



Southern Cherokee Nation and The Red Fire People (SCNRFP),
a Recognized International Independent Sovereign Neutral Nation and State
Office of Chief Gees-Due OO-Neh-Gah Usti

29 August 2017

Mr. Oscar Baldwin. Fears, III
AKA BO FEARS
Deputy Commissioner for Legal Affairs
Ms. Renee Carter
Georgia Department of Banking and Finance
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341

Re: **Cease and Desist Order; Demand to Rescind and Remove from Public Sites Immediately**

Dear Mr. Fears and Ms. Carter:

The Southern Cherokee Nation and The Red Fire People (State of SCNRFP), is documented by many official documents by many of the member nations of the UN, and official recognition as a recognized international independent sovereign neutral nation and state, whereby we have treaty and international agreements.

Within our sovereign boundaries is our capital of our Nation and State known as Little Chota, Located in Sautee Nacoochee. SCNRFP is recognized by international treaties and the State of SCNRFP is recognized by international agreements with having foreign diplomatic offices, known as Extraterritorial Trade Mission Offices, in member nations of the United Nations. **The Red Fire People, known as the People of the Heart, have existed since time immemorial.** The Southern Cherokee Nation and The Red Fire People is an extension of the Ancient Order of the Priesthood (our Traditional Religious Order) as the recognized central government, under the law of the Ancient Axe of Authority.

Without in any way, in law or fact, conceding that the US Domestic State of Georgia has any jurisdiction over the Southern Cherokee Nation and The Red Fire People ("State of SCNRFP") or its traditional territory as recognized and established by decisions of the United States Supreme Court (See, for example, **Worcester v. State of Georgia**, 31 U.S. (6 Pet) 515 (1832) and recognized as precedent in

decisions and actions of the government of the United States of America even as late as the Passamaquoddy Tribe (Penobscot) Maine Indian Claims Settlement Act of 1980, 25 USC Sec. 1721 et seq., acknowledge receipt of the referenced Cease and Desist Order. State of SCNRFP is only replying out of government to government courtesy, not to submit and not out of any obligation by only law of the jurisdiction of the U.S. Domestic State of Georgia, therefore, our response shall not diminish or impede our sovereignty in any way. Rather in hope to bring understanding and clarity on the matter at hand, in order to come to a peaceful resolve, and without further damages being caused by the U.S. Domestic State of Georgia against the Southern Cherokee Nation and The Red Fire People (State of SCNRFP), a Recognized International Independent Sovereign Neutral Nation and State.

In furtherance to bring about understanding and clarity on the matter at hand, the State of SCNRFP shall attempt once again to exhibit lawful facts to bring an end to the further encroachment of the U.S. Domestic State of Georgia (illegal occupation), against the rightful and lawful jurisdiction of the State of SCNRFP and The Ancient Order of the Priesthood (The Ancient Axe of Authority).

In support of The Ancient Religious Order and the State of SCNRFP, please read review carefully the attached documents and the following statements:

In so far as addressing the specifics of the purported "Cease and Desist Order," Institution for Works of the Ancient Axe of Authority, commonly known as the Central Bank of SCNRFP the Southern Cherokee Nation and The Red Fire People Central Bank and Depository Trust (CBSCNRFP), (Commonly Known As), does not now and has never conducted business in the U.S. Domestic State of Georgia. Accordingly, your assertions are factually mistaken and represent a misunderstanding of the nature of the State of SCNRFP and the CBSCNRFP. Moreover, State of SCNRFP's activities have been conducted as a sovereign entitled to recognition among the nations and states of the international community as a neutral, sovereign state in its own right.

More specifically, the U.S. Domestic State of Georgia has no jurisdiction over the actions of State of SCNRFP or CBSCNRFP, by which CBSCNRFP conducts business as a central bank and with its own citizens, and government to government. The U.S. Domestic State of Georgia has no authority whether legal, regulatory, factual or jurisdictional to control or dictate any activities being conducted by or on behalf of State of SCNRFP or CBSCNRFP.

Accordingly, State of Southern Cherokee Nation and The Red Fire People, Southern Cherokee Nation The Red Fire People Central Bank and Depository Trust (Commonly Known As) and now the Institute for Works of the Ancient Axe of Authority, hereby demand that you rescind the purported "Cease and Desist Order" and remove same from all postings and public notices with an explanatory apology admitting your wrongful actions immediately.

In addition to precedent set by the United States Supreme Court in **Worcester**, above, a number of provisions of Federal (United States of America) law limit the authority of the U.S. Domestic State of Georgia in its dealing with any Native American Indian group. Of particular interest are the following, which apply to the dependent, surrendered tribes of the United States:

1. E.O. 13084, Consultation and Coordination with Indian Tribal Governments (May 14, 1998). Tribes do not draw their powers from any source of Federal (United States of America) law. Rather, they are the inherent powers of sovereigns that pre-exist the Federal Union.

United States v. Wheeler, 435 U.S. 313, 323-24 (1978); **Talton v. Mayes**, **163 U.S. 376, 383 (1896)**.

2. Courts conclude that tribal powers remain intact absent a “clear indication” of congressional intent to limit them, **Merrion v. Jicarilla Apache Tribe**, 455 U.S. 130, 149 (1982). See also, **Iowa Mutual In. Co. v. LaPlante**, 480 U.S. 9, 18 (1987) (“the proper inference from silence...is that the sovereign power...remains intact”); **Rice v. Rehner**, 463 U.S. 713, 720 (1983) (“Repeal by inference of an established tradition of [tribal] immunity or self-governance is disfavored”). **Montana v. U.S.** and otherwise.
3. **The Right to Self-Govern.** Indian tribes maintained their sovereignty for centuries before the arrival of Europeans on the continent. The power to “exercise inherent sovereign authority over their members and territories” was extensively discussed in **Worcester**, decision authored by U.S. Supreme Court Judge C.J. John Marshall.
4. **Religious Freedom. American Indian Religious Freedom Act**, P.L. 95-341, 92 Stat. 469 (Aug. 11, 1978) (“AIRFA”), is a Federal law enacted by joint resolution of Congress. Before this specific recognition, many religious practices of dependent tribes had been prohibited by law.
5. **Non-Intercourse Acts** (numerous). Six different times Congress enacted statutes restricting the alienability of land of aboriginal title. Moreover, these statutes also addressed commerce and the importance of the Commerce Clause in the U.S. Constitution insofar as commerce with Indians was concerned. Such regulated “commerce” was directed at transactions between Indians and individuals of the United States, which was prohibited to states like U.S. Domestic State of Georgia. (Please, note that the State of SCNRFP and the CBSCNRFP are engaged in no commerce with anyone besides its own citizens. When and if that ever occurs, the relationship, as with any two sovereigns, will be governed by agreement between the State of SCNRFP and the United States of America.)

Other important international standards that apply to limit and recognize the sovereignty and protections afforded to the State of SCNRFP and its people and sovereign boundaries, include the following:

1. **United Nations Declaration on the Rights of Indigenous People.** In December 2010, then President B.H. Obama signed the United Nations Declaration on the Rights of Indigenous People (UNDRIP). In summary, the declaration recognizes and guarantees that indigenous people have the right to political and cultural autonomy. Therein the United States agrees that it supports the economic independence of native people for the benefit of both the native peoples and the United States. Again, the sovereignty of indigenous people is recognized as being consistent with Federal and International Law. Were the Commerce Clause applied to the State of SCNRFP, it would be contradictory to international acceptance of UNDRIP.
2. **Genocide (18 USC 1091).** Section 1091 of Title 18 establishes that genocide is a crime whether committed in time of peace or war. Section 1091 defines “genocide” and includes attacks with the specific intent to destroy, in whole or in part, a national, ethnic, racial or religious group. The “Cease and Desist Order” could well be construed as an act of genocide under 18 USC 1091 in as much as it attempts to prohibit lawful activity of the State of SCNRFP and its CBSCNRFP, which are essential to the survival of the citizens of State of SCNRFP. See also, discussion of the impact of loss of traditional territory and hunting fishing

and other inherent rights and genocide, i.e. loss of tribal/cultural identity in "Tribal Status and the Indian Non-Intercourse Act: An Alternative to the Montoya Definition of Tribe," 29 Catholic University Law Review, pp 265 et seq. (1980).

General Winfield Scott, sent to ethnically cleanse U.S. Domestic State of Georgia of the Southern Cherokee and The Red Fire People, admitted that he could not get at least 4000 (later established as 6000) to "volunteer" to be "removed" to the Indian Territory. The ancestors of these 6000 recalcitrants never left and never ceded their rights under International Law, including treaties with countries like Spain, France and England, or the law of the United States of America. These 6000 constituted the core of the State of SCNRFP who remained and lived in accordance with the priesthood and the Ancient Axe of Authority, albeit as surreptitiously as was required under circumstances in which their very existence was jeopardized: U.S. Domestic State of Georgia wanted and desired every advancement and economic advantage generated by the people of the State of SCNRFP, which included grist mills, advanced farming techniques, schools, housing, precious metals and gems, and every other material advancement coveted by U.S. Domestic State of Georgia. Even the gold from the Calhoun Mine filled the coffers of the United States Treasury to the great detriment of the State of SCNRFP. In addition, the U.S. Domestic State of Georgia and the United States of America has allowed and participated the unlawful use and the furtherance of the use of our land, water, timber, cooper, gold, silver and other minerals and otherwise.

The use of the term priesthood or class as used in in English refers to persons who have undergone the proper traditional ceremonies related to those positions. Other cultures use holy man, shaman, minister, pastor, or preacher. Those of this order have shown themselves as being capable of performing and or participating in traditional ceremony. To even begin learning is a process of around seven to ten years and is a life-long responsibility. The priest class maintains the teachings that have been passed down from person to person approaching three hundred years written and orally prior then, as we are known and officially documented as an oral people. Many remain in their original written form while the details are passed orally from an elder. Driven underground by European cultures and ideologies, this was the only way to preserve the religious aspects of our culture generation to generation practiced and taught in secret.

The priest class is a hierarchy of learned traditional people who ensure that the oldest to the latest laws of our people are maintained. They are consulted with by various leaders and Chiefs on governmental decisions concerning their communities. They have the highest authority among the people in determining the direction the nation chooses to go based on the needs of the people or citizens. The Ancient Axe of Authority represents the word of God. The symbol is well known with many examples having been removed from our mounds now in various museums.

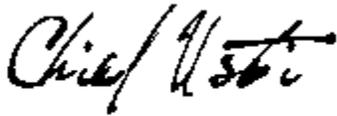
Regardless of position serving they are responsible for maintaining the national depository as well as historical religious and ceremonial items.

This very Priesthood has been responsible for maintaining and safeguarding the law, traditions, culture, religion, past and future of the people of the State of Southern Cherokee Nation and The Red Fire People. **You (U.S. Domestic State of GA.) can have no conflict without**

yourselves being the aggressors. As a neutral nation, we (State of SCNRFP and Ancient Order of the Priesthood) ourselves have not been the aggressor, however we will not be silenced or prevented from our legal rights to self-determination and independent sovereignty that we have and will forever possess. We urge you to recognize your wrongdoing here and rescind, revoke and remove, with appropriate contrition acknowledged your Cease and Desist Order, Immediately.

We look forward to receipt of physical evidence of your prompt and appropriate actions under the circumstances.

In a Good Way.
Sincerely,



Chief Gees-Due OO-Neh-Gah Usti
On Behalf of the Southern Cherokee Nation and The Red Fire People
(State of SCNRFP), and Approved by The Ancient Order of the Priesthood
Signatory Authority

Great Seal of the SCNRFP

