

# THE BLACK ROBED CULT

ATTORNEY LICENSE FRAUD - ATTORNEY'S LICENSE???

AIN'T NO SUCH THING!!!

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Referring to the Utah "judge" caught "practicing law without a license", now a nominee for federal judicial office. What's strange about this case is that there is no such thing as a "license" to practice law. They are "admitted" into practice. Who issues them a license? The BAR? Please see information below.

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ATTORNEY LICENSE FRAUD

ATTORNEY'S LICENSE???

AIN'T NO SUCH THING!!!

I. AS PER THE UNITED STATES SUPREME COURT;

A. The practice of Law CAN NOT be licensed by any state/State

Schwartz v. Board of Examiners, 353 U.S. 238, 239

B. The practice of Law is AN OCCUPATION OF COMMON RIGHT!

Sims v. Aherns, 271 S.W. 720 (1925)

II. The "CERTIFICATE" from the State Supreme Court:

1. ONLY authorizes,

A. To practice Law "IN COURTS" As a member of the STATE

JUDICIAL

BRANCH OF GOVERNMENT.

B. Can ONLY represent WARDS OF THE COURT.

2. INFANTS

3. PERSONS OF UNSOUND MIND SEE CORPUS JURIS

SECUNDUM,

VOLUME 7, SECTION 4.

4. A. "CERTIFICATE" IS NOT A LICENSE....

A. To practice Law AS AN OCCUPATION.

B. Nor to DO BUSINESS AS A LAW FIRM!!!

III. The "STATE BAR" CARD IS NOT A LICENSE!!!

A. It is a "UNION DUES CARD"

B. The "BAR" is a "PROFESSIONAL ASSOCIATION."

1. Like the Actors Union, Painters Union, etc.

2. No other association, EVEN DOCTORS, issue their own license.

ALL ARE ISSUED BY THE STATE.

C. It is a NON-GOVERNMENTAL PRIVATE ASSOCIATION.

1. See Attorney General Dan Morales' letter.

2. As per this letter; the State does not issue licenses and they are not issued by his office!

IV. The State Bar is;

A. An Unconstitutional Monopoly, Article 1, Section 26, Texas Bill of Rights.

B. A ILLEGAL & CRIMINAL ENTERPRISE;

C. Violates Article 2, Section 1, Separation of Powers clause of the Constitution.

D. There is NO POWER OR AUTHORITY for joining of Legislative, Judicial, or

Executive as the BAR and SUPREME COURT OF TEXAS are doing. ALL MEMBERS OF BOTH ARE MONOPOLISTIC BAR MEMBERS!

E. In violation of the RIGHT TO WORK LAWS of Texas.

V. State Bar Rules. . . at Article III, Section 2. . .

Enrollment in the State Bar: "Each person who becomes licensed to practice law is REQUIRED TO ENROLL IN THE STATE BAR WITHIN 10 DAYS "BEFORE" OR "AFTER" RECEIVING A LICENSE TO PRACTICE LAW.

ENROLLMENT IN THE BAR AND LICENSE ARE NOT THE SAME. THE BAR CAN NOT LICENSE ANYONE!!!!!!

It is quite simple to see that a great fraud and conspiracy has been perpetrated on the people of Texas and America. The American Bar is an offshoot from London Lawyers' Guild and was established by people with treasonous goals in mind. They have accomplished 98% of their goals. The NEW WORLD ORDER is in the saddle NOW. American People start the job for them...or before their "NEW WORLD ORDER" bosses, the International Bankers, gain the remaining 2%. Texas and American Lawyers should check historical records. They will find that the first people "ELIMINATED" in a power shift (no matter who whines) are the lawyers and judges...for they always have proven themselves unworthy of any trust from either side!

"Woe unto you (A woe is a curse) Lawyers! For you have taken away the key of knowledge; you entered not in yourselves, and them that were entering in you hindered..." Luke 11:52.

VI. The AMERICAN BAR ASSOCIATION TRAITORS IN OUR MIDST:

The founding Fathers who wrote our Constitution and formed our government, made it very clear that this was to be a FREE ENTERPRISE country and all Citizens are to be equal under Law and not a private capitalistic monopoly or cartel as they had experienced in Europe.

Under free enterprise system, any Citizen who was willing to risk his time and finances, can go into business. The public with the freedom of choice, can patronize this business or decide they don't like the service or product and stay away; whereas, in a private or a capitalistic system, only the privileged

elite can go into certain businesses or professions such as had been practiced in Europe for ages, making the public their CAPTIVE CUSTOMERS.

The EUROPEAN BANKERS and FINANCIAL CARTELS decided to change AMERICA to the same system that they had so they could take over this government too, and sent some British lawyers over here to organize an American Bar Association on the same order as the English Bar where only Lords can be Judges and determine who shall practice law.

In 1909 they incorporated this TRAITOROUS group in the state of Illinois and had the State Legislature (which was under the control of lawyers) pass an unconstitutional law that only members of this powerful union of lawyers, called the ABA, could practice law and hold all the key positions in law enforcement and the making of laws. At that time, Illinois became an outlaw state and for all practical purposes, they seceded from the United States of America.

VII. The BAR ASSOCIATION then sent organizers to all the other states and explained to the lawyers there how much more profitable and secure it would be for them, as lawyers, to join this union and be protected by its bylaws and cannons. They issued to the lawyers in each state a charter from the Illinois organization. California joined in 1927 and a few reluctant states and their lawyers waited until the 1930's to join when the treasonous act became DE FACTO and the Citizen's became captives. Under this system, the lawyers could guarantee prejudged decisions for the privileged class against the lower class. This was all made possible by the AMERICAN BAR ASSOCIATION to favor the right and have unlawfully substituted them in place of Constitutional Laws.

What is the real difference between the dreaded "Klansman" in white robes and fiery crosses and the ABA "Klansmen" in the BLACK ROBES sitting on the bench? Aren't they as dictatorial as the KGB and the GESTAPO are accused of being? This has fulfilled Orwell's prediction for 1984 and made it a fact, THE BLACK ROBE CULT.

Various groups that have been lawfully stoned walled by the ABA and the courts suggest we join hands and file an initiative to abolish the Bar Association as there are 17 states where Citizens have the Right to do this by the voting process. If we can do this it will destroy, the power of the BAR in America with similar method they used to gain their power, state by state. Any Citizens who live in one of these 17 states, can do this, and if not in one of these states you can contribute to other states that can.

Who is going to run the Courts and practice law if we outlaw the BAR?  
The  
CONSTITUTIONAL COMMON LAW COURTS and COMMON LAW non-Union COUNSELORS. I would like to remind you that the Constitution was written in plain English and the Statutes passed by Congress were also in plain English, with the intent of Congress how each law should be used and not the opinions of various Judges as the codes list.

Any normal person can read the Constitution and Statutes and understand them without any trouble. The public in California was shocked to learn that the State Government has no control or jurisdiction over the Bar Association or its members. The state does not accredit the law schools or hold Bar examinations.

They do not issue state licenses to LAWYERS. The Bar Association accredits all the law schools, holds their private examinations and selects the students they will accept in their organization and issues them so-called license but keeps the fees for themselves.

The Bar is the only one that can punish or disbar a Lawyer. They also select the lawyers that they consider qualified for Judgeships and various other offices in the State.

Only the Bar Association or their designated committees can remove any of these lawyers from public office. The State Legislature will not change this system as they are also a designated committee of the Bar.

On August 21, 1984, Rose Bird, Chief Justice of the California State Supreme Court, another of the Bar Associations Judicial Committee's, stated in essence that the Bar should determine the legality of all initiatives before

they were allowed to go on the ballot. This is contrary to both State and Federal Constitutions, as well as the Laws of this Nation instituted By and For the People as a Sovereign UNITY of Independent States of We The People, not a fraudulent Corporate entity of Lawyers.

This is a tremendous amount of power for a PRIVATE union that is incorporated and headquartered in Illinois to hold over the Citizens of California or any other state.

The only recourse is through this initiative process and vote by the people. After the Founding Fathers had formed the Constitution, outlining the laws as to the way our government was to be run, Thomas Jefferson said, in essence, "This proves that plain people, if given the chance, can enact laws and run a government as well as or better than royalty and the blue bloods of Europe."

The American people must stop thinking that lawyers are better than they are and can do a better job than they can before the courts of America. Under the Common Law and the Laws of America, no where is it expressly given for anyone to have the power or the right to form a Corporation.

Corporations are given birth because of ignorance on the part of the American people and are operating under implied consent and power which they have usurped and otherwise stolen from the people. By RIGHT AND LAW THEY HAVE NO POWER, AUTHORITY OR JURISDICTION, and must be put out of business by the good Citizens of America in their fight for FREEDOM.

We cannot hope to reclaim our Country if we continue to let that beast stay in our bed and in our homes. It is imperative that we remove this demon from its throne and put OUR CONSTITUTIONAL COMMON LAW COURTS and JUSTICE SYSTEM, back into effect. We must stop worrying about what someone else will think, this is our country and we have foreign entities attempting to take control of us and our Nation.

These children of Satan have nothing good in store for any of us, and those who are ignorant enough to believe their lies, deceit, and conspiracy, deserve just what they receive because they ask for it.

## IX. MOST LAWYERS are OUR ENEMY:

The small handful that are good must get on the right side and help us win our war, or they are not on our side. There can be no more sitting on the fence, people must decide which side they are on and fight.

Lawyers that claim to be on our side and are later found out to be traitors, must be put to death as this is just what they have planned for all Americans, who do not abide by their rules and regulations. Americans cannot win the war if they allow traitors to infiltrate our tanks and get away with it. The enemy Americans are fighting is a deadly enemy, that care nothing for anyone out of their own ranks, and if you turn your back on them, you could be their next victim.

## X. "TREASON" LAWYER AND LAWYER - JUDGE COURTS ARE UNCONSTITUTIONAL:

Since the BIGGEST CRIMES in the world are committed in the courtrooms by lawyers and lawyer-judges AGAINST the people, as the lawyers and their bar associations, which are affiliated with each other INTERNATIONALLY, have joined in the INTERNATIONAL CONSPIRACY AGAINST THE PEOPLE of the UNITED STATES OF AMERICA to DESTROY THE UNITED STATES OF AMERICA FROM WITHIN (TREASON).

They have already taken over the courts and the government, and ALL political parties, where they all take orders from ONE FRONT OFFICE, the offices of the internationally affiliated bar associations, make a ONE PARTY "SYSTEM," the BAR ASSOCIATION PARTY.

This necessitated and URGENT need to form a 2nd political party, the ANTI LAWYER PARTY, where all lawyers and those who attended law school are barred from this 2nd party (ALP).. All the states have unconstitutional aristocratic courts, as their constitutions and/or unconstitutional "lawyer systems" require judges to be lawyers, creating a RULING CLASS, which is

FORBIDDEN by Article IV, Section 4, of the U.S. Constitution, the 13th Amendment and Article I, Section 26 of the Texas Constitution.

XI. The U.S. Constitution GUARANTEES to every state in this union a REPUBLICAN FORM of government. Any other form of government is FORBIDDEN. No public officer or branch of government can be limited to a RULING CLASS of any kind, or the states become ARISTOCRACIES and NOT republics. Also, the lawyers have made themselves 1st Class Citizens, where many public offices and branches of government are open to lawyers only.

All other people are limited to only two branches of government and to only certain offices in those two branches of government, making all people who are non-lawyers into 2nd class subject citizens.

When the courts belong to the people, as the United States Constitution REQUIRES, (Article IV, Section 4, we the people, will NEVER rule against themselves.

In these Unconstitutional courts foreign tribunals (hoodlum centers), "men" in black dresses, that are Unconstitutional ROBES OF NOBILITY. (Article 1, Section 9 and 10) with a lot of hanky panky and hocus pocus, dispense a perverted IDIOTology, where the people are terrorized by members of the BLACK ROBE CULT (lawyers and lawyer judges in the courtrooms.

The legislative branch of government does NOT have the Constitutional Power to issue Court Orders or any other kind of Orders.

ONLY presidents and governors have the Constitutional Power to grant PARDONS, but lawyers and lawyer-judges are unconstitutionally granting PARDONS with "immunity from prosecution."

Citizens are not permitted to act like people in the courts. The Citizen (2nd class) is told that he does not know how to fill out fancy lawyer forms; that he is not trained in the law; that he does not know court rules and procedures; etc.

This is Unconstitutional "lawyer system," only HEARSAY  
SUBSTITUTES  
(lawyers) NOT under oath, have access to the courts, even though ONLY  
sworn  
testimony and evidence can be presented in court. Anything else is Bill of  
Attainder, NOT permitted under the U.S. Constitution (Article 1, Sections 9  
and 10).

The U.S. Constitution does NOT give anyone the right to a lawyer or the  
right to counsel, or the right to any other HEARSAY SUBSTITUTE. The 6th  
Amendment is very SPECIFIC, that the accused ONLY has the right to the  
ASSISTANCE of counsel and this ASSISTANCE of counsel CAN BE  
ANYONE THE ACCUSED CHOOSES WITHOUT LIMITATION.

## XII. LAWYERS and LAWYER-JUDGES:

Created Unconstitutional "lawyer system" pre-trial "motions" and  
"Hearings" to have eternal EXTORTIONISTIC litigations, which is  
BARRATRY and also is in violation of the U.S. Constitution, and Article 1,  
Section 14 of the Texas Constitution as this places defendants in DOUBLE  
JEOPARDY a hundred times over. Defendants only have a right to A  
TRIAL, NOT TRIALS.

When a criminal is freed on a TECHNICALITY, HE IS FREED  
BECAUSE OF A FIX and a PAY-OFF, as a defendant can only be freed if  
found innocent BY A JURY NOT BY ANY "TECHNICALITY."

Whenever a lawyer is involved in a case directly or indirectly, as a  
litigant or assisting in counsel, ALL LAWYER-JUDGES HAVE TO  
DISQUALIFY THEMSELVES, AS THERE CANNOT BE A  
CONSTITUTIONAL TRIAL and also there would be a violation of the  
conflict of interest laws, along with the violation of separation of powers and  
checks and balances, because "OFFICERS" OF THE COURT ARE ON  
BOTH SIDES OF THE BENCH.

These same LAWYER-JUDGES are awarding or approving LAWYER  
FEES,

directly and indirectly, amounting to BILLIONS OF DOLLARS annually, all in violation of conflict of interest laws.

Since crime and treason are against the law, and the lawyer profession is a crooked

profession, a LEGAL BOUNTY should be placed on ALL LAWYERS (betrayers) and all those who are aiding and abetting these TRAITORS, the lawyers.

As long as there are lawyers, there will never be any law, constitution or justice. There will only be MOB RULE, RULE BY A MOB OF LAWYERS (TRAITORS).

#### IXV. CASE "LAW" IS UNCONSTITUTIONAL:

As CASE "LAW" IS ENACTED BY THE JUDICIAL BRANCH OF GOVERNMENT.

When a lawyer-judge instructs, directs, or gives orders to a jury, the lawyer-judge is TAMPERING WITH THE JURY. He also tampers with testimony when he orders the answers to be either "yes" or "No." The lawyer--judge also tampers, fixes, and rigs the trial when he orders anything stricken from the record, or when he "rules" certain evidence and the truth to be inadmissible. This makes the trial and transcript FIXED and RIGGED, because the jury does not hear the REAL TRUTH and ALL THE FACTS. Juries are made into puppets by the lawyers and lawyer-judges.

All lawyers are automatically in the judicial branch of government, as they have the Unconstitutional TITLE OF NOBILITY (Article 1, Section 9 and 10), "Officer of the court."

Citizens have to be elected or hired to be in any branch of government but

non-lawyer Citizens are limited to only 2 of the 3 branches of government.

Lawyers as 1st class citizens, can be hired or elected to any of the three branches of government. Lawyers, "Officers of the Court," in the Judicial Branch, are Unconstitutionally in 2 branches of government AT THE SAME TIME whenever they are hired or elected to the executive or legislative

branches. This is a violation of the separation of powers, checks and balances, and the conflict of interest laws.

District attorneys and State's attorneys have taken over the Grand Juries FROM the people, where the people are DENIED ACCESS to the grand juries when they attempt to present evidence of crimes committed in the courtrooms by the lawyers and lawyer-judges. TRY TAKING THIS MATERIAL TO THE GRAND JURIES!

The U.S. Constitution, being the Supreme Fundamental Law, is not and CANNOT be ambiguous as to be interpreted, or it would be a worthless piece of paper and we would have millions of interpretations (Unconstitutional amendments) instead of the few we have now. That is why all judges and public servants are SWORN TO SUPPORT the U.S. Constitution, NOT interpret it.

Imagine hypothetically how stupid it would be if any constitution stated, "that the judicial branch of government has the power to interpret this constitution."

ORGANIZED CRIME never existed until the BAR ASSOCIATION took over OUR COURTS and OUR GOVERNMENT. Now crime is organized internationally, just as the BAR Associations are organized. Some of their international affiliations include but are not limited to THE INTERNATIONAL JUDICIAL ASSOCIATION; INTERNATIONAL TRIAL LAWYERS ASSOCIATION; WORLD PEACE THROUGH LAW CENTER; WORLD ASSEMBLY OF JUDGES: et al. This means that the Bar Associations are not only the INTERNATIONAL CRIME SYNDICATE, but also the INTERNATIONAL WORLD GOVERNMENT and INTERNATIONAL COMMUNIST PARTY.

XV. Under INTERNATIONAL ORDERS:

ALL LAWYERS, whether they left law school yesterday or 50 years ago, are

EXACTLY THE SAME. All lawyers have to file the same motions and follow the same procedures in using the same Unconstitutional "lawyer system" of hanky panky and hocus pocus, and to DESTROY THE UNITED STATES OF AMERICA FROM WITHIN by always ruling AGAINST THE PEOPLE. ALL LAWYERS AND LAWYER JUDGES ARE GUILTY OF "TREASON."

In probate, the lawyers place themselves in everyone's will and estate. When there are minor children as heirs, the lawyer-judges appoint a lawyer (a child molesting Fagin) for EACH CHILD and, at times, the lawyer fees EXCEED the total amount of the estate.

An OUTRAGEOUS amount of TAX "MONEY" is directly and indirectly STOLEN BY LAWYERS. Money that is budgeted to County Boards, School Boards and other local and federal agencies eventually finds its way into the pockets of lawyers, as ALL of these agencies are "TRICKED" and "FORCED" into ETERNAL EXTORTIONISTIC LITIGATION.

In all elections, VOTE AGAINST ALL LAWYERS, never vote for a lawyer. Vote FOR NON-LAWYERS ONLY. If only lawyers are running for election to the same office, do NOT vote for any of them, as most are ALL ALIKE. All lawyers are programmed to be "TRAITORS AND INHUMAN CLONES."

WALK SOFTLY AMERICANS AND CARRY A BIG STICK. Most importantly don't be afraid to use it. We are under vicious assault and we must make use of every resource we have, or give into their slavery. COPY AND SPREAD WIDELY, SEND COPIES TO THE CRIMINAL LAWYERS AND LAWYER-JUDGES.

II Corinthians 5:5. For we walk by faith, not by sight.

Author Unknown



From the July 1998 Idaho Observer:  
Do Idaho Attorneys Have a License to Practice?

## **"THINK OF IT AS A STATE BEING"**

by Hari Heath

Does membership in the American Automobile Association give ordinary Americans a valid license to drive? Would membership in the National Rifle Association permit one to carry a concealed weapon? By joining the North American Hunting Club would a person be licensed to hunt in North America? If answer to the previous questions are no, then why is membership to a state bar association construed as a "license" for attorneys to "practice" law?

Alfred Adask published an article in the AntiShyster Magazine a while back entitled "Deemed to be Licensed." It was a humorous expose' on the fact that Attorneys in Texas don't actually have a physical license to practice law but are somehow "deemed" to be licensed by reason of their membership in the State Bar Association.

I found this to be a curious situation and thought I would conduct an informal investigation of Idaho's "license to practice law." It is, after all, against the law, to practice law without a license in Idaho. Surely our Idaho Attorney's wouldn't knowingly break the law.

I ran into some attorneys that I knew, and during the course of our conversations, I asked if I could see their license to practice law. One continued to talk about hunting and fishing and avoided the subject. The other mumbled something about he was once issued a certificate years ago, but neither could show an actual license.

As Mr. Adask pointed out in his article, this non-issued "license" which all judges and attorneys are "deemed" to have, furthers the independent, non-accountable grip the private BAR associations have on the judicial branch of government. Our Idaho Constitution doesn't require any "license to practice law."

Some time passed since my original informal investigation on the Idaho "license to practice law." As a defendant who was actively litigating my right to travel without a drivers "license," so long as I didn't injure others, or damage their property, I thought this could be a prime opportunity to see if the prosecutor and magistrate prosecuting me were "licensed."

### Subpeona

The Idaho State Bar ignored my first letter seeking a copy of the Prosecutor Payne's and Magistrate McGee's "license to practice law," so I issued a Subpoena Duces Tecum demanding either a copy of their licenses or a letter on their letterhead stating that they did not have a license to practice law.

The Idaho State Bar responded by sending a letter on its letterhead stating: "The Idaho State Bar does not have physical "licenses to practice law" for our members, so I am unable to provide you with copies. However, I can give you the following information: Douglas Paul Payne is an active member in

good standing of the Idaho State Bar. He is currently licensed to practice law in Idaho.

Daniel J. McGee is also a member in good standing of the Idaho State Bar. He is currently a judge in the state and, therefore, does not practice law.

Sincerely, Annette Strauser, Membership Administrator."

### Motion To Dismiss

I then incorporated this in a Motion to Dismiss and filed it with the court (Benewah county case number CR 97-00407). Excerpting from my Affidavit in Support of Motion to Dismiss:

### No License To Paractice Law

Both Prosecutor Douglas Paul Payne and Magistrate Daniel J. McGee do not have

"licenses to practice law," as required by statute to hold and conduct the public offices which each officer has assumed. This fact is further evidenced in Exhibit B, a true and correct copy of a letter from Annette Strauser, Membership Administrator for the Idaho State Bar, attached hereto.

Idaho Code 31-2601 requires that the Prosecuting Attorney be "... an attorney and counselor at law duly licensed to practice as such in the district courts of this state..."

Idaho Code 1-2206 (2) requires that Attorney Magistrates be "...currently licensed to practice law in the state of Idaho."

As evidenced in the letter from Annette Strauser (Exhibit B), Prosecutor Payne and Magistrate McGee do not have "licenses to practice law." Further in the letter, Ms. Strauser claims that Douglas Paul Payne "is currently licensed to practice law in Idaho."

To follow up this letter and clarify its contradictory statements, which first states that there are no "licenses to practice law" and then states that Douglas Paul Payne "is currently licensed to practice law in Idaho." I called the Idaho Supreme Court and Annette Strauser, on the morning of April 22, 1998.

In my phone call to the Idaho Supreme Court I was informed, by the several clerks that I talked to, that when a new attorney passes the bar exam and is sworn in at the Supreme Court, then the Supreme Court issues a Certificate of Admission.

I then called Annette Strauser to confirm this process and to try get a better explanation as to how an attorney can be "licensed to practice law" when there are no "licenses to practice law." Strauser confirmed that the process described by the Supreme Court clerks to admit a new attorney to the bar was correct.

Strauser further explained that the "license" for an attorney was different than, for example, a hunting or fishing license, which was an actual paper license. Strauser told me to think of an attorney's license "as a state of being."

Strauser also stated that to become a member of the bar and maintain status as a member in good standing, an attorney must pay membership fees, provide information about any trust accounts they may have, and occasionally participate in continuing legal education requirements.

I have also learned from prior phone conversations with the Idaho State Bar, that the BAR is a private association, not a governmental entity or office.

From the evidence and information that I have been able to gather thus far, an attorney's "license to practice law" is not any kind of bona fide "license," but rather a certificate of membership in a private non-governmental association, which makes some attempt at self regulating its members. At best, it may be an "implied license," and best was described by Idaho State Bar Membership Administrator Strauser "as a state of being."

The above mentioned code sections require a prosecutor to be "duly licensed" and attorney magistrates to be "currently licensed to practice law."

Black's Law, Sixth Edition, offers the following relevant definitions of license:

"A permit, granted by an appropriate governmental body, generally for a consideration, to a person, firm, or corporation to pursue some occupation or to carry on some business subject to regulation under the police power."

"Certificate Or The Document Itself Which Gives Permission."

"The permission by competent authority to do an act which, without such permission, would be illegal, a trespass, a tort, or otherwise not allowable."

Implied license: "One which is presumed to have been given from the acts of the party authorized to give it."

Black's Law, Sixth Edition offers the following relevant definitions of Duly:

"In due or proper form or manner; according to legal requirements. Regularly; properly; suitable; upon a proper foundation, as distinguished from mere form; according to law in both form and substance."

Idaho Code 9-101, states that "Courts take judicial notice of...[t]he true signification of all English words and phrases, and of legal expressions."

The ACCUSED contends that as offices of public trust, the Prosecutor which must be "duly licensed" and the attorney magistrate who is to be "currently licensed" as required in the Idaho Code sections, must have a bona fide license, not an "implied license" which, as has been shown herein, is nothing more than a certificate of membership in a private association, which the Membership Administrator of said association has told me to think of an Attorney's license "as a state of being."

Such metaphysical "licenses" or memberships certainly do not conform with "the true signification of the English word" "license," are not "according to law in both form and substance"; "in due or proper form or manner"; and are not "A permit, granted by an appropriate governmental body."

Further, most "licenses" are issued by an executive office of government, such as a sheriff's office, or an administrative agency, such as the Department of Fish and Game. The Idaho State Bar is a private, non- governmental association, which deems its memberships to be licenses, and through this metaphysical construction has created a monopolistic control over the judicial branch of public government.

If such a membership in an association is sufficient "license" to hold an office of public trust, then similar memberships should suffice for other areas of "licensed" activity.

Is a membership in the American Automobile Association a valid license to drive?

Would membership in the National Rifle Association permit one to carry a concealed weapon?

By joining the North American Hunting Club would a person be licensed to hunt in North America?

If a group of individuals wished permission to do "an act which, without such permission, would be illegal, a trespass, a tort, or otherwise not allowable," could they then form an association, issue memberships, deem themselves "licensed," and grant permission to the associations members to do an act which was otherwise not allowable?

The charges in the instant case against the ACCUSED should be dismissed because the prosecutor is not "duly licensed" to practice law, and the magistrate is not "currently licensed to practice law," therefore both are not in compliance with the statutory requirements of their respective offices.

### Final Outcome

And what result can one expect when one presents a Motion to Dismiss like this one to the local magistrate court? Magistrate McGee refused at two different hearings to allow this motion to be argued. At the first hearing, while not allowing me to make any argument on the motion, Magistrate McGee made a prosecutorial argument from the bench against the merits of the motion.

And what argument could he have made against this motion, you might ask? The kind that has been all too common in the continuing saga of my right to travel case: Sheer avoidance of the facts and the law.

Make money, help your country and support The Idaho Observer at the same time by signing up as a NORFED Redemption Center.



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2007  
THE STATE BAR OF CALIFORNIA

**DANIEL ALAN BERNATH**

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