

Gary M. Northington 193035  
Cotton Correctional Facility  
3510 N. Elm  
Jackson, MI 49201-8877

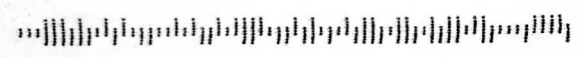
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Gary M. Northington 193035  
3510 N. Elm  
Jackson, MI 49201

Dear Rudy,

Enclosed is a draft copy of my booklet, "Self-Defense; a God-Given Right." I deleted my ~~contact~~ outdated contact information on page 20. The cover and acknowledgement were meant to be on the same paper, like the rest of the pages. I copyrighted this in 2001 but you may use it to help fund your website.

I found part of Satanic Deception but I know there has to be more somewhere in my property. I'll let you know what happens. The cover of SD is similar to the cover of the enclosed booklet, with a Revolutionary Patriot and the title.

An email on Dimaya was sent after some research. Our Electronic Law Library is great for saving time - until a power failure of EMP.

Anyone can write the U.S. House of Representatives to get copies of bills if they know the name or number of the bill. The address is:

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Gary M.

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*Gregory M. Northington*

*140035*

*3810 N Elm*

*Judson, MT 49201*

SELF-DEFENSE;  
A GOD-GIVEN RIGHT

By:  
Gary Michael Northington



**SELF DEFENSE;  
A GOD-GIVEN RIGHT**

By:  
Gary Michael Northington

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I must thank Don Dutcher, Mark Koernke, and John Stadtmiller for inspiring me to write on the fundamental, often long-forgotten, right of self-defense.

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## PREFACE

I am not a registered attorney, a BAR member, who swears Oath to a secret society, the British Accreditation Registry.

"The first lawyers were personal friends of the litigant, brought into court by him so that he might take counsel with them before pleading. Similarly, the first 'attorneys' were personal agents, often lacking and professional training, who were appointed by those litigants who had secured royal permission to carry on their affairs through a representative, rather than personally." Faretta v California, 422 US 806, 820, fn. 16, 95 S Ct 2525, 2534, fn. 16, 45 L Ed 2d 562, \_\_\_\_\_, fn. 16 (1975).

Laymen cannot be expected to know how to protect their rights when dealing with practiced and carefully counseled adversaries ... and for them to associate together to help one another to preserve and enforce rights granted them under federal laws cannot be condemned... Brotherhood of Railroad Trailmen v Virginia ex rel Virginia State Bar, 377 US 1, 7, 84 S Ct 1113, 1117, 12 L Ed 2d 89, \_\_\_\_\_ (1964).

Freedom to speak and write about public questions is as important to the life of our government as is the heart to the human body... If that heart be ... stilled, the result is death. Milk Wagon Drivers v Meadowmoor Dairies, 312 US 287, 302, 61 S Ct 522, 559, 85 L Ed 836, \_\_\_\_\_ (1941)(dissenting opinion).

THE AUTHOR

## GENESIS

This is about self-defense under God-given, Natural and Lawful (Common Law) rights. Learning must start with citation of the ultimate authority which is given of God, the Lord Jesus Christ, the Word of God. Any pastor who understands or has researched ancient languages can likely elaborate on this, if he is not Title 26 United States Code, Section 501(c)(3), neutered.

It is written, "You shall not kill." Holy Bible, Exodus 20:13. The term "kill" should not be confused; it means "murder." The Holy Spirit (I believe) has shown me that "murder" is the specific intent to kill for a sinful reason.

The deliberate hatred of a person or persons is a sin. See Matthew 5:44-45 (God sends His sun and rain to the righteous and unrighteous. Love your enemy.); Ephesians 6:12 (Not against flesh and blood but against spiritual wickedness). To quote a Common Law rule derived of the Mosaic Code: Murder is an "intent to unlawfully kill a human being; and the mental state of malice aforethought." People v Stephenson, 79 Cal App 976, 145 Cal Rptr 301, 307 (1978).

If killing for a proper purpose were a sin, it would not have stated in the Mosaic Code, "If someone comes to kill you, kill him before he kills you." Torah, page 68. And, derived of this in the Babylonian Talmud, "If someone comes to kill you, arise quickly and kill him."



Sanhedrin, Vol. II, 72a. The Sanhedrin quote is in context of someone entering your home while you sleep. Self-defense is further defined in the New Testament where it says, "Whoever does not care for his family is worse than an infidel." I Timothy 5:8. Inherent in this verse is the command to defend one's family against harm or an attacker and is further supported by Luke: "He who has no sword should sell his cloak and buy a sword." Luke 22:36; Also Exodus 22:1.

I do not believe turning the other cheek means to allow someone to beat you until you can no longer function or are dead. See Matthew 5:39; Luke 6:29. This refers to an insult that was physically administered in the custom of that ancient day and is sometimes still used today. Would God tell you to defend your family (I Timothy 5:8), then turn around and tell you to let someone beat you down until you could not protect your family.

#### RESPECT FOR PERSONS

The Lord also provides a balancing test: It is written in the Mosaic Code, "Do not slay the innocent and righteous." Exodus 23:7. "In God's hand is the life and breath of all mankind." Job 12:10. Would you in anger or deliberately kill those sanctioned by God to live?

Of the innocent it is written: "Whoever causes one of these little ones who believe in me to sin would be better

to have a millstone fastened around his neck and to be drowned in the sea." Matthew 18:6.

As I Timothy says, respect for persons is a two-way street. You must command respect for you and yours by the care and protection of your family. I Timothy 5:8. "Blessed are the peacemakers." Matthew 5:9.

Finally, before getting into Common Law precepts, all of which are based on God's ultimate authority and rules, "Do unto others whatever you would have them do to you. This is the law and the prophets." Matthew 7:12. Self-defense is a cognitive function where you do not blindly act against anyone but are trained to quickly deal with specific situations so a predator cannot take advantage of you or your family.

#### **INTRODUCTION: SELF-DEFENSE**

Unlawful arrest is very much the same parameters as self-defense; there is very little difference between assault by a would be thief and a jack-booted thug wearing a black ninja uniform. Therefore, for purposes of discussion of self-defense, both cases on arrest and self-defense are used. The case of John Bad Elk v United States, 177 US 529, 20 S Ct 729, 44 L Ed 784 (1900), will be used because it is a Natural Person using self-defense to stop an unlawful arrest.

The difference between a corporate person and a Natural Person is discussed only as a side-road for better understanding. The Natural Person is one who has not given up his or her God-given and Natural Rights for some alleged security the corporate government may offer. Holy Bible, Genesis 1:26, 28, 9:1-2, 7; Alden v Maine, 527 US 706, \_\_\_\_\_, 119 S Ct 2240, 2281, 144 L Ed 2d 636, \_\_\_\_\_ (1999) (Government is a corporation "that the Constitution limits." "The sovereign ... must be found in the man."). That is to say, when you volunteer to become a party to the corporate United States of America, you give up some of your rights like Esau. Genesis, 25:29-31.

John Bad Elk was, as an Indian, a Natural Person who had not waived any right to the corporate State. See John Elk v Nebraska, 112 US 94, 5 S Ct 41, 28 L Ed 643 (1895).

Court citations will be defined as "US" for the United States Reporter of the U.S. Supreme Court, "F2d" or "F3d" for the federal appellate court reporters, and "F Supp" for federal district court reporters. "Mich" will refer to the Michigan Supreme Court Reporter and "Mich App" to Michigan Court of Appeals Reporter books. There will also be various other State cases from other books across the United States. The first number of the case citation is the book number; the second number is the page of the book, for those who want to research and do a more in depth study of the case law presented herein.

## COMMON-LAW; SELF-DEFENSE

Again, these principles of law (not corporate statute) must be applied on a case by case basis as a cognitive human being; not mechanically like our enemy or a dog trained to be reactionary.

"Do not kill" of Exodus 20:13 is defined in Common Law in the case of John Bad Elk by this quote:

"A common law, if a party resisted arrest by an officer without warrant and who had no right to arrest him, and if in the course of that resistance the officer was killed, the offense of the party resisting arrest would be reduced from what would have been murder if the officer had the right to arrest, to manslaughter. What would be murder if the officer had the right to arrest might be reduced to manslaughter by the very fact that he had no such right. So an officer, at common law, was not authorized to make an arrest without a warrant, for a mere misdemeanor not committed in his presence.

\*\*\*\*\*

What might be murder in the first case might be nothing more than manslaughter in the other, or the facts might show that no offense had been committed." Bad Elk v United States, 177 US 529, 535, 538-539, 20 S Ct 729, 731, 732, 44 L Ed 784, \_\_\_\_\_ (1900).

This case occurred in the year of 1899 on a South Dakota Indian reservation. Facts of the story are stated:

John Bad Elk was convicted in the United States Circuit Court in South Dakota, of the murder on March 13, 1899, of John Kills Back, and the Pine Ridge Indian Reservation, and sentenced to be hanged. Both the deceased and Bad Elk were Indians and policemen residing on the reservation. Bad Elk, 177 US at 530, 20 S Ct at 730.

At trial it appeared that Bad Elk, "on March 8, 1899, while out of doors, fired a couple of shots from his gun at or near the place where he resided. Soon after the firing, one Captain Gleason, who stated that he was what is called an 'additional farmer' on the same reservation, having heard the shots, and meeting [Bad Elk], asked him if he had done that shooting, and he said that he had; that 'he had shot into the air for fun;' to which Gleason responded by saying to him, 'Come around to the office in a little while, and we will talk the matter over.'" Bad Elk, 177 US at 530-531, 20 S Ct at 729-730.

Bad Elk did not show up and Gleason sent three Indian policemen without a warrant to arrest Mr. Elk. To quote the Court, "Indeed, it does not appear that Gleason had any authority even to entertain a complaint or to issue a warrant in any event." Bad Elk, 177 US at 532, 20 S Ct at 730.

"[Bad Elk] testified in his own behalf, and said that during the day he had been looking after the schools along the creek near the station; that that was his duty as a policeman; that he arrived

arrived at his mother's house at about half past four in the afternoon, and soon afterwards an Indian named High Eagle came into the house, stayed a minute or two, but did not speak, then went outdoors, and Lone Bear came in, and said that he was directed to take Bad Elk to Pine Ridge to Major Clapp. To which Bad Elk replied: 'All right, but my horse is used up, and I shall have to go to my brother's, Harrison White Thunder's and get another horse.' Lone Bear said all right." Bad Elk went to his brother's, found the horses were out on the range, then his brother promised to take one to the mother's house which he did after dark. Bad Elk, 177 US at 532, 20 S Ct at 730.

Bad Elk was at his mother's house when three Indian policemen arrived. He testified, "Then the deceased moved a little forward, and put his hand around as if to reach for his gun. I saw the gun and shot; then I shot twice more, and John Kills Back and High Eagle ran off. John Kills Back fell after he had gone a short distance. I shot because I knew that they would shoot me. I saw their revolvers at the time I shot." This was the substance of the evidence. Bad Elk, 177 US at 533, 20 S Ct at 730.

You have been provided the facts so you would not have to struggle with some hard-to-understand, abstract doctrine. The standard of law for self-defense was summarized: "If the officer had no right to arrest, the other party might resist the illegal attempt to arrest him, using

no more force than was absolutely necessary to repel the assault constituting the attempt to arrest." Bad Elk, 177 US at 535, 20 S Ct at 731. Simply said, it is equal force for equal force; one does not use an AK-47 or shotgun to defend against a water pistol or mud-slinging fight, and defense is based on the defender's perception of the threat to harm or kill. Mr. Elk had a lawful right to protect himself from unlawful arrest and likelihood of being killed because he perceived his life was in danger. Bad Elk, 177 US at 537, 20 S Ct at 732.

Repeating the law: "What might be murder in the first case might be nothing more than manslaughter in the other, or the facts might show that no offense had been committed." Bad Elk, 177 US at 538, 20 S Ct at 732. Mr. Elk's conviction was reversed; he was released in 1900.

#### **ANOTHER SELF-DEFENSE RULE; LIBERTY**

On to more cases that provide further definitions on the God-given, Natural and Common Law right of self-defense. The Michigan Court ruled with this quote:

"These are the rights which existed long before our constitution; and we have taken just pride in their maintenance, making them a part of the fundamental law of the land." Larson v Feeney, 196 Mich 1, \_\_\_, 162 NW 275, 276-277 (1917).

From  
B

The suit was begun by Larson to recover damages for an illegal arrest and imprisonment against Feeney, who at the time of the occurrence was a police officer in the city of Muskegon, Michigan. The jury returned a verdict of \$33.00 for Larson.

Facts decided upon were: It appears that Larson, in company with her companion was walking upon one of the public streets of Muskegon in the early evening, and they passed Feeney and two men who were talking with him, Larson coughed and said, "Hello there, kid." Feeney and his companions then stepped into a cigar store, waited for a moment, and came out again, as Feeney says, "for the purpose of giving the girls enough rope to see how far they would go with it." Nothing further was done or said by the girls. Feeney followed them to the post office, where Larson and the girl companion were taken into custody and locked up for the night. In the morning Larson was taken before a justice of the peace, where it is said a complaint was made and sworn to by a stranger to the affair and warrant issued thereon; that the complaint was explained to her by the justice that she was complained of as being a disorderly person because she solicited men for the purpose of prostitution, and that she pleaded guilty thereto and was fined, but in default of payment thereof was sent to jail.

The Michigan court stated: "If plaintiff can be conclusively presumed to



be a streetwalker or a soliciting prostitute by coughing and saying, 'Hello there, kid,' as she passes certain men on the street, the personal liberty of the citizen of this State has reached a pretty low ebb." Larson, 196 Mich App at 3-4, 162 NW at 276.

The court ruled: "It is not disorderly conduct in violation of an ordinance warranting an arrest and imprisonment without warrant, for a woman who passes a man on a public street to cough and say to him, 'Hello there, kid,'" Larson, headnote 1. "If persons can be restrained of their liberty and assaulted and imprisoned, under such circumstances, without complaint or warrant, then there is no limit to the power of a police officer. Personal liberty, which is guaranteed to every citizen under our Constitution and laws, consists of the right to locomotion, to go where one pleases, and when, and to do that which may lead to one's business and pleasure, only so far restrained as the rights of others may make it necessary for the welfare of all citizens." Larson, 196 Mich at 4-5, 162 NW at 276.

"An illegal arrest is an assault and battery. The person so attempted to be restrained of his liberty has the same right, and only the same right, to use force in defending himself as he would have in repelling any other assault and battery." State v Robinson, 145 ME 77, 71 ATL 2d 260, 262 (1950).

Note that Larson says we are free to

travel anywhere we please so long as we are not harming anyone. Larson and Robinson explain the right to defend against unlawful impedance of the right to travel by use of force for force. This is an aspect not considered in the case of John Bad Elk because the primary issue was life and death, and self-defense there need not be further defined.

Using another Natural right to help understand the Natural right to travel: "The rights to conceive and to raise one's children have been deemed essential, basic, civil rights of man, and rights more precious ... than property rights." Stanley v Illinois, 405 US 645, 651, 92 S Ct 1208, 1212, 31 L Ed 2d 551, \_\_\_\_\_ (1972). We were created naturally with a body and the instincts to conceive and raise one's children. The ability to travel and self-preservation instinct that God gave us to protect ourselves and families is no less Natural than that stated in Stanley about childbearing and raising.

Liberty is defined as: "Freedom; exemption from extraneous control." "The word includes and comprehends all personal rights and their enjoyment." Black's Law Dictionary 5d, "Liberty." Personal liberty is the "right or power of locomotion; of changing situation, or moving one's person to whatsoever place one's own inclination may direct, without imprisonment or restraint, unless by due course of law." Black's, "Liberty," "Personal liberty." Natural liberty is "The power of acting as one thinks fit,

without any restraint or control, unless by the law of nature. The right which nature gives to all mankind of disposing of their persons and property after the manner they judge ... on condition of their acting within limits of the law of nature, and so as to not interfere with an equal exercise of the same rights by other men." Black's, "Liberty," "Natural liberty."

Natural and personal liberty described in Larson and Robinson are also Common Law rights. Magna Charta, paragraphs 41 & 42.

It is your duty to use self-defense properly, with self-control, to protect the God-given, Natural and Lawful liberty rights of you and yours.

#### ANOTHER RULE; ASSAULT AND BATTERY

Also note the terms "assault" and "battery" in Larson and Robinson (page 10). An assault is: "Any willful attempt or threat to inflict injury upon the person of another, when coupled with an apparent present ability to do so, and any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm." Black's, "Assault." Assault and battery is: "Any unlawful touching of another which is without justification or excuse." Black's, "Assault and battery."

An "aggressor" is the wrongdoer in

self-defense. "'Aggressor' is a party that initiates use of force, either deadly or nondeadly, that justifies response in like force." The person who withdraws is not an aggressor. People v Peoples, 75 Mich App 616, 621, 255 NW2d 707, \_\_\_\_\_ (1977).

The aggressor is the one who "made an arrest or imprisonment" or the one that "instigated, encouraged, incited or caused the arrest or imprisonment." Burlington Transp. Co. v Josephson, 153 F2d 372, 376 (\_\_\_\_ Cir, 1946).

Further describing this aspect: "The offense of resisting arrest, both at common law and under statute, presupposes a lawful arrest. It is axiomatic that every person has the right to resist an unlawful arrest. In such case the person attempting the arrest stands in the position of a wrongdoer and may be resisted by the use of force, as in self-defense. State v Mobley, 240 NC 476, 83 SE2d 100, 102 (1954). A person who is unlawfully arrested is in no different situation than the victim of a criminal kidnapping and has lawful right to self-defense against the perpetrator.

Your body is your "personal property" that you have a right to protect. The Ohio court ruled that "since the right of personal property is one of the fundamental rights guaranteed by the Constitution, and unlawful interference with it may be resisted and every person has a right to resist an unlawful arrest....," City of Columbus v

Holmes, 152 NW2d 301, 306 (Ohio App, 1958), you have a right to protect your body from unlawful seizure described in the Fourth Amendment to the United States Constitution. Magna Charta, paragraph 39.

Finally, as Larson and Robinson indicate, any unlawful restraint or detention on your body is an assault and battery. You have a right to do to the aggressor whatever you perceive the aggressor intends to do to you but the first rule is always to leave if possible, by force if necessary.

#### NO RETREAT

On invasion of your home: "It is not now, and never has been the law that a man assailed in his own dwelling, is bound to retreat. If assailed there, he may stand his ground, and resist the attack. He is under no duty to take to the field and the highways, a fugitive from his own home. ... The rule is the same whether the attack proceeds from some other occupant or an intruder." People v Lenkevich, 394 Mich 117, 121-122, 229 NW2d 298, \_\_\_ (1975).

The facts of Lenkevich are: On August 20, 1970, defendant had gone into the kitchen to prepare a salad for dinner and was standing at the sink when she heard a noise. She turned around and saw the deceased with a knife in his hand as he said, "You are not going to get a div-

orce. \*\*\* I'll kill you first." Defendant had no weapon in her hand but she grabbed her husband's hand and struggled to get the knife away. Defendant testified that the deceased then grabbed her by the throat and that she took both hands and grabbed him and hung on with all her strength, but that he still held the knife in his right hand. Next she felt herself falling forward and a sudden release. She tried to push herself up and felt something wet and warm on her hands, looked down and saw the knife. Deceased died of a knife wound in the general area of the heart. Defendant pled accident or self-defense. Lenkevich, 394 Mich at 119-120, 229 NW2d at \_\_\_\_.

On a life-threatening situation wherever you may be living or staying: Despite claim that defendant was not in his own dwelling at time of fatal shooting and was only temporarily present in dwelling of another, defendant was confronted by deceased in what was his (defendant's) dwelling at time of shooting and, thus, was under no duty to retreat. People v Smith, 54 Mich App 652, 655, 221 NW2d 464 (1974).

Defendant Smith was staying at the home of a friend while the deceased who had a reputation for violence moved out of his home. The deceased threatened him with a firearm inside Smith's temporary residence at the friend's home. Smith shot and killed the deceased out of fear for his own life. Smith, 54 Mich App at 654, 221 NW2d at \_\_\_\_.

And, on duty to defend where you may be working: "A private security guard hired to maintain order and protect business invitees has no obligation to retreat when acting in course of his employment, but may meet deadly force with deadly force; it is incongruous to expect him to retire to safety when his job commands that he remain." People v Johnson, 75 Mich App 337, 342, 254 NW2d 667 (1977).

Therefore, you only have a duty to retreat when you can do so without injury, usually outside a dwelling or building, and when you are free to leave that area. However, you must always consider the danger of getting a bullet in the back if you ever turn to leave in such a dangerous situation.

Spiritual warfare gives an example of how to conduct ourselves in physical conflict. Ephesians 6:13-17, in pertinent part says: "Therefore take up the whole armor of God that you may be able to withstand in the evil day (v.13)." "Put on the breastplate of righteousness (v.14)," "taking the shield of faith (v.15)," and "take the helmet of salvation, and the sword of the Spirit, which is the Word of God (v.17)." The armor described is worn on the front with no back protection because we must always be moving forward, and not retreating, with our trust in the Lord, Jesus Christ.

Never take your eyes off the aggressor. Never let down your guard until you are free and clear of an aggressor

under any circumstances (eg. out of gun range). You have no duty to retreat if your only option would endanger you, your family or friends.

#### AGGRAVATING CIRCUMSTANCES

If defendant honestly believed the deceased was going to do him serious bodily harm, his shooting deceased with rifle was done in self-defense where defendant was handicapped in defending himself because he had no fingers, defendant and deceased were in course of serious argument, deceased had a reputation for violence, and deceased when shot was approaching defendant at a distance of some 15 feet and had just begun to remove his hands from behind his jacket, leading defendant to believe he had a weapon. People v Green, 113 Mich App 699, 704, 318 NW2d 547 (1982).

"A person who is attacked by two or more persons, or by one person and others either acting with the attacker or who are present and aid and encourage the attacker, may act in self-defense against all of the persons where he reasonably entertains a belief that he is in danger of loss of his life or of incurring serious bodily injury at hands of such persons." People v Johnson, 112 Mich App 483, 486, 316 NW2d 247 (1982).

"Where one fails to take a prisoner he has arrested to a proper judge, or where he causes an unreasonable delay in



doing so, the officer becomes a trespasser ab initio. Great American Indemnity Co. v Beverly, 150 F Supp 134, 140 (1956).

#### HELP FROM OTHERS

"One may come to the aid of another being unlawfully arrested, just as he may where one is being assaulted, molested, raped or kidnapped. Thus it is not an offense to liberate one from the unlawful custody of an officer, even though he may have submitted to such custody without resistance." Adams v State, 12 GA 163, 48 SE 910 (1904); See I Timothy 5:8.

#### CONCLUSION

The self-defense aspects of John Bad Elk were discussed through many different cases to give a clearer view of the issue:

(1) Mr. Elk was the victim of an unlawful arrest without a warrant or just cause for arrest which was no different than an assault and battery on him by a common criminal;

(2) He, as a sovereign, exercised his lawful right to not bow to or become subservient to anyone else. Genesis, 1:26, 28, 9:1-2, 7; Acts 5:29; See Alden v Maine, 527 US at \_\_\_\_\_, 119 S Ct at 2281, 144 L Ed 2d at \_\_\_\_\_ ("The sovereign ... must be found in the man.");

(3) He was in what was his dwelling

at the time and had no duty to retreat;

(4) He perceived that his life was in danger and took proper steps to protect his personal property, his body;

(5) He was attacked in the form of threatening actions by at least one person incited or helped by others; and,

(6) His family and friends, although they did not, had a right to help him in his defense.

Remember, the federal government is a corporation known as the United States of America, "USA, Inc." Articles of Confederation (Nov. 15, 1777). Every State and State official is incorporated into the federal government. U.S. Const., Article VI, clauses 2 & 3, Amendment 14; Title 4 United States Code, Section 101; Title 28 United States Code, Section 3002(15); Michigan Assent to Conditions of Admission (Dec. 15, 1835)(Each State has one of these); Michigan Constitution, Article XI, Section 1 (Each State has an official's Oath).

The United States and State Constitutions are the corporate charter to which our public officials and employees (public servants) take an oath to follow. Black's Law Dictionary 5d, "Charter," "Corporate Charter," "Corporation," "Organic Law." Any time they violate, abridge, infringe upon or otherwise attempt to abrogate our God-given, Natural rights stated in part in the Constitution, they are acting **ultra vires**, without lawful authority or jurisdiction to act. Don't let any corporate junkie who feeds on taxes

pervert your rights into a revocable privilege. We the People are the ultimate government, subject only to God, the Lord Jesus Christ. Holy Bible, Acts 5:29.

When rogue agents of the New World Order in black, ninja suits come to your door to rob, rape, plunder and pillage you, your family and friends, remember your God-given, Natural and Lawful Rights as a Sovereign, the way God made you. Be quick because hesitation will be your death. That instant you attempt to second guess is the aggressor's opportunity. Holy Bible, Matthew 24:15-18; I Peter 5:8. We outnumber them 500 to 1. Jesus Christ returns as the Lion of Judah and We win. Holy Bible, Revelation 19:11. What we do always makes a difference.

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Comments may be mailed to:

GARY M. NORTINGTON  
c/o