

## **UNIFORM BONDING CODE**

### **5.0 -- JUDICATIVE CONTROL**

The court rules, jurisdiction, and the processes of consideration of affidavits and other filings, litigation, and prosecution will be bonded only if the bonding company finds that:

#### **Court Rules**

1. The general rules or local rules of the court contain an explanation of the purpose for existence of each and every rule so that the purpose of the rule will take priority over the wording of the rule, and so that substance will take priority over form.
2. The general rules or local rules of the court contain common terms and plain wording and are of such simplicity that the common citizen can easily understand and easily and quickly make use of the rules without the need of a counselor.

#### **Jurisdiction**

3. The setting of the case is proper, the parties to the action are all truthfully stated, and all civil and criminal elements are clearly identified and segregated into their own jurisdictional categories.
4. A criminal case brought in behalf of the peace and dignity of the state:
  - A. has been brought ex rel accusers, that is, “on the telling or relation/story of the accuser” with the accusation being related to the prosecuting attorney by the accuser,
  - B. has named the accuser in the setting of the case, and
  - C. contains signed and notarized affidavit of the accuser in the body of the complaint. Otherwise, the state would become the plaintiff/accuser, the case would become federal, and the bonding company would become potentially liable for an agent’s false accusation and false imprisonment of a party to the case.
5. In the U.S. constitutional 7<sup>th</sup> (so-called) amendment, civil elements of answering, discovery, deposition, interrogatories, etc., have been put on temporary hold as a U.S. constitutional 6<sup>th</sup> (so-called) amendment protection against self-incrimination pending a U.S. Constitutional 6<sup>th</sup> (so-called) amendment prosecution.
6. The U.S. constitutional 6<sup>th</sup> (so-called) amendment processes have been carried out before the U.S. constitutional 7<sup>th</sup> (so-called) amendment processes have proceeded, and these 6<sup>th</sup> (so-called) amendment processes have proceeded without delay.

#### **Consideration of Affidavits**

7. All affidavits have been considered, answered and affirmed or denied categorically, point-for-point in writing.

## Litigation and Prosecution

8. All officials, officer and clerks involved in the processes of litigation have obeyed the Constitution of the United States of the state wherein they are employed, so that:
  - A. the citizens involved have received equal protection under the laws, and
  - B. the citizens' remedies by the due course of law have been protected and guaranteed.
9. The officials, officers and clerks involved in the processes did not operate the court and/or the judicial process as a closed union shop, that is, did not exclude or hinder non-union lawyers, non-union counsel, non-union para-legals, non-union laborers or any other non-union citizens from exercising the equal profession, the equal practice, the equal performance and the equal protection of the law.
10. The officials, officers and clerks involved in the processes did not act in concord, (agreement) union or conspiracy to interfere with or minimize the citizens' creative access to discovery, evidence, counsel and/or remedy by the due process of law.

## Service of Legal Process

11. No party to the case, nor the court, has been allowed to use the U.S. mail to "serve" papers which are required by law to be "served", not "sent". A U.S. postal carrier is not employed and bonded as a witness, hence is not a lawful, legal process server.

### 5.1 -- Bondability of Lawyers and Attorneys

(Lawyer and Attorney Are Not Synonymous)

*Omitted for now.*

### 5.2 -- Bonding of District Attorneys

A city, county, state or federal district attorney (including a U.S. district attorney called a "U.S. Attorney") shall lose his bonding and shall not be bonded :

1. if he refuses to properly identify himself to the citizen when asked to do so, ***including giving the citizen the name of and address (or telephone number) of his bonding company and his bond policy number (bond number).***
2. if he fails or refuses to receive for filing, a criminal complaint from a citizen against a citizen or an official,
3. if he refused to mark or stamp the citizen's confirmed (compare with original) copy of the citizen's complaint with any of the following:
  - A. "Received"
  - B. name of receiving office

C. date

D. time

E. signature or initial of receiving clerk or official, so that the citizen can have an official receipt for delivery of his complaint;

4. if he fails or refuses to make a reasonably diligent effort to process the citizen's complaint (42 USC 1986),
5. if he fails or refuses to see to it that the citizen's complaint is placed in the right hands for processing and/or answering, (return)
6. if he does not make every effort to make sure that the complaining party knows the status or location of the complaint in the legal system, and does not give the complainant written notice of the same when it is possible.

### **5.3 -- the bonding of prosecuting attorneys**

A prosecuting attorney shall lose his bonding, shall not be bonded, and shall be deemed unbondable:

- (1) if he refuses to prosecute a complaint when it is possible to do so, regardless of who the complaint is against.
- (2) if he resorts to "selective prosecution", i.e., any excuse of immunity for an official, in order to protect a malfeasant official from prosecution.
- (3) if he resorts to "selective prosecution", i.e., false or malicious prosecution of a citizen, in order to punish or destroy a citizen for attempting to have a malfeasant official prosecuted.

### **5.4 -- bonding of judges**

A judge shall lose his bonding, shall not be bonded, and shall be deemed unbondable:

- (1) if he fails to protect the u.s. Constitutionally guaranteed remedies of due process and the equal protection of laws of any citizen appearing in his court of law or of any citizen appearing in any court of the county in which he works whose case may come to his attention by any means.

### **5.5 -- bonding of attorneys**

A lawyer or an attorney shall lose his bonding, shall not be bonded, and shall be deemed unbondable:

- (1) if he fails to protect the remedies of due process and the equal protection of laws of either his client or of the adverse party in an action in an adversary system of law, each lawyer or attorney shall protect the representation of fact for their own party, but shall protect the legal process for both parties without exception. (title 42 U.S.C. § 1986).

## 5.6 -- bonding an 'amicus curiae'

A lawyer or an attorney shall lose his bonding, shall not be bonded, and shall be deemed unbondable:

(friend of the court -- especially when under a citizen's writ of mandamus pursuant to title 42 U.S.C. § 1986).

It is not necessary for a non-incorporated lawyer or 'amicus curiae' (friend of the court) to be bonded. But a lawyer or an 'amicus curiae', if he chose to be bonded, shall lose his bond and shall not be bonded:

- (1) if he uses his involuntary intervention to interfere with constitutional due process.
- (2) if he does not speak and act openly for the best interests of both opposing adverse parties, even if paid by one party and sits as counsel to that other party. An amicus curiae may favor the cause of one side of an action, but must serve the due process of both sides of an action in order to be of service to the system of law as a whole.

If the judge is acting in insurrection and rebellion against the U.S. Constitution, and the judge shows no sign of mending his ways or correcting his court procedure, it is usually best for the 'amicus curiae', to file a notice of criminal malpractice (malfeasance) with the court administrator, and with the bonding company in person, by fax, or by telephone to immediately establish reversible error and civil damage in the case.