerial<sup>[60]</sup> Oath<sup>[61,62,63]</sup> of Office<sup>[64]</sup> assumption of risk Actual Agency<sup>[65]</sup> in Fact<sup>[66]</sup> MOOF is materially**

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<sup>[59]</sup> **jury verdict** referral MCA 25-7-103<sup>[FN#16]</sup> for Six public crimes (jurisdiction): (i) Entreat, intruder or interloper-inciters, corrupt persuaders, with no documented-evidence for instant-case-authority pay others to commit crimes to make money for them; (ii) manipulate & falsify public records (iii) perfecting the crime for double utility these 43-years: gage RCL Pro Se's self-defense US/Montana Constitutional Rights Illegal-(MCA 28-2-701<sup>[FN#15]</sup>). (iv) Theft *ad nauseam* \$1,228,413<sup>[FN#42]</sup> public tax monies while conspicuously violating U.S. Supreme Court Rule 5.4/MOOF (**ministerial oath of office**) Warranty Assumption of Risk & Pledge Allegiance thru the use of; (iv) incitement, (v) willful false oath taking and (vi) suborn others oath for perjury to ruin RCL: 1988-92-96-00-04-08-12-16-2020 elections & Mother's privacy invasion jewelry/wedding ring thefts.

<sup>[60]</sup> **Ministerial** (16c) involve obedience instead of discretion Black's Law Dictionary. 10<sup>th</sup> Ed. (2014) Page-1146.

<sup>[61]</sup> **Oath** (bef. 12c) **1.** A solemn declaration, accompanied by a swearing to God or a revered person or thing, that one's statement is true or that one will be bound to a promise. \*The person making the oath implicitly invites punishment if the statement is untrue or the promise is broken. The legal effect of an oath is subject the person to penalties for perjury if the testimony is false. **2.** A statement or promise made by such a declaration. **3.** A form of words used for such a declaration. **4.** A formal declaration made solemn without a swearing to God or a revered person or thing: AFFIRMATION Cf PLEDGE (1). "The word 'oath' (apart from its use to indicate a profane expression has two very different meanings: (1) a solemn appeal to God in attestation of this oath of a statement or, the binding character of such a promise (2) a statement or promise made under sanction of such an appeal." Rollin M. Perkins & Ronald N. Boyce. *Criminal Law* 515 (3d ed. 1982). Blacks Law Dictionary 10<sup>th</sup> Ed. (2014) p. 1239.

<sup>[62]</sup> **Mont. Constitution** Article III, § 3 Oath Of Office Article II, § 16 ...& **judicial officers**... upon duties of their offices: ..."

<sup>[63]</sup> **Montana Voter Registration Oath** (in part) Are you a citizen of the United States?\*Yes No ...Applicant Affirmation: *I affirm under penalty of perjury that the information on this application is true, that I am a citizen of the United States, that I will be at least 18 years old on or before the next election, that I will have been a resident of Montana for at least 30 days prior to the next election, and that I am not serving a felony conviction in a penal institution nor have been found to be of unsound mind by a court. I understand that if I have given false information on this application, I may be subject to a fine or*

comprehensive judge law. "No one is above law."<sup>67,68,69</sup> No US citizen can opt out of US sovereign law as US citizens.

**g-ii.)** now exclude County Court Blessed, Sainted Parents DP-18-31 Intestate Probate;

**g-iii.)** these 29-joined-respondents (72%-lawyers) *destroyed: "Revocable Living Trust-To-Be-Her-Last Will & Testament"* that bait & switch to catch-&-kill to erase faces of: DHL/HFL in care of #3-son RCL: "*(when) your mother died her Living Trust died;*"

**g-iv.)** three official & individual (total six) included in Joined 29-Respondents WJ, JW of KNIGHT & DAHOOD LAW OFFICE PRO SE for HPL, LLR, JMB have/had no written evidence as authority in Parents Estate: no power of attorney, no appointed estate administrator, no guardianship is actual fraud-to-falsely claim: "*Full Release of Recipients...*" Exhibit A-8306;

**g-v.)** and \$1,050 9<sup>th</sup> DCA sanction against JWD Respondent Pro Se by RCL Pro Se;

**g-vi.)** all explain #103-exceptional circumstances are extrinsic frauds that warrant exercise Court's discretionary Appellate Review powers & no acknowledged ABA policy to discriminate not a

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*imprisonment, or both, under federal &/or state law.*

<sup>64</sup> Office (13c) 1. A position of duty, trust, or authority, esp. one conferred by a governmental authority for a public purposes... Black's Law Dictionary 10<sup>th</sup> Edition (2014) page 1254-1255.

<sup>65</sup> Actual Agency(1835)agent in fact authorized to act on behalf of principal. Black Law Dictionary 10<sup>th</sup> Ed. page-67.

<sup>66</sup> Agency in fact (1834) Agency created voluntarily by contract. ... Black's Law Dict 10<sup>th</sup> Ed. (2014) page74.

<sup>67</sup> New sworn Amy Coney Barrett US Justice of Supreme Court: *No one is above the law. [Even these Joined 19-Respondents].*

<sup>68</sup> Montana State Constitution Article II, § 16. **STATE SUBJECT TO SUIT** The state, counties, cities, towns, and all other local governmental entities shall have no immunity from suit for injury to a person or property. This provision ...arising after July 1, 1973.

<sup>69</sup> Mont. State Constitution Article II, § 26 (1889) **TRIAL BY JURY.** Right of trial by jury is secured to all and shall remain inviolate. .... In all civil actions, two-thirds of the jury may render a verdict, and a verdict so rendered shall have the same force and effect as if all had concurred therein. In all criminal actions, the verdict shall be unanimous.

curative remedy in this ministerial Mandamus.

**g-vii.)** Adequate relief cannot be obtained due to gov't lawyer judgitis-vexatious reoccurring manifest abuses require (MCA§25-4-601)<sup>70</sup> entry for live testimony-rebuttal & 2<sup>nd</sup> opinion fact-to-law 100% jury trial verdict: (MCA§25-7-103) [FN#17];

**g-viii.)** for actual fraud(MCA§28-2-405) [FN#44] on court as officers of court;

**g-ix.)** accessories participate, aid & abet others (MCA§25-7-103) issue of fact-to-law juror verdict. 8(a);

**g-x.)** Allow #44-inconsistent claims for relief are intrinsic frauds that permit *leave to amend complaint* Respondents not understand English speaking/reading Federal/Montana Civil Rules of Procedure 8(a); 60(b)(3); 15(a)(2); 8(b)(6); 8(d)(3)-&-8(c)(1) is failure by no admit or deny.

**g-xi.)** Green (\$90,001.30) court default extrinsic (MCA §25-4-103 & MCA §25-4-601). Fed/Mont. Civil Rule of Procedure **8(a)** Claim for Relief **(1)** a short & plain statement of grounds; **(2)** **ibid** showing the pleader is entitled to relief; and **(3)** a demand for the relief sought or different types of relief.

**h.) Support of Order):** Of HJRC anti-mafia Justice's time treasure & skill requires:

**h-i.)** As justice requires decedent-heir petition property distribution a tort action-deep pocket not pre-empt "Notice of 'Lien'/Not Due" (MCA§71-3-532<sup>71</sup> /§71-3-103<sup>72</sup>) no consummated "lien" is

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<sup>70</sup> MCA§25-4-601 Procedure when answer admits part of plaintiff's claim. When the answer of the defendant. Expressly or by not denying, admits a part of the plaintiff's claim to be just, the court, upon the plaintiff's motion, may, in its discretion, order that the action be severed, that a judgment be entered for the plaintiff for the part admitted, and, if the plaintiff elects, that the action be continued with like effect with regard to the subsequent proceedings as if it had been originally brought for the remainder of the claim. The order must prescribe the time and manner of the plaintiff's election. If the plaintiff elects to continue the action, the plaintiff's right to costs upon the judgment is the same as if it were taken in an action brought for only that part of the claim. If the plaintiff does not elect to continue the action, costs must be awarded as upon final judgment in any other case.

<sup>71</sup> MCA§71-3-532 Content Of Notice Of Right To Claim Lien (1) The notice of the right to claim a lien must be in writing

bait-&-switch (MCA§28-2-701) in sibling Case "B: I-&-II" filing after.

**h-ii.)** juror criminal RICO verdict referral pursuant Dryer Act, privacy invasion of Mother, theft of jewelry-&-rings/lock box/car: coerce-isolate-abandonment incommunicado during day duress (French: *abus de faiblesse* for aka) abuse of weakness for her 94.75 years

**h-iii.)** & secret surveillance warrant sabotage of RCL in 9-elections.

**i.) Support Order):** Of HJRC anti-mafia Justice's time treasure & skill requires:

**i-i.)** joined 29-Respondents (72%-Lawyers) apply Amend. VII Law Suits' Jury Trial<sup>(1791)</sup>;

**i-ii.)** & Mont. Declared Right Art. II §26 in 100% Jury Trial(1889) verdict(FN#2 & #16);

**i-iii.)** & Title of Nobility Amendment aka Missing 13<sup>th</sup> Amendment(1819). Joined 29-Respondents with ABA<sup>[FN#4]</sup> are indispensable parties for "deep pocket"<sup>73</sup> greatest financial resources due to CV-78-67-BU/DV 80-41/#12773 as \$120,000 Dahood monies appendix Ex. A-8508 (p2 of 6).

**i-i.)** And Title Procedural due process arises from the words "of law" in the phrase "due process of law". Procedural due process protects individuals from the coercive power of government by ensuring that adjudication processes, under valid laws, are fair & impartial. Such protections, for example, include sufficient and timely notice on why a party is required to appear before a court or other administrative body, the right to an impartial trier of fact and trier of law, and the right to give

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and state that it is a notice of a right to claim a lien against real estate for services or materials furnished in connection with improvement of the real estate. (2) The notice must contain a description sufficient to identify the real estate against which the lien may be claimed. ...

<sup>72</sup> MCA§17-3-103 (2020) Title 71. ... Pledges, & Liens Chapter 3. Liens Part 1. Universal Citation: No lien for claim not due. No lien arises by mere operation of law until time at which act to be secured thereby ought to be performed.

<sup>73</sup> Deep Pocket 1. (pl.) Substantial wealth and resources <the plaintiff nonsuited the individuals and targeted the corporation with deep pockets>. 2. A person or entity with substantial wealth and resources against which a claim may be made or a judgment may be taken <that national insurance company is a favorite deep pocket among plaintiff's lawyers>. Black's Law Dictionary 8<sup>th</sup> Edition (2004) Page 447.

testimony and present relevant evidence at hearings.<sup>74</sup> (emphasis added)

**j-ii.)** No notice to RCL by Joined 29-Respondents to Mother's probate, note with Lynch.

**j-iii.)** Civil/tort Prospective Jury Verdict Judgment: Given premature success of this Mandamus Petition for Order to allow amending "Parent Case A & Sibling B Parts I & II" complaints for the 100% JTV-DP-R<sub>[FN#2 & #16]</sub> trial, pray to complete trial: by Nov. 15, 2022. A \$65-billion (9-zeroes) self-pay, hold gov't 100% harmless jury verdict. Bad faith Respondents.

**j-iv.)** Joined 19-Respondent's participation, aided & abetted actual fraud *refused to provide RCL Pro Se a copy on Feb. 9, 2015 "Revocable Living Trust-(when) your mother died her Living Trust died" with her*: Therefore, TRUST/WILL was destroyed by the alleged fraudsters.

**k-i.)** A RCL Pro Se Naples Estate Lawyer Expert witness, via sworn zoom: *shall testify Mom's Living Trust (after doing some things) that would become Mom's Last Will & Testament.*

**k-ii.)** HPL-WJD-JWD with all the lawyer tools<sup>75</sup> believe oldest gets-wants aka primogeniture<sup>76</sup>

**k-iii.)** Joined 29-Respondents "bait & switch to catch-&-kill" scheme to sting after destroying Mothers *Revocable Living Trust*-quick extortion of estate monies & property after February 9<sup>th</sup>, 2015am meeting in Defendant Pro Se Wade J. Dahood's law office.

**Extrinsic Fraud: EXCEPTIONAL #103-CIRCUMSTANCE ("EC"): APPELLATE REVIEW EVIDENCE**

Rule 20.1 assist courts judicial review: Fed. Evidence Rule 602<sup>77</sup> Federal/Mont. R.Civ.P. 60.<sup>78</sup><sup>79</sup> From

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<sup>74</sup>Sandefur, Timothy (2010). The Right to Earn a Living: Economic Freedom and the Law. Washington, D.C.: Cato Institute. pp. 90-100. ISBN 978-1-935308-33-1.

<sup>75</sup>Lawyer tools used against RCL Pro Se these forty-three years from CV-78-67-BU: 1. mollycoddling lawyers; ... to: 17. Gov't Lawyer judge policy: "no tickie no laundry" aka "no tea, no talkie, no money no honey:" Saigon, Vietnam (Robin Williams Good Morning Vietnam, Saigon clean city for 300,000 prostitutes. Seattle Superior Court Judge Horton Smith secured ownership of RCL Pro Se residence (on Magnolia Bluff) after marriage dissolution denial of his daughter's joint custody.

<sup>76</sup>Primogeniture (15<sup>th</sup> century) 1. ...2. The common-law right of the firstborn son to inherit his ancestor's estate, usu., to

CV-78-64-BU a 43-year remedy to HTSABBT addresses RCL Pro Se to not get spent out of court again.

**1.) Extrinsic Fraud ("EF")-EC Exceptional Circumstance ("EC")** that oath-fraud: fraudulent acts which keep RCL Pro Se from obtaining competent-competitive neutral 100-percent JTV-DP-R information his right to enforce loyalty-oath-contracts against Joined 29-Respondents that defend their actions against 43-years of unrelenting gov't abuse of power by lawyer-insider-trading discrimination proof of this ultimate consumer harm in 9-Fla. Property Appraiser Elections 1988-92-96-00-04-08-12-16-20. The next nation-wide election is 2024. Particularized examples follow: lawyer-leadership-fraud. **(EF-EC-2)** Joined 29-Respondents, some known obtained public pay: \$1,153,186<sup>[FN#39]</sup> with NO oath oversight. FREELY provided in 100-percent JTV-DP-R<sup>[FN#2 & #17]</sup> competitive oversight-to account, stopped RCL Pro Se's life 43-years ago, ad nauseam. **(EF-EC-3)** Montana State Supreme co-Joined 29-Respondent ABA-NGO'S by it's own err "jurisdictional-Exception" (Exhibit A-8589 Appendix) fraud claim masked as police-power with no self-policing oversight that jury trials were never trained for while boast to be *juris doctors* with no doctor experience what-so-ever. **(EF-EC-4)** This punitive order with no fear of the extrinsic God the extrinsic gov't embodied-emolument<sup>[FN#5]</sup> employee "presume"

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the exclusion of younger siblings. Black's Law Dictionary 10<sup>th</sup> Ed. (2014) page1384.

<sup>[77]</sup> Federal Evidence Rule 602 Need for Personal Knowledge witness may testify to matter only if evidence is introduced sufficient to support a finding that witness has personal knowledge of matter. Evidence to prove personal knowledge is of witness's own testimony. Does not apply to witness's expert testimony rule 703.

<sup>[78]</sup> Similar Federal/Montana State Rule of Civil Procedure **60(b)(3)** grounds for relief from a judgment/order: fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct is by opposing party-Magistrate J.C. Lynch followed by Judge Morris & above. & **60(d)(3)** Set aside judgment for fraud on court.

<sup>[79]</sup> Top down ethical breach of Public Trust in comity with Fla. Stat. 112.324(3) without written fee contract UCC/Bar Ass'n. No Dahood answer: a.) not waive b.) wrongful-dismissal c.) fact misrepresentation is extrinsic-intrinsic fraud d.) no legal sufficiency/lack due process.

minimum prior oath contract as mandate: Rule 5.4.<sup>80</sup> It is consistent with MOOF Warranty Assumption of Risk, Voter Registrations & Pledge of Allegiance. A apostasy by venom-opinion, not fact: "2-vexatious litigant" & two \$74,000 judgments: "Sibling Case B Part I & II." **(EF-EC-5)** Err pro Se Montana State Supreme Court Justices aka Joined 29 Respondent jurisdictional exception foster personalized Internal Operating Rules of fraud escheat. The escheat is taking time, talent & treasure from RCL Pro Se's for lack of written opposition these 43-years continues unabated with 100% ignored written 41-page in appendix: "34-Manifest Abuses of Discretion by Pro Se Mont. State Supreme court: too busy getting paid[FN#39] to do the petitioned work.

**INITIAL BRIEF (Sibling Case "B Part I"):**

**APPELLANT LISTS: 34-Manifest Abuses of Discretion: JUDGE KRUEGER**  
ON APPEAL FROM THE MONTANA THIRD JUDICIAL DISTRICT COURT, COUNTY  
OF DEER LODGE CAUSE NO. DV-18-37  
HONORABLE KURT KRUEGER PRESIDING DISTRICT COURT JUDGE

Near Identical narrative text with different Caption Page below Ignored 34 Manifest Abuses of Discretion:

**INITIAL BRIEF (Sibling Case "B Part II"):**

**APPELLANT LISTS: 34-Manifest Abuses of Discretion: JUDGE KRUEGER**  
ON APPEAL FROM THE MONTANA THIRD JUDICIAL DISTRICT COURT, COUNTY  
OF DEER LODGE CAUSE NO. DV-18-38  
HONORABLE KURT KRUEGER PRESIDING DISTRICT COURT JUDGE

**(EF-EC-6 thru EF-EC-39)** Are 34-manifest abuse of discretion details in the 41-page document(s) in the attached appendix as referenced above.

**(EF-EC-40)** Err Internal Operating Rules MT Supreme Court jurisdictional exception is a fraud claim.

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<sup>80</sup> "Each applicant shall sign the following oath or affirmation: I, ....., do solemnly swear (or affirm) that as an attorney and as a counselor of this Court, I will conduct myself uprightly and according to law, and that I will support the Constitution of the United States. Rule 5.4. Rules of the Supreme Court of the United States. Rule 5.4 of the Supreme Court of the United States Effective July 1 2019 (blue cover).

"We have determined to decide this case pursuant to Section I, Paragraph 3(c) of our Internal Operating Rules, which provides for memorandum opinions, This appeal presents no constitutional issues, no issues of first impression, & does not establish new precedent or modify existing precedent. Affirmed." source: Page 4; Filed May 5, 2020; Wade J. Dahood Plaintiff & Appellee v Richard Charles Lussy, Defendant & Appellant: (Direct Appeal) DA 19-0577 sibling case "B" Part I: Near identical is this sibling case "B" Part II: Source: Page 4; Filed May 5, 2020; Henry P. (Paumie) Lussy Plaintiff & Appellee v Richard Charles Lussy, Defendant and Appellant: (Direct Appeal) DA 19-0578.

Even a first year law student knows *Internal Operating Rules* are a conspicuous err in procedure: of no substantive rights, not law & is worthy of a guilty juror verdict MCA 25-7-103: in actual fraud [FN#-].

**(EF-EC-41)** Err *Internal Operating Rules* -no constitutional issues, no issues of first impression, and does not establish new precedent or modify exiting precedent is a factoro actual fraud claim: 43-years.

**(EF-EC-42)** Err Pro Se Montana State Supreme Court: Internal Operating Rules: ¶7 no clarity, no caption, no Order, No Opinion, No Mandate only at end of page 4 in paragraph is "*Memorandum*." This is not representative of due diligent, prudent public paid, public "professional" servants subordinate as public oath charges[FN#38]. Add no value no clarity for public taxes pay gov't lawyer Mont. State Justices.

**(EF-EC-43)** Err Pro Se Montana State Supreme Court "service" mission statement is time spent going through the motions: no culture, comity and civility to fact & issues in case record by progress docket. Except Pro Se Clerk Susie Krueger refuse file 66-page Amended Counterclaim w/Indispensable parties.

Issue Mission Statement: *Service Is Our Only Product* allowing individual personal responsibility Mont. Constitution Article II § 16<sup>[81]</sup> in comity w/Fla. Stat. 768.28(9)(a).<sup>[82]</sup>

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<sup>[81]</sup> Montana State Constitution Article II, § 16. State Subject To Suit. State, counties, cities, towns, & all other local gov't entities shall have no immunity from suit for injury to a person or property. ... after July 1, 1973.

<sup>[82]</sup> Waiver Sovereign Immunity Florida Statute 768.28 (9)(a) No officer, employee, or agent of the state or of any of its subdivisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function, unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. (emphasis)



**(EF-EC-44)** Err by Pro Se Montana Justices overreach, no credible power to self-pardon with a jurisdictional exemption that void 100% JTV-DP-R juror issue to fact verdict [MCA 25-7-103; FN#17]. Montana State Supreme Court Justices have no such power: except by bluff to bury RCL Pro Se after erasing his face. A jury verdict question: U.S.A. & Montana State constitutions with missing 13<sup>th</sup> Amendment below:

**Support of Order):** HJRC require: **(EF-EC 44-i)** US Amendment VII Law Suits' Jury Trial<sup>(1791)</sup>; **(EF-EC 44-ii)** MT Art. II §26: 100% Jury Trial<sup>(1889)</sup> verdict; **(EF-EC 44-iii)** Title of Nobility Amendment<sup>(1819)</sup> aka Missing 13<sup>th</sup> Amendment. With **(iv)** juror verdict MCA 25-7-103[FN#17]-civil torts & referral for public prosecution RICO crimes; **(v)** as Joined 29-Respondents have no written evidence: no power of attorney, no appointed estate administrator or guardianship against actual fraud: "Full Release of Recipients..." Exhibit A-8306; **(vi)** no molycoddling 100% market share, no-competition, no-consumer-freedom-of-choice, **(vii)** peer inexperienced *juris doctors* 3-year law school diploma with no doctor experience, **(viii)** not trained for 100% jury trials/moot court/mock trial: **(ix)** no 'equity' mandate to discriminate; **(x)** yes: Statute law (MCA§26-1-102(2)(b)); **(xi)** no live testimony precedent: no-similar issues/fact evidence suitable for qualitative grid analysis **(xii)** no 3<sup>rd</sup>party-inadmissible-evidence to dismiss complaint **(xiii)** no *ultra vires-stare decisis*/Ashcroft v. Iqbal/Bell v Twombly/Ryan v. Bozeman etal, **(xiv)** no-self-pardon-to-self-administer *Jurisdictional Exemption Rule*; **(xv)** no suborn others oath for perjury; **(xvi)** no lawyer judge policy "tickie for laundry etal."

**Conclusion EF-EC-44)** Documenting Errs by Pro Se Montana Justices pursuant Fed/Montana R.Civ.P. 60(d)(3) "set aside a judgment for fraud on the court" by 100-percent JTV-DP-R for competent-competitively neutral juror verdict lesson learned after American Revolutionary War (4/19/1775 to 9/3/1783) & settled after United States of America Civil War (4/12/1861 to 4/9/1865) No one has right to change the conditions, or limit two treaties as replaced by ABA.

**(EF-EC-45)** RCL Pro Se in self-defense opposing Joined 29-Respondents' scheme to erase the faces of Blessed Parents DHL/HFL cannot succeed with the below referenced Pro Se Montana State Supreme Court & Pro Se Judge Krueger[FN#36, #37 nine identical precedent case studies] hearsay precedent/stare decisis/judge made case studies (3<sup>rd</sup> party) below. All of which are non-binding. A waste of paper.

(Montana) *State v. Hicks*, 2006 MT 71, paragraph 22, 331 Mont. 471, 133 P.3d 206 "[A] district court's decision is presumed to be correct," and the appellant has the burden to demonstrate that an error was made. (Montana) *State v. Gomez*, 2007 MT 111, paragraph 33, 337 Mont. 219, 158 P. 3d 442.

"Richard has not even come close to meeting this burden." (Richard C.) Lussy v Bennett 214 Mont. 301, 303, 692 P.2d 1232, 1234 (1984)...

Source: Page 4; Filed May 5, 2020; Wade J. Dahood Plaintiff & Appellee v Richard Charles Lussy, Defendant & Appellant: (Direct Appeal) DA 19-0577 sibling case "B" Part I: Near identical is this sibling case "B" Part II: Source: Page 4; Filed May 5, 2020; Henry P. (Paumie) Lussy Plaintiff & Appellee v Richard Charles Lussy, Defendant and Appellant: (Direct Appeal) DA 19-0578.

**(EF-EC-46)** Err Joined 29-Respondents extrinsic "law" of primogeniture<sup>83</sup> contested ownership of real & personal property for juror verdict in 100% JTV-DP-R with 4-cameras for Intestate Probate DP 18-31.

**(EF-EC-47)** Joined 29-Respondents authority is extrinsic to comply with near identical: Federal/Montana Rules of Civil Procedure 8(d)(3); 8(a); 60(b)(3); 15(a)(2); 8(b)(6); 8(d)(3)-&8(c)(1) as legal positivity in civil/tort legal procedure without precedent/*stare decisis* judge made legislation.

**(EF-EC-48)** Err by Joined 29-Respondents no good behavior described U.S. Constitution Article III § 1.<sup>84</sup>

**(EF-EC-49)** Err resolution by juror verdict MCA25-7-103 requires a second jury opinion against Joined 29-Respondents functional illiteracy: 100% concealment withholding of justiciable evidence.

**(EF-EC-50)** Err resolution use of substantive guide Civil Rule 8(b)(6) **Effect of Failing to Deny An Allegation.** Original 5-Respondents not understanding is no admit or deny answer required by this rule.

**(EF-EC-51)** Err Pro Se Judge Krueger Merna Green (\$90,000.30) court default judgment is repetition of libel per se: extrinsic fraud MCA 25-4-103/601.

**(EF-EC-52)** Err by Joined 29-Respondents erased Blessed Parents Mother DHL/Father HFL under scheme to take money & property: real-&personal property estate ownership to 4-boys, each 25-percent. DV-18-37/38 is not intestate probate DP-18-31 for property distribution.

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<sup>83</sup> Primogeniture (15c) 1. ...2. The common-law right of the firstborn son to inherit his ancestor's estate, usu., to the exclusion of younger siblings. Black's Law Dictionary 10<sup>th</sup> Ed. (2014) page 1384.

Institute Chapter President from Cuba to assist RCL Pro Se over the phone (mentor John Blazejack MAI, SRA). SSA in line in front of RCL Pro Se: eye-to-eye threat; he changed the new Chapter President's mind: not to show membership the MENSA video of RCL Pro Se allowing case publicity.

- **82-f.) EF-EC** *international green machine* Orlando SSA always stared & smirked at 8am church at RCL Pro Se just before their attack so to ruin his income earning: This 1099 W-9 contract employment was in five county: Orlando area. A premium-high quality employer: (Bob) Beaumont & Matthers Appraisal Firm. All 9-computers in firm were stolen just after RCL's relocation to Jensen Beach for a court filing obligation & temporary move to Daytona Beach MAI appraisal work.

- **83-g.) EF-EC** Daytona Beach *international green machine* SSA circulated strange hearsay comment to question the location of some confidential-office-report to which RCL Pro Se was one of four employees in office that had access. Employer was Charles Gardner, MAI Review Appraiser: Florida Department of Transportation (D.O.T.). Sabotage employment termination occurred. Driving back to Jensen Beach RCL picked up hitch hiker. Hitch hiker smirking with *schadenfreude*-pleasure knew details of this employment termination: wet blanket sting gov't funded SSA: money & pleasure.

- **84-h.) EF-EC** *International (mafia) green machine* book binder: multiple Writs of Certiorari v. IRS & Writ of Mandamus Fla. Elect. Com. D & B Book Binders one & only computer stolen, Hialeah, FL.

- **85-i.) EF-EC** *international (mafia) green machine* gov't lawyer magistrate, judge & justices use work around clutch tool manipulate & falsify public records (*res judicata*) Evicted 4033 Guava Drive with rent current (bank repossession) & RCL Pro Se written lease allowed 30-day relocation now eviction on record. Corrupt Judge left at noon Friday no look Emergency Motion, so say Sheriff Deputy monitor. Corrupt Judge had speeding tickets surrounding Collier County: not in his traffic court.

- **86-j.) EF-EC** *international (mafia) green machine* paid to 100-percent benefit ENTITLED

LAWYER "wise-guys" do lie, do cheat, do steal & manipulate, falsify public records -legitimately -can do any thing they want & nobody can say anything about it. RCL Pro Se 43-years post CV-78-67-BU.

- **87-k.) EF-EC** international green machine ENTITLED LAWYER-gov't judges **(i)** make work motions to delay, block & stop 100-percent JTV-DP-R[FN#2&#17]; **(ii)** arrive late daily work, **(iii)** leave early daily work & **(iv)** Montana Federal & state Mont./Fla. judges take off ½ day or all Friday & "paid-public" holidays added ancillary days connected to religious holidays, not national holidays.

- [sams@bestselfusa.com](mailto:sams@bestselfusa.com) [FN#15] control MENSA software f/efficient Fed/State court system mgt.

- Gov't lawyer judges Fed./Mont. State by ABA-BALCCB-SSW-SSA incorrectly benefit.

- **88-l.) EF-EC** International green machine ENTITLED LAWYER-gov't judges have knowledge addenda document Exhibit A-8601/ "911 Case: #21-00011801" Police Officer Clawson, City of Naples invisible: electronic deleted this Extraordinary Mandamus work-product 2/18/2021: Ash Wednesday.

- **89-m.) EF-EC** ENTITLED LAWYER-gov't judges in BALCCB with 100-percent market share etc. etal are 100-percent reliant on American Bar Assn cartel [FN#4] employee uselessness of tax-paid-effort by discrimination that void MOOF Warranty to block & stop<sup>88,89</sup> all respect for American law-as-public paid charges, earning public monies: provide token public service by "going thru motions" top-down, systemic fraud against 100% JTV-DP-R[FN#2 & #17].

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<sup>88</sup> Judge Friendly put it well: "[w]ithin the limits of professional propriety, causing delay & sowing confusion not only are [lawyer's] right but may be his duty." Rebooting Justice "More Technology, Fewer Lawyers, & Future of Law", Benjamin HJ. Barton Esq. & Stepanos Bibas Esq. (2017) P. 108.

<sup>89</sup> Adversary system: That obligation is an essential facet of the role of partisan advocate, & the partisan advocate is a creature of the adversary system. Ultimately, then, the fourfold root argument shows that the adversary system excuse is only as good as the adversary system itself. But how good is that? ... I argue that the adversary system is justified only by the very weakest of reasons, namely, that it is not demonstrably worse than other systems. And the final step of the argument consists in showing that this is not reason enough to retain the principles of partisanship and non-accountability-the standard conception of the lawyer's role-except in a highly qualified form. Lawyers & Justice "Opportunity in the Law, (1988) David Luban Esq. page 152.

○ **90-n.) EF-EC ENTITLED TRIAL COURT OFFICIATING DEFENDANT LAWYER PRO**

SE'S-in BALCCB 3-years law school *juris doctor* diploma not adequately trained in jury trial/moot court/mock trial<sup>[FN#24]</sup> with *juris doctor* diplomas & no doctor experience what-so-ever: **(a) Jeffrey Wade Dahood** J.D. (2005) University of South Dakota, School of Law Vermillion: (Mascot Coyotes); **(b) Wade J. Dahood** <sup>[FN#106]</sup> & **(c) Montana State District Court Judge Kurt Krueger**<sup>[FN#105]</sup> **(d) Montana State Supreme Court Justices** <sup>[FN#107]</sup>: **(e) Do not** add value to public tax paid governance; **[II] Do not** facilitate justice. **[III] Do not** inspire serene confidence of public servants.

○ **91-o.) EF-EC ENTITLED Pro Se Salary-Persons itemized \$1,153,185<sup>90</sup> OFFICIATING CLERKS & JUDGES**-gov't officials in part charged: employee judges in BALCCB as public oath charge, tax paid.

○ **92-p.) EF-EC ENTITLED LAWYER**-gov't charged for third juror opinion on both U.S. Magistrate JC Lynch & Judge Krueger cite Case Twombly (that could not get the ball across goal line) inadequately trained & no jury trial/moot court/mock trial with ABA diploma: *juris doctor* & no doctors experience.

○ **93-q.) EF-EC ENTITLED OFFICIATING LAWYER JUDGE & CLERKS**-are gov't charges:

**[I]** have no discretion not to abide by sworn Rule 5.4 oath & MOOF Warranty Assumption of Risk;

**[II]** is a mandate-for ministerial public governance:

**[III]** taxpayers no choice, no discretion to disregard Oath tax paid received require public non-lawyer oversight with Titles of Nobility Amendment(1819).

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<sup>90</sup> **1.)** Deer Lodge County Court Clerk (retired) Susie Krueger Salary \$61,516+; **2.)** Butte District Court Judge Kurt Krueger: \$136,885/yr. +; **3.)** Montana State Supreme Court Clerk Bowen Greenwood \$106,725+; **4.)** Mont. State Chief Supreme Court Justice Salary \$151,495/yr.+; **5.)** Mont. 3-Associate Supreme Court Justice Salary \$149,677/yr. X 3 = \$449,001, plus ADLC Attorney "Krakowka" \$110,649

○ **94-r.) EF-EC Gov't Lawyer Judge Krueger Work Around Words** are universally toxic, steam-roller bad behavior to stop honest fact findings a clear blatant bias to 2-Dahoods' concurrent:

**[II]** with a false claims on RCL Pro Se of "over speaking" Magistrate Lynch is:

**[III] not good behavior** violated US Constitution Article III § 1<sup>91</sup> while RCL Pro Se appear in self-defense: CV-78-67-BU/DV 80-41/12773 courtroom defendant son for Father Wade J. Dahood Pro Se.

**[III]** U.S. Magistrate Lynch activity is in comity with Fla. Statute 895.02(1)(a)23. § 777.03 commission of torts/crimes by accessories after the fact by authorization even though not personally doing the acts becomes responsible.

**[IV]** Become a fraud on the court by officers of the court<sup>92,93</sup> ever so implicit-bold & brazen;

**[V]** Therefore there is no public benefit of ABA's policy of discrimination as a NGO exclusive part of US judiciary now, to refuse (1819) Missing 13<sup>th</sup> Amendment aka Titles of Nobility Amendment.

○ **95-s.) EF-EC ENTITLED JOINTED 18-RESPONDENTS** gov't charged as gov't tax paid require **[I]** a 100-percent jury trial civil/tort verdict;

**[II]** provide a referral criminal RICO/*International Green Machine*/SSA conspicuously so to forfeit spouses wedding rings, unnamed herein,

**[III]** as Mothers wedding ring was part of jewelry removed from 1818 Tammany St.

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Grand Total ➔ \$1,153,185/yr + benefits = staff

<sup>91</sup> U.S. Constitution Article "III - § 1. "Judicial Power of United States, shall be vested in one supreme Court, & in such inferior Courts as Congress may from time to time ordain & establish. Judges, both of supreme & inferior Courts, shall hold their Offices during good Behaviour. & shall, ... Compensation, ... not be diminished ...

<sup>92</sup> Fraud on the court (1810) In judicial proceeding, lawyer's or party's misconduct so serious that it undermines or is intended to undermine integrity of proceeding. Examples are bribery of a juror & introduction of fabricated evidence. Blacks Law Dictionary 9<sup>th</sup> Ed. (2009) p732.

<sup>93</sup> "Fraud On The Court By An Officer Of The Court & Disqualification of Judges, State & Federal" [www.ballew.com/bob](http://www.ballew.com/bob), Exhibit A-3751 (3-pages).

- **96-t.) EF-EC ENTITLED LAWYER**-charge manipulate & falsified public records

**[I]** document RCL Pro Se pleadings/affidavits/motions were in fact: letters!

**[II]** This claim by all named party lawyers not to understand English language-pleadings.

**[III]** Filled out US District Complaint Form available to public parties functional literacy.

- **97-u.) EF-EC** Joined 29-Respondents & ENTITLED LAWYERS-each gov't charges' as gate keepers control 3-year law school *juris doctor* diploma: **American Bar Association ("ABA")** with 100-percent market share, no competition, no consumer freedom of choice, refuse accountability.

**[I] illegal-not constitutional** 1-judge order use precedent to void in US/Montana gag RCL Pro Se use of Rules of Civil Procedure still require him in self-defense to pay a lawyer before speaking to free monopoly government lawyer judge these 43-years.

**[II] Precedent is absolute despotism reinstate** England 1776s King George III no written constitution.

**[III] America's rules of civil procedure** allow lawsuits against public officials.

- The violative of a vested legal right: JTV-DP-R continues these 43-years in 9-elections.

- **98-) EF-EC** Gov't lawyer judges the 43-years not enforce non-lawyer RCL Pro Se plead law unless pleading is signed by lawyer with bar number<sup>94,95</sup> against America & RCL Pro Se.

<sup>94</sup> **Universal unwritten policy by gov't lawyer judges with other lawyers before them in trial courts after 245-years (7/4/1776 to year-2021) of a.)self-administered, b.)self-pardoned, c.)100-percent market share, d.)no competition, e.)offer no consumer freedom of choice with f.)tactics of express omissions, g.)100-percent concealment h.)thru insider trading (read getting paid on both ends while interloping in middle), i.)no transparency, j.)mollycoddling, k.)mentoring, l.)advising, m.)-participate in aide & abet, n.) lawyers are not adequately trained by American Bar Association ("ABA")certification of 3-year law schools o.)-juris doctor diploma with no jury trial/moot court/mock trial training, p.)- the *juris doctor* is fraudulent & willful mislead public with no doctor experience what-so-ever q.)-since CV-78-67-BU/CV-17-79-BU & 12773/DV-80-41 (same parties-plaintiff-&-defendant RCL v WJD Pro Se) instant case.**

<sup>95</sup> **Lawyer enterprise trade union/non-government-organization ("NGO") oath. Men & women took an oath when they joined the Montana-Florida Bar Association sibling of American Bar Association. They raised their right hand and they pledged allegiance to the trade union. More specifically, they pledged their allegiance to their fellow trade union brothers and sisters. For these men, it was trade union first, client second and country laws last if same laws were not blocked and stopped first from ever being applied as non-existent. Source Re: R.C. "Rick" Lussy.**

o **99-) EF-EC** Joined 29-Respondents of ABA-ABA-SSW pay SSA use of 24/7 invisible electronic/ physical comings & goings to guarantee poverty creation contacted Jeffrey Jordan Appraisals Wolf Road, First National Bank Building, Colonie, Albany NY (passive aggressive, going thru a divorce) fired RCL Pro Se while working on three-of his commercial appraisals. No reason given after.

**100-) EF-EC** Joined 29-Respondent's poverty creating ABA strategy by 100% prohibit gov't lawyer judges to enforce RCL Pro Se plead law with justiciable<sup>96</sup> evidence continued 43-years (CV-78-67-BU//12773/DV 80-41 Exhibit A-8508 Appendix) as-gov't lawyer judges participate: aide, abet, advise, mentor & mollicoddle Joined 29-Respondents in actual fraud MCA 28-2-405(3-&-5).<sup>97</sup>

**101-) EF-EC** Joined 29-Respondents benefit by ABA unrelenting discrimination thru no-profit: Legal Aid Service of Collier County Fla. 4436 Tamiami Trail E, Naples, FL 34112. Twice denied RCL assist after met financial guideline. Nice lady former office employee-fact witness.

**102-) EF-EC** Pro Se Montana State Supreme Court's co-Joined 29-Respondents venom is toxic as incorrectly captioned by 100% concealment of counterclaim with added indispensable parties: RCL Pro Se in Parent "Federal Case A" & correctly captioned: Sibling "Mont. State Case B Part I"<sup>98</sup> & II."<sup>99</sup> is a second class citizen 100-percent subservient to Blessed-Sainted Parents: Mother Dorothy

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<sup>96</sup> Justiciable adj. (Of a case or dispute) properly brought before a court of justice; capable of being disposed of judicially Black's Law Dictionary 8<sup>th</sup> Edition (2004) page 882.

<sup>97</sup> MCA 28-2-405(3) actual fraud the suppression of that which is true by one having knowledge or belief of the fact & MCA 28-2-405(5) any other act fitted to deceive.

<sup>98</sup> Case "B Part I CAPTION OMISSION BY PRO SE MONTANA STATE SUPREME COURT SUBSEQUENT IN THE UNITED STATES: WADE J. DAHOOD Plaintiff-Appellee-vs-RICHARD CHARLES LUSSY Defendant-Appellant **DEFENDANT'S COUNTERCLAIM** RICHARD CHARLES LUSSY Counter-Claimant Plaintiff, Appellant -vs- WADE J. DAHOOD Counter-Defendant-Appellee **DEFENDANT'S ADDED PARTIES** RICHARD CHARLES LUSSY Counter-Claimant Plaintiff-Appellant-vs- WADE J. DAHOOD, JEFFREY W. DAHOOD, HENRY PAUMIE LUSSY, LAUNA LYNN ROQUE & JENAHLEE MURIE BORNFF Counter-Defendants-Appellees-Respondents

<sup>99</sup> Case "B Part I CAPTION OMISSION BY PRO SE MONTANA STATE SUPREME COURT: IN THE SUPREME COURT OF MONTANA & SUBSEQUENT IN THE SUPREME COURT OF THE UNITED STATES HENRY PAUMIE LUSSY, Plaintiff-Appellee



Helen and Father Henry Francis Lussy Legacy intestate probate DP 18-31. After the fraudulent destruction of Mothers: ***"Revocable Living Trust-To-Be-Her-Last Will & Testament"*** bait & switch to catch-kill to erase the faces of: Blessed DHL/HFL now in care of #3-son RCL Pro Se: ***"(when) your mother died her Living Trust died (Wade J. Dahood Pro Se support of Joined 29-Respondents to RCL)."***

and

Seek civil comity from: Florida Criminal Statute 839.13(2)(d) & (3) see appendix Exhibit A-3863 (3-page) to: not prohibit any person from correcting or updating manipulated or falsified public records...."

As against RCL Pro Se these Joined 29-Respondents express omission, 100% conceal insider-lawyer-trading on non-lawyer RCL Pro Se deny competitive neutral 100% JTV-DP-R on ABA-NGO officials.

**103-J EF-EC** Pro Se Montana State Supreme Court is not involved with identical fact and issue's of Case "B part I & II" exclusive of Parent Case "A" Federal Questions & Diversity of Citizenship issues.

**INTRINSIC FRAUD: INCONSISTENT 44-CLAIMS RELIEF ("IF-ICR") TO AMEND COMPLAINT**  
Intrinsic Fraud that is the subject of the lawsuit dealing with laws & asset ownership: Federal/ Mont.

Rule of Civil Procedure 8(d)(3)<sup>100</sup> & does not duplicate Intestate Probate DP 18-31 for asset distribution, as Pro Se Ray J. Dayton Judge advised Pro Se Wade J. Dahood.

**1 To 37) IF-ICR**<sup>101</sup> pre-jury trial issue internal fraud/inconsistent claims relief: ("ICR.")

-vs-RICHARD C. LUSSY Defendant-Appellant **DEFENDANT COUNTERCLAIM** RICHARD C. LUSSY Counter-Claimant Plaintiff-Appellant -vs-HENRY PAUMIE LUSSY, Counter-Defendant-Appellee **THIRD PARTY CLAIM-AMENDED, AMENDED DEFENDANT ADDING PARTIES** RICHARD C. LUSSY Counter-Claimant Plaintiff-Appellant -vs-HENRY PAUMIE LUSSY, WADE J. DAHOOD, JEFFREY W. DAHOOD, LAUNA LYNN ROQUE, JENAHLEE MURIE BORNFF, MERNA GREEN ASSESSOR MONTANA DEPARTMENT OF REVENUE Counter-Defendants-Appellees Respondents.

<sup>100</sup> Federal/Montana Rule of Civil Procedure 8(d)(3) Inconsistent Claims or Defenses for relief. Party may state as many separate claims or defenses it has, regardless of consistency. [Not 1-cause for relief: lawyer malpractice].

<sup>101</sup> Jury Issues #1 thru #37 Preliminary: **No. 1:** Eldest brother Henry Paumie Lussy ("HPL") voice mail (not time or date noted) told Brother #3-RCL Pro Se not come to Mom's funeral, pre November 7, 2015 Sat. funeral.

**No. 2:** fraudsters HPL with WJD illegal claim to allow first born: primogeniture<sup>[FN#51]</sup> to take whatever he wants from Blessed parents Mother Dorothy Helen Lussy & Father Henry Francis Lussy.

**No. 3:** Joined 29-Respondents claim Indenture-agreement (Exhibit A-8483)-neither, Warranty nor Quit Claim Deed as it was a life estate a home-help-companion for elderly-frail & hurting (94.7year) Mother in her last years. In trade HPL lived free rent in basement of 1818 Tammany Street.

**No. 4:** Joined 29-Respondents (79%-lawyers) destroyed: ***"Revocable Living Trust-To-Be-Mom's-Last Will & Testament"*** that Wade J. Dahood Defendant pro Se stated to son RCL Pro Se: ***"(when) your mother died her Living Trust died."*** RCL Pro Se picked up off Wade J. Dahood's desk two other documents<sup>[FN#99]</sup> in its entirety Revocable Living Trust exist.

**No. 5** Joined 29-Respondents had no written evidence: no power of attorney, no appointed estate administrator or guardianship having no authority other than statutory: Montana Uniform Probate Code where all inheritance for four boys

are to receive 25-percent each outside of 301 & 305 Main Street: Montana's Finest Stage/Movie Palace satisfactorily distributed already to #4 son as one-manager/owner for his 33-years of sweat equity. The Joined 29-Respondents fraudulent Exhibit A-8282 (50% & 50% claim) assists fraud claim. The pounding on Mom by HPL Defendant to coerce-isolate-abandon incommunicado duress during day (French: *abus de faiblesse* for aka) is abuse of weakness Mother's 94.7 years. Extrinsic & irrelevant to Intestate Probate CP 18-31 jurisdiction (asset distribution) for parent Case "A:" CV-17-79-BU.

**No. 6** Joined 29-Respondents committed actual fraud by securing: "Full Release of Recipients..." Exhibit A-8306 with all 4-boys signatures with no notice not to apply Uniform Mont. Probate Procedure to RCL Pro Se. **No. 6** Exhibit A-8978 **43-year case destruction record CV 78-69-BU**;

**No. 7** RCL Pro Se due diligence (CV 78-69-BU/DV 80-41) 2<sup>nd</sup> lawyer malpractice lawsuit against Seattle 2<sup>nd</sup> prime counsel (Mark Davidson) Williams Lanza Kastner & Gibbs with Missoula local counsel Guy McClelland Subpoena Exhibit A-8546 (17-pages) Lawyers: self-administer, self-pardon as super-cede all Existing American law proof by Gaylord A. Wood Jr. Fla. Administrative Law Section Case 17-1594F contributing to RCL Pro Se's loss of 9-Florida Property Appraiser Elections. Established ABA-NGO law pre-empts all American existing law;

**No. 8** Deer Lodge County 3-property tax appeals 301 & 305 main Street with 1818 Tammany St: Exhibit A-8533, A-8534, A-8535;

**No. 9** Constitutional MCA 15-8-111 100% Property Tax Assessment;

**No. 10** Joined 29-Respondents impeachment of Mom's duress by HPL Exhibit A-8282 HPL wants 50% of everything result of coerce-isolate-abandonment incommunicado during the day duress (French: *abus de faiblesse* for aka) abuse of weakness for her 94.75 years;

**No. 11** privacy invasion of Mother, theft of jewelry-&-rings/lock box/car taken to Vancouver Washington;

**No. 12** juror criminal RICO verdict referral per Dryer Act HPL took Mother Pontiac G9 to Moses Lake WA;

**No. 13** juror criminal RICO verdict referral pursuant SPYING: secret surveillance warrant sabotage against RCL since May 15, 1988 during 9-elections;

**No. 14** Subject Matter Jurisdiction: Federal Questions UCC § 2-313 Sworn Oath & Citizen Diversity: Lawyer oath U.S. Supreme Court Rule 5.4 oath/MOOF (Ministerial Oath Of Office) Warranty Assumption of Risk for bad faith gov't employment & Pledge of Allegiance, not necessary is Voter Registration yet might assist;

**No. 15** destroyed: "Revocable Living Trust-To-Be-Her-Last Will & Testament" (when) your mother died her Living Trust died";

**No. 16** joined 29-Respondents (79%-Lawyers) refused to file DP-18-31 Intestate Probate to apply with court authority provided with no notice to RCL Pro Se;

**No. 17** joined 29-Respondents manipulated & falsified public records self-pay to commit civil torts & crimes with no written evidence: no power of attorney, no appointed estate administrator or guardianship is actual fraud: "Full Release of Recipients..." Exhibit A-8306;

**No. 18** A \$90,000.31 Merna Green Court Default Motion followed by Clerk default;

**No. 19** punitive damages: #103-extrinsic frauds/exceptional circumstances warranting exercise of 100% JTV-DP-R;

**No. 20** Bad behavior of judicial officers continuing with Montana State Judge Krueger then piled on by MT Sup. Ct: ABA-NGO policy of stare decisis validating gov't lawyer judgitis-vexatious reoccurring manifest abuses require (MCA§25-4-601) entry for live testimony-rebuttal & 2<sup>nd</sup> opinion fact-to-law 100% jury trial verdict: (MCA§25-7-103);

**No. 21 Discrimination** ABA policy as a non-governmental organization running American society at all levels subscribed & enforced by fiat: denial free public law before like-minded fraudsters in free public courthouses.

**No. 22 Inadequate training** the Joined 21 of 29-Respondents no 100% jury trial/moot court/mock trial per U.S. Supreme Court Rule 5.4[FN#72] oath to support US Constitution as officers of court becomes fraud on court.

**No. 23 False advertising** institutional policy of ABA governed criteria at 3-year law school juris doctor diploma & no doctor experience.

**No. 24 ABA-BALCCB policy SSW for SSA to spy by HTSABBT aka Hunted-Targeted-Stalked-Attacked- Bullied-Badgered-Tormented Plaintiff on RCL Pro Se.**

**No. 25 Manipulation & falsification** of public records in pell mell fashion each Joined 29-Respondents.

**No. 26 Joined 29-Respondents willful participating aid & abet sabotage** of judicial officers continuing with U.S. Magistrate Jeremiah C Lynch then piled on by all others as stare decisis demands.

**38.) IF-ICR** ABA policy in public courtrooms refuse RCL Pro Se pleadings called: letters.

**39.) IF-ICR** ABA policy run America's courthouse judiciaries is to spent HFL/RCL out of court in CV-78-67-BU/DV 80-41 with destroyed case evidence contributed to creating this poverty in: CV17-79-BU-JCL-BMM/DV 80-41.

**40.) IF-ICR** Joined 29-Respondents deny RCL Pro Se sue lawyer-Magistrate-Judges-Justices to correct manipulated & false public records: criminal in comity with Fla. Stat. 839.13(2)(d): 100% JTV-DP-R[FN#2 & #17] that any person can correct manipulated & falsified public records.

**41.) IF-ICR** Candidate RCL Pro Se was refused speech in 2016/20 Election forums: STING.

**42.) IF-ICR** ABA extra-judicial unregistered lobbyists 24/7 HTSABBT: 100% stopped his life.

**43.) ICR** ABA gov't lawyer judges 100% discrimination never enforce non-lawyer petition law.

**44.) IF-ICR** ABA-NGO 21-lawyers of Joined 29-Respondent are complicit-for success obtained money/property from RCL Pro Se/taxpayers by deceptive means lawyer-industrial complex

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**No.27 Joined 29-Respondents** paid \$1,153,186[FN#39] or promised: to commit civil torts to be juror referred for public prosecution as participants to aid & abet fraud on the court as lawyer-officers of court & 4-diverse of citizenship names.

**No.28 Joined 29-Respondents** 21 of which (72%) are Lawyers "subordinate" to rules of procedure all substantive guidelines as guard rails that trump hearsay third party hearsay-precedent/stare decisis/judge made case "studies" (3<sup>rd</sup> party) case "law" (first party requiring primary source verification phone number, e-mail addresses for live fact witness testimony for rebuttal & impeachment. A first year law student knows one cannot use inadmissible evidence in court.

**No.29 Joined 29-Respondents** act under the color of law to further enslave RCL Pro Se, John Q. Public, Alice Average Citizen with prevarications (lies) build into hearsay precedent.

**No.30** For actual fraud(MCA§28-2-405)on court as officers of court;

**No.31** accessories participate, aid & abet others (MCA§25-7-103) issue of fact-to-law as juror verdicts;

**No.32** Allow **#44-intrinsic fraud/inconsistent claims for relief** permit *leave to amend complaint* Respondents not understand English speaking/reading Fed./MT Civil Rules of Procedure 8(a); 60(d)(3); 15(a)(2); 8(b)(6); 8(d)(3)-& 8(c)(1) is failure by not understanding;

**No.33** Green (\$90,001.30) court default f/clerk default: deny judicial politics is intrinsic fraud(MCA §25-4-103/601);

**No.34** Green repetition of libel per se against RCL Pro Se from original Dahood Case CV 78-67-BU/DV 80-41;

**No.35** HJRC Justice requires: joined 29-Respondents (72%-Lawyers) to apply U.S. Amendment VII Law Suits' Jury Trial<sup>(1791)</sup>;

**No.36** HJRC Justice requires: joined 29-Respondents (72%-Lawyers) to apply Montana Constitution Declared Right Article II §26 in 100% Jury Trial<sup>(1889)</sup> verdict(FN#2 & #16) Not taught ABA 3-year cert. law schools with juris doctor diploma.

**No.37** HJRC Justice require all Joined 29-Respondent parties comply with (72%-Lawyers) Title of Nobility Amendment aka Missing 13<sup>th</sup> Amendment<sup>(1819)</sup>.

inadequately trained: Kurt Krueger<sup>102</sup> & Montana State Supreme Court Justices education:<sup>103</sup> Mike McGrath, Dirk Sandefur, Ms. Ingrid Gustafson and James A. Rice. With Jeffrey Wade Dahood and Wade J. Dahood.<sup>104</sup> Yale & Harvard are yet to verify as all 9-U.S. Justices graduated from these two.

**ONE MINISTERIAL PRAYER-FOR-RELIEF-AMEND 2-COMPLAINTS "SIBLING "B PART I & II" TO AMEND-COMPLAINT: APPLY MINISTERIAL RULES OF PROCEDURE**  
RCL Pro Se sibling Case "B Part I & II" petitioner is uniformly supportive with a letter from HJRC Justice to secure a lawyer, as no lawyer will sue or assist Joined 29-Respondents for fear of blackballing from the entire ABA-NGO that run American society in all three "co-equal" branches of monopoly government. An essential element to life for RCL Pro Se after these 43-years, at 70-years of age and expert commercial & extraordinary residential property appraiser for 2024 election.

**Restated→Order (bold type)-One-Question:** Of Hon. John Roberts Chief ("HJRC") Justice: ministerially **order to set aside two \$74,000-judgments** for <sup>103</sup>extrinsic fraud exceptional circumstances to stop petition for 43-years in 9-elections **with leave to amend consolidated relief complaint "Sibling Case B Parts I & II,"** Part II Clerk Krueger did not file; Part I filed, "<sup>44</sup>intrinsic fraud inconsistent claims for relief by co-sign any competent lawyer a HJRC Justice letter is needed to hire one, to satisfy 2-judges: two-vexatious litigant orders: for first 100% jury trial verdict a ("JTV-DP-R")<sup>105</sup>[FN#17]

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<sup>102</sup> Kurt Krueger Butte Montana District Court Judge, Moot Court/Mock Trial-jury trials as not core/required courses' to graduate from 3-year law school with *juris doctor diploma* with no doctors' experience what-so-ever: University of Arlington, Virginia, Antonin Scalia/George Mason Law School: (**Mascot Patriots**).

<sup>103</sup> Montana Supreme Court 7-Justices: (1) Chief Justice Mike McGrath, Born Butte 1947, US Air Force **Gonzaga Law School, Spokane Washington Mascot (a stocky) Bulldog**: 1970 JD. (509-313-5532) Moot Court-Mock Trial are not core courses required in 3-year core curriculum before obtaining diploma for *juris doctor* with no doctor experience what-so-ever. Law Admissions read are clubs & organizations not required.

(2) Justice Laurie McKinnon, **University of Baltimore, Maryland Law School**. 1986-JD, **Mascot Bumble Bee (yellow & white stripes)**: (410-837-4459) Moot Court-Mock Trial core courses are not required to graduate before obtaining diploma for *juris doctor* with no doctor experience what-so-ever..

(3) Justice James A. Rice, 1982-JD; (4) Justice Beth Baker 1985-JD; (5) Justice Jim Shea 1991-JD; (6) Justice Dirk Sandefur, 1993-JD; (7) Justice Ingrid Gustafson 1988-JD. All graduates of **University of Montana Law School** Moot Court-Mock Trial core courses are not required to graduate before obtaining diploma for *juris doctor* with no doctor experience what-so-ever.

<sup>104</sup> Jeffrey Wade Dahood (2006) University of South Dakota School of Law, Vermillion, South Dakota J.D. 2005, undergraduate Montana Tech, Butte, Montana B.S. 2001 Business Information Technology. Moot Court/Mock Trial-jury trials are not core courses to obtain *juris doctor diploma*. And Father, Wade J. Dahood University of Montana Law School in 1951 where moot court, mock trial are not core courses for JD diploma.

<sup>105</sup> A 100% jury trial verdict due process redress: 2-judges (State-&-Federal), 2-juror oaths (group & person) 4-cameras. RCL write jury questions, instructions & verdict form. No more lawyer mollicoddling & mentoring f/lawyer judge@bench.

(MCA 25-7-103) **be complete Nov. 15, 2022 for 2024 election;** by Rules Of Civil Procedure for justiciability admissible evidence. Therefore: 103+44=147-frauds on court by officers of the court

This discretionary pleading is ministerial notice to prevent ministerial "Ultimate Consumer Harm" by allowing RCL Pro Se best intention to be fully respectful: competent-competitively neutral in 100-percent JTV-DP-R [FN#2 & #17] with four cameras concurrent the petitioned letter-as-order of introduction from yourself HJRC Justice. As no competent lawyer will help RCL Pro Se for fear of blackball assist to sue gov't lawyer judges-justices named as Joined 29-indispensable Respondents (72% lawyers) up-from-five-original-Defendants Federal/Montana Rule Civ.P. 19(2)...*the court must order that the person be made a party to uniformly give justice* allowing: RCL Pro Se "Notice of 'Lien'/Not Due" (MCA§71-3-532/§71-3-103) no "liens" is bait-&-switch (MCA§28-2-701); Apply (MCA§25-4-601) judgment entry for 2<sup>nd</sup> opinion fact-issue in 100% jury trial verdict: (MCA§25-7-103) **with leave to amend complaint co-signed by competent lawyer to satisfy 2-judges for 100% JTV-DP-R**[FN#2&#17] pray to complete first jury trial process at end of first trial phase before Nov. 15, 2022 allow time for 2024-Election-cycle.

Again the legal requirement re: Federal/Montana R.C.P 8(b)(6) *Effect of failing to deny by pleading: **not understanding*** violates U.S. Supreme Court Rule 20.1 presented in good faith and not for delay & not to continue manipulating & falsifying public records by discrimination. And ibid rule 60 Relief from Judgment or order, "vexatious" is clear sour grapes for suing gov't lawyer judges & justices pursuant Montana rule 12-3201 allowing justiciable<sup>106</sup> Justiciability<sup>107</sup> of admissible evidence

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<sup>106</sup> Justiciable adj. (Of a case or dispute) properly brought before a court of justice; capable of being disposed of judicially Black's Law Dictionary 8<sup>th</sup> Edition (2004) page 882.

<sup>107</sup> Justiciability n. The quality or state of being appropriate or suitable for adjudication by a court. See Mootness DOCTRINE; RIPENESS, Cf. STANDING C.J.S. Actions §§ 38-45.] Black's Law Dictionary 8<sup>th</sup> Edition (2004) page 882.

in accordance with Federal/Montana Rules Civil Procedure 8(b)(6), 8(d)(3), 8(c)(1), 15(a)(2), 60(d)(3) as guide-rules, non substantial, yet to apply MCA statutes.

Judge Friendly put it well: "[w]ithin the limits of professional propriety, causing delay & sowing confusion not only are [lawyer's] right but may be his duty." Rebooting Justice "More Technology, Fewer Lawyers, & Future of Law", Benjamin HJ. Barton Esq. & Stepanos Bibas Esq. (2017) Page 108.

Federal/Montana R.Civ.P 8(d)(3) *Inconsistent Claims ... a party(Plaintiff) may state as many separate claims or defenses as it has regardless of consistency:* as particulars to amend this Sibling Case "B Part I & Part II" complete: 44-Inconsistent Claims for Relief are also intrinsic frauds which is the fraud that is the subject of a lawsuit. The 103-exceptional circumstances for Writ of Mandamus are also extrinsic frauds which are collateral ... circumstances. Extrinsic fraud by organized crime originated in South Florida was to induce RCL Pro Se not to present-&-complete a case in court by depriving him of money, opportunity to hire a lawyer to be heard in applying his rights for 100-percent JTV-DP-R with four cameras.

The 100-percent market share, no competition, no consumer freedom of choice by express omissions, 100-percent concealment and insider trading is the American Bar Association ("ABA"). It with Affiliated Business Arrangement ("ABA") are both non-government-organizations ("NGO") except the first ABA certifies all three year law school curriculum that issue *juris doctor* diplomas with no doctor experience what-so-ever. By direct comparison: RCL Pro Se's trade union designation MAI (Member Appraisal Institute with ("SRA") Senior Residential Appraiser) is much harder to get.<sup>108</sup>

In summing the particularized 103+44=147-frauds on court by officers of the court is

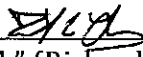
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<sup>108</sup> MAI with SRA 10-years general real estate experience, 5-years varied field commercial experience, certified by MAI interview (interviewers in Atlanta GA denied RCL Pro Se Seattle WA-Anchorage AK-San Jose CA. experience of 12-years (4-years-with Shorett Riely & Vance, premium commercial firm) whereas Miami interviewers knew MAI principals

persuasive to positively approve ministerial mandamus, realizing one, one good reason is necessary to win & that is RCL Pro Se deserves approval for success to allow: leave to amend complaint co-signed by competent lawyer: satisfying 2-judges for 100% JTV-DP-R<sub>[FN#2&#17]</sub>.

**UNSWORN DECLARATION UNDER PENALTY OF PERJURY: 28 U.S.C. 1760**

"I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 28, 2021, & updated June 23, 2021 for U.S. Priority Mail: by

 on July 3, 2021  
R.C. "Rick" (Richard) Lussy Petitioner Pro Se, Decedent Heir, Injured Party & Candidate

Separate stand alone documents: CERTIFICATE OF SERVICE;  
With  
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS  
& IN PROOF OF SERVICE; all timely served to named parties.

**APPENDIX (132-Pages)**

Index: 3-page ORDER Filed 10/15/19: OP 19-573 MT Sup. Ct. Writ of Mandamus: Denied

Sibling Case "B" Part I & II: 1-page Feb. 5, 2021 US Sup. Ct. 20-5028 & 20-5029 Writ of Certiorari  
Petition for Rehearing Denied

Sibling Case "B" Part I: 1-page January 11, 2021 US Sup. Ct. 20-5028 Writ of Certiorari Petition for  
Rehearing Denied. The Chief Justice took no part ...of this petition."

Case "B" Part I: 4-pags Filed May 5, 2020 Mont. State Supreme Court DA 19-577 Denied  
Cited 3-case precedents with no reference to RCL Pro Se statutes presented/argued.

Case "B" Part I: 3-page DA 19-577, 10/7/19 Mont. State Supreme Court Progress Docket.

Case "B" Part I: 1-page DV 18-37 DAHOOD v. RCL Sept. 6, 2019 Doc. 44, JUDGMENT;

Case "B" Part I: 2-page DV 18-37 Aug. 2, 2019, Doc. 42, ORDER AWARDING DAMAGES;  
ATTORNEY FEES & COSTS;

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on both Florida coasts allowing approval for the last & 5<sup>th</sup> year for the MAI. This besides a horrid 8-hour comprehensive exam, 5-years academic course work with tests and a 4-year undergraduate university/college degree core requirement.

Case "B" Part I: 1-page April 9, 2019, Doc. 37, ORDER FOR RELEASE OF LIEN;

"B" Part I: 4-page 3/29/2019, Doc. 35, Findings of Fact, Conclusions of Law & Order;

"B" Part I: 4-page 2/18/21 Anaconda-Deer Lodge County District Court Progress Docket.

Sibling Case "B" Part II: 1-page January 11, 2021 US Sup. Ct. 20-5029 Writ of Certiorari  
Petition for Rehearing Denied. The Chief Justice took no part ...of this petition."

Case "B" Part II: 3-pgs Filed May 5, 2020 Mont. State Supreme Court DA 19-578 Denied  
Cited 3-case precedents with no reference to RCL Pro Se statutes presented/argued.

Case "B" Part II: 1-page NOTICE OF FILING DA 19-578, May 21, 2020 Mont. State  
Supreme Court Remittitur has been issues on this date.

Case "B" Part II: 1-page **DV 18-38 H. PAUMIE LUSSY v. RCL** Aug. 9, 2019 Doc. 53, JUDGMENT;

Case "B" Part II: 2-p **DV 18-38** 8/2/19, Doc 53 ORDER AWARD DAMAGES; ATTY FEES & COSTS;

Case "B" Part II: 1-page **DV 18-38**, 4/9/19, Doc. 48, ORDER FOR RELEASE OF LIEN;

"B" Part II: 4-page 2/29/19, Doc. 46, Findings of Fact, Conclusions of Law & Order;

"B" Part II: 4-page 2/18/21, Anaconda-Deer Lodge County District Court Progress Docket.

27-page 1/11/20, INITIAL BRIEF **CASE NO. DA 19-677** APPELLANT LISTS: 34-MANIFEST  
ABUSES OF DISCRETION: JUDGE KRUEGER

DUPLICATE 1-page only: (with 1-page to reduce bulk) different cover page → same content.  
1-page cover only (for 27-page) 1/11/20, INITIAL BRIEF **CASE NO. DA 19-678**

APPELLANT LISTS: 34-MANIFEST ABUSES OF DISCRETION: JUDGE KRUEGER  
15-page 9/27/19, WRIT OF MANDATE CONSOLIDATE **CASE NO. \_\_\_\_\_**  
**FROM CV-78-67-BU To Consolidate DV-18-37 With DV 18-38**  
**DA 19-677** APPELLANT LISTS: 34-MANIFEST ABUSES OF DISCRETION: JUDGE KRUEGER

Exhibit A-8508 (6-pages) Dec. 7, 2010 Knight, Dahood, Everett & Sievers Case "B"

Exhibit A-8547 (3-pages) November 17, 2017: **First Lien NOTICE OF CLAIM OF LIEN**  
**AGAINST WADE J. DAHOOD ESQ.: FORFITURE OF HIS PROPERTY PURSUANT: CV-78-67-BU**  
**Henry F. Lussy & Richard C. Lussy vs. Francis R. Bennett, Knight, Dahood, Mackay &**  
**McLean, by This Special, General Factor Pro Se Plaintiff 100% Stakeholder: Rick Lussy Esq.**



Exhibit A-8529 (1-page) Nov. 21, 2015: **First Lien NOTICE TERMINATES TENANCY: EVICTION**

Exhibit A-8530 (1-page) Nov. 21, 2015: **First Lien NOTICE OF BY PRIOR GENITURE ABOLISHED.**

Exhibit A-8531 (2-pages) Dec. 16, 2015: **First Lien NOTICE OF CLAIM BY SPECIAL, GENERAL FACTOR TO 75%, FROM 25% STAKEHOLDER**

Exhibit A-8483(1-p) Dec. 9, 2006; Indenture-Agreement no Deed, Life Estate Mom to HPL.

Exhibit A-8281 (1-pge) June 22, 2001 Release: All Recipients must sign a statement never to sue, before funds and property are distributed from this Trust. Notary June 22 2001.

Exhibit A-8282 (1-p) Jan. 16, 2014: Amendment T Dorothy Lussy Revocable Living Trust.

*"All Recipients must sign a statement never to sue, before funds and property are distributed from this Trust."* Notary June 22 2001. [50% & 50% & \$35,000 & \$35,000]

Exhibit A-8306 (1-pge) Nov. 12, 2015 to Nov. 12, 2015 Full Release of Recipients In Connection With The Dorothy Lussy Revocable Living Trust: In Wade Dahood Law Office

Exhibit A-8304 (1-pge) Nov. 3, 2015 Enclosed find a cashiers check...gifted to you, Richard Lussy, by the Instructions of Dorothy Lussy's trust unsigned by HPL

Exhibit A-8544 (1-pge) April 17, 2018 This office... no Estate or will has ever been filed. Susie Krueger Clerk of District Court Barbara ----.

Deer Lodge County Certification of A Death Cert. Dorothy Helen Lussy Nov. 02, 2015.

Exhibit A-8571 (1-pge) August 5, 2019 Affidavit Racketeering Organized Crime International Green Machine. Embassy Suites, Hilton-Hotel 3974 NW S. River Dr. Miami, FL 33412

Exhibit A-8601 (1-pge) February 18, 2021 9-1-1 Call complaint Remote sabotage loss all Writ of Mandamus on Ash Wednesday: Naples City Case #21-11801.

Exhibit A-8588 (1-pge) September 22, 2010 E-mail exhibit to American Bar Association.

Exhibit A-8302 (2-p w/envelope) 11/30/15 Denied Request For Prosecution Ben Krakowka County Attorney. → Exhibit A-8580 (1 of 2-pge) E-mail Lease info Dept of Revenue @ courthouse  
→ Exhibit A-8580 (2 of 2-pge) E-mail; reply by Mr. "Chas Ariss

Exhibit A-8589 (1-pge) *"Jurisdiction al Exception Rule...Instruction form a client or*

*attorney do not establish a jurisdictional exception."*

MCA 15-8-111 Appraisal (property tax) market value standard, challenge from 100% market value (willing seller) to assessed value (unwilling seller).

Exhibit A-8533 Doc. 8 Affidavit tax appeal: Page 69 of 82 located at: 301 Main Street;

Exhibit A-8534 Doc. 8 Affidavit tax appeal: Page 70 of 82 located at: 305 Main Street;

Exhibit A-8533 Doc. 8 Affidavit tax appeal: Page 71 of 82 located at: 1818 Tammany Street.

Letter: → November 18, 2019 from Anaconda Deer Lodge County Clerk of District Court... that you were prohibited from proceeding or filing any further pleadings pro se without leave of the Court. By Susie Krueger Clerk of District Court.

Letter: → Dec. 30, 2019 from Anaconda Deer Lodge County Clerk of District Court... Therefore, Motion 7 Affidavit were not filed in District Court. By Susie Krueger Clerk of District Court.

Letter: → Exhibit A-8978 (1-pge) February 18, 2015 "I regret to inform you that I am unable to supply copies of the documents you requested in Case CV 78-67-BU, as the case file has been destroyed. By Geth Conley Chief Deputy.

Exhibit A-3863 (3-pge) Dec. 7, 2012 Fla. Dept. of Law Enforcement copy of Fla. (Criminal) Statute 839.13(3)(d) allowing any person to correct manipulated & falsified public records.