

To:

From: (Name) _____

(Address) _____ Legislative District: _____

Remonstrance by Affidavit
Notice to Agent is Notice to Principal and Notice to Principal is Notice to Agent

Comes now Affiant, _____, one of the People of the 50 states (as seen in Arizona Constitution Article 2 Section 2), Sui Juris, in this Court of Record, to correct and remove all violations and acts of violence against the People, as seen in the Arizona Constitution;

Arizona Constitution Article 2 Section 2: Political Power; Purpose of Government

“All political power is inherent in the people, and governments derive their powers from the consent of the governed, and are established to protect and maintain individual rights.”

Affiant states: The People remind all elected officials, you have consented to be governed by the People. At the moment you took your oath of office, all elected officials agreed to a contract with the People. This contract is binding and is further demonstrated by those elected officials receiving reimbursement for services rendered;

Black’s Law Dictionary 5th Edition:

Contract: An agreement between two or more persons which creates an obligation to do or not to do a particular thing. Its essentials are competent parties, subject matter, a legal consideration, mutuality of agreement, and mutuality of obligation.

Express Contract: An express contract is an actual agreement of the parties, the terms of which are openly uttered or declared at the time of making it, being stated in distinct and explicit language, either orally or in writing.

Loyalty Oath: An oath requiring one to swear his loyalty to the state and country generally as a condition of **public employment**. Such oaths which are not overbroad have been upheld. *Elbrandt v. Russell*, 384 U.S. 11, 86 S.Ct.1238, 16 L.Ed.2d 321.

Employ: To engage in one’s service; to use as an agent or substitute in transacting business; to commission and intrust with the performance of certain acts or functions or with the management of one’s affairs; and, when in respect to a servant or hired laborer, the term is equivalent to hiring, which implies a request and a contract for a compensation.

Employee: A person in the service of another under any contract of hire, express or implied, oral or written, where the employer has the power or right to control and direct the employee in the material details of how the work is to be performed.

Bind: To obligate; to bring or place under definite duties or legal obligations, particularly by a bond or covenant. To affect one in a constraining or compulsory manner with a contract or a judgment. So long as a contract, an adjudication, or a legal relation remains in force and virtue, and continues to impose duties or obligations, it is said to be “*binding*.” A man is *bound* by his contract or promise, by judgment or decree against him, by his bond or covenant, by an extoppel, etc.

Affiant states: The government exists at the will of the People. All elected officials are employees of the People for the purposes of doing the People’s will. Arizona Constitution Article 2 Section 2 indicates your employment as an elected official is to protect and maintain the individual rights of the People and follow the will of those who elected you to office;

Maxim of Law - One lawfully commanding must be obeyed. *Jenk. Cent.* 120.

Affiant states: We, the People, in writing the many constitutions, retained specific rights to ourselves, separate from the limited authority we gave elected officials to do the work related to government duties. All 50 state constitutions are interchangeable and applicable to all the People;

Kentucky Bill of Rights Section 2:

“Absolute and arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority.”

Arizona Constitution Article 2 Section 32: Constitutional Provisions Mandatory

“The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise.”

Affiant states: We, the People, are to frequently remind you, our employees, of your duties and responsibilities in order to ensure that you, the employees, preserve the People’s security. “Free Government” is government that does not in any manner hinder the People’s freedom to pursue their private lives and happiness forever;

Arizona Constitution Article 2 Section 1: Fundamental Principles; Recurrence to

“A frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government.”

Black’s Law Dictionary 5th Edition: Perpetuity: Continuing forever.

Maxim of Law - Legal form is essential form. 10 *Coke*, 100.

CURRENT VIOLATIONS OF THE CONSTITUTION

Affiant States: The People’s perpetuity of free government has been fully or partially compromised by many “employees” of the People. Each of those “employees’ will be held accountable for their individual actions against the People.

Katie Hobbs, Governor

Ms. Hobbs failed to recuse herself from the 2022 election. As the Secretary of State, she was to oversee the functioning of the election. However, when she, herself, is a candidate in the election, she may not also oversee her own election. This is a glaring violation of the protection of the People from maladministration and malfeasance.

Ms. Hobbs further demonstrated her actual maladministration and malfeasance by actually publicly threatening various county Boards of Supervisors with criminal penalties if they should choose to do what they were supposed to do to ensure fair and safe elections.

Ms. Hobbs, in taking her oath of office as governor, has failed to protect the People of Arizona from invasion on our southern border.

Ms. Hobbs has failed to ensure that questions about ballots have been addressed openly and transparently.

Ms. Hobbs has failed to sign lawfully legislated bills based on her political affiliation rather than what is good for the People of Arizona.

Arizona Constitution Article 2 Section 21: Free and Equal Elections

“All elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.”

Adrian Fontes, Secretary of State

Mr. Fontes has participated in maladministration and malfeasance. He is personally responsible for writing the programs used in the balloting machines. He has participated in violating Arizona Constitution Article 2 Section 21 in several other ways-attempting to print unrequested mail-in ballots and printing incorrect voting information culminating in a lawsuit before the Arizona Supreme Court.

Mr. Fontes, in his sensitive position, has allowed inappropriate use of voter’s private information through the ERIC system. Mr. Fontes was also responsible for participation in the ERIC system, as the County Recorder for Maricopa County.

Mr. Fontes has shown a total disregard for separation of himself from the actual voting process.

Mr. Fontes has used the influence of his office to perpetuate rather than end the controversy of counting ballots with the Maricopa County Board of Supervisors.

Kris Mayes, Attorney General

Ms. Mayes has failed to address the invasion of Arizona’s southern border, though it is within her purview to intervene.

Ms. Mayes has failed to lawfully address the multiple cases of voter maladministration evidenced in the 2020 and the 2022 elections.

Ms. Mayes has failed to prosecute criminals responsible for complex financial crimes and those related to conspiracies involving illegal drugs.

Legislators in both the House of Representatives and the Senate-

Many legislators have funded unconstitutional agencies that then violate the private, constitutionally protected, rights of the People. Statutes have been legislated impinging upon and directly violating the People’s constitutional rights to life, liberty and property, including, but not limited to, the children of the People.

Arizona Constitution Article 2 Section 4: Due Process of Law

“No person shall be deprived of life, liberty, or property without due process of law.”

The House of Representatives have unlawfully removed a sitting member, without due process of law.

Legislators in both houses have not exercised their investigative powers to determine voting maladministration, fraudulent practices among the members, and private “deals” that only benefit particular groups, but not the majority of the People of Arizona.

Legislators in both houses have allowed themselves to be influenced by private interest groups and lobbyists, rather than listening to, and acting upon, the voices of those who are their employers, the People.

Legislators in both houses have authored and passed bills that compromise, limit, or remove constitutional rights of the People, thus violating their contracts with the People.

[Marbury v Madison, 5 U.S. 137 (1803) “A law repugnant to the Constitution is void. An act of Congress repugnant to the Constitution cannot become law. The Constitution supersedes all other laws and the individual’s rights shall be liberally enforced in favor of him, the clearly intended and expressly designated beneficiary.”]

Sheriffs-

In most counties, the Sheriffs have compromised their position by pandering to various specialty groups rather than focusing on their responsibilities to be answerable directly to the People.

Sheriffs have refused to protect the people from the invasion at the Arizona southern border.

Sheriffs have participated in unlawful agency actions, rather than protecting their People from those actions.

Sheriffs have worked with federal agencies rather than protecting their People from encroachments from those federal agencies.

Sheriffs have been unresponsive to the voice of the People, those who are the employers of the sheriffs.

Judiciary-

Those in the judiciary have been compromised by agreements with private agencies and individuals. Those agreements harm the People and are acts of maladministration and malfeasance.

Those in the judiciary allow themselves to be influenced by pressure groups, thus rendering unlawful decisions in administrative tribunals rather than courts of record with jury trials. Jury trials are a guaranteed constitutional right of the People. Courts of Record are required by the Arizona Constitution.

Those in the judiciary have assumed dual roles as Superior Court judges and, simultaneously, Commissioners in legislative tribunals. Holding two offices is unconstitutional.

Arizona Constitution Article 2 Section 23: Trial by Jury

The right of trial by jury shall remain inviolate. . .

Arizona Constitution Article 2 Section 11: Administration of Justice

Justice in all cases shall be administered openly, and without unnecessary delay.

Black’s Law Dictionary 4th Edition: Court: Classification:

Courts may be classified and divided according to several methods, the following being the more usual: **Courts of record** and courts not of record. The former being those whose acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony, and **which have power to fine or imprison for contempt**. Error lies to their judgments, and they generally possess a seal. **Courts not of record** are those of **inferior dignity**, which **have no power to fine or imprison**, and in which the proceedings are not enrolled or recorded. 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal. 225; Erwin v. U. S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.

A "court of record" is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial. Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc., Mass., 171, per Shaw, C. J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

Arizona Constitution Article 6 Section 30: Courts of Record

“A. The supreme court, the court of appeals and the superior court shall be courts of record. Other courts of record may be established by law, but justice courts shall not be courts of record.

B. All justices and judges of courts of record, except for judges of the superior court and other courts of record inferior to the superior court in counties having a population of less than two hundred fifty thousand persons according to the most recent United States census, shall be appointed in the manner provided in section 37 of this article.”

Arizona Constitution Article 6 Section 28: Justices and Judges; Dual Office Holding; Political Activity; Practice of Law

“Justices and judges of courts of record shall not be eligible for any other public office or for any other public employment during their term of office, except that they may assume another judicial office, and upon qualifying therefore, the office formerly held shall become vacant. No justice or judge of any court of record shall practice law during his continuance in office, nor shall he hold any office in a political

party or actively take part in any political campaign other than his own for his re-election or retention in office. . . “

Affiant States: It has become apparent that there is no part of the government that is exempted from violation of the Arizona Constitution. It is apparent to the People that their rights, secured by the constitution, have been trampled. While there are a few who have upheld their oath and their contract with the people, the many have not. Many appear to feel they may act with impunity. Nothing is farther from the truth;

[**Miranda v. Arizona, 384 U.S. 426, 491; 86 S. Ct. 1603** "Where rights secured by the Constitution are involved, there can be no 'rule making' or legislation which would abrogate them."]

Maxim of Law - Things bad [or corrupted] in principle at the commencement improves not by lapse of time [does not achieve a good end.] Broom, *Max.* 178; 4 *Coke*, 2.

Affiant states: No further maladministration and malfeasance will be tolerated. This affidavit is a written warning that further behavior against the People will result in termination of employment. Your services to the People will be terminated should you persist in your poor decision making;

Maxim of Law - A contract without consideration, or upon a false consideration, (which fails,) or upon unlawful consideration, cannot have any effect. *Code.* 3, 3, 4; *Chit. Cont.* (11th Am. Ed.) 25, note; *Noy, Max.* 24; 2 *Bl. Comm.* 445; 1 *Story, Contr.* s. 525.

Maxim of Law - Private contracts (or agreements) cannot derogate from public law or right. Broom, *Max.* 695; 7 *Coke*, 23; *Wing. Max.* max. 201; *Co. Litt.* 166a; *Dig.* 50, 17, 45, 1.

REMEDY FOR ALL EMPLOYEES OF THE PEOPLE

Arizona Constitution Article 2 Section 33: Reservation of Rights

“The enumeration in this Constitution of certain rights shall not be construed to deny others retained by the people.”

Arizona Constitution Article 2 Section 7: Oaths and Affirmations

“The mode of administering an oath, or affirmation, shall be such as shall be most consistent with and binding upon the conscience of the person to whom such oath, or affirmation, may be administered.”

Maxim of Law - There is no stronger link or bond between men than an oath. *Jenk. Cent. Cas.* 126; *Id.* p. 126, case 54.

Affiant states: All elected employees, in taking the oath of office, swear to abide by and adhere to the United States and Arizona Constitutions, as well as the will of the People. Violations of the oath of office will result in violations of the People’s rights and a breach of contract. Those rights do not require enumeration to be violated. Any infringements of rights is a violation of the oath of office and thus a violation of the Arizona Constitution, both of which are trespasses against the People. Violations will result in termination;

Black’s Law Dictionary 5th Edition:

Maladministration- Wrong administration,

Malfeasance- Evil doing; ill conduct,

[**Norton v. Shelby County, 118 U.S. 425 p.442** “An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed.”]

Affiant States: Your failure to protect the People’s rights and freedoms is a breach of your contract, your oath and job description, granted by the People. The People no longer have confidence in your ability to adequately represent them in government. Your refusal to cease in your actions against the best interests of the People must be construed as intentional.

Affiant’s Remedy for your failure to protect the rights of the People is as follows: If you, man or woman, who, standing against your Trust Indenture outlined in the State Constitution, knowingly trespassed against the rights of the People you swore to protect, you further agree to pay \$1,000,000 per encroachment against the above-mentioned rights. Should you fail to respond with a sworn affidavit within 5 (five) days, showing the Constitutional provisions authorizing you to trample the People's rights, you further agree to all the above-mentioned facts and that no court shall re-examine this matter and shall accept the above terms as truth and law. Failure to respond means that, by acquiescence, you agree that all claims are true. Furthermore, you agree that this affidavit may be used as evidence of your maladministration and malfeasance, and that Affiant reserves the right to take this affidavit before an arbitrator of Affiant’s choice at your expense.

