

FROM:

TO: GOVERNOR DOUGLAS DUCEY
1700 WEST WASHINGTON STREET
PHOENIX, AZ 85007

NOTICE OF AFFIDAVIT

TO: Governor Douglas Ducey
Demand to End the Declaration of Emergency
For Maladministration
For Violation of Constitutional Rights

Comes now Affiant, one of the people (as seen in the Arizona Declaration of Rights Article II Section 2 Arizona Constitution) Sui Juris, in this court of record, do make the following claims:

This affidavit is being served on Governor Douglas Ducey, as it is our right to give you frequent notice as a servant to the people of Arizona, based on Arizona Constitution Article II, section 1: *“A frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government”*. Article II, section 2 states: *“All political power is inherent in the people, and governments derive their just powers from the consent of the governed and are established to protect and maintain individual rights.”* (All highlights added for emphasis)

You lacked due diligence in securing our individual rights, based on both the Arizona Constitution and U.S. Constitution, wherein the Declaration of Independence states: *“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.”*

Article II, section 4: *“No person shall be deprived of life, liberty or property without due process of law”*. When you Governor Ducey, enforced a state of emergency on the people of Arizona, this was done to coerce, control and mislead the people of Arizona. To continue to hold up the state of emergency to this day, when there is no emergency, you continue to violate all Arizonans rights under our constitution.

Article II, section 5: *“The right of petition, and of the people to peaceably to assemble for the common good, shall never be abridged.”* Article II, section 8: *“No person shall be disturbed in his private affairs...”* Governor Ducey, you violated these rights with your unlawful declaration of emergency.

You have failed your responsibility to protect the rights of the people of Arizona, an oath you took to support the United States Constitution and Arizona Constitution, taken as Governor on January 7th, 2019 at 1:33pm. Article II, section 7 regarding this oath as governor, *“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”*. You in good conscience, took that oath as governor, and you have failed to uphold your oath.

Article II, section 28: *“Treason against the state shall consist of only in levying war against the state, or adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court”*. The people of Arizona are all witnesses to the violation of our personal rights that you deliberately enacted against our constitutional rights. Article II, section 11: *“Justice in all cases shall be administered openly, and without necessary delay”*.

Violation of 42 U.S.C. § 1983: *“Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress...”*

As well as violation of 18 U.S. Code § 242: *“Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession,*

or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States... ”

U.S. Constitution, 14th Amendment: *“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*

Arizona Constitution Article III “ Distribution of Powers- *“The powers of the government of the state of Arizona shall be divided into three separate departments: the legislative, the executive and the judicial; and, except as provided in this constitution, such departments shall be separate and distinct, and no one of such departments shall exercise the powers properly belonging to either of the others”.* You Governor Ducey directly violated this constitutional provision when you decreed an emergency declaration/state of emergency without legislative involvement, nor called a special session of the legislative body, stated in Article V, section 4. You cannot create new power or authority through executive order. You cannot govern by decree without limitation. You are guilty of maladministration and full trespass against the rights of the people of Arizona in your position as Governor of Arizona.

We the people understand we have ALL power in the state of Arizona, and you are simply a servant to the people, and we have full authority over you. You have stepped far outside your position of servant to the people, as well as your sole position in the Executive Branch of Arizona government; to oversee the operation of the state executive branch. It is not in your power to make laws, nor executive orders that are in direct conflict and violation to the people of Arizona constitutional rights and God-given natural rights.

We the people DEMAND as our rights as the citizens of Arizona, that the “state of emergency/declaration of emergency” declared on March 11th, 2020, be ***immediately rescinded***, and rescind every executive order used in conjunction with the declaration of emergency/state of emergency issued since March 2020 and in 2021 immediately. This notice serves as final notice on behalf of the people of Arizona to restrain all actions by you Governor Ducey, in respect to illegitimate laws and executive orders from this day forward. You do not have the consent of the people of Arizona, to restrict any personal rights of individuals, businesses, health, and parental rights of children. We DEMAND you immediately notify through all Arizona media, radio, social media, and print media outlets, and ADOT electronic freeway signs, that you have rescinded the state of emergency and that all personal rights have been restored to all Arizona residents in full.

Any man or woman who denies these claims are true must rebut them under penalty of perjury in the form of a sworn affidavit. Any man or woman who decides to suppress this affidavit agrees to pay \$50,000 from personal funds, and any disputes by any public officials or private actors who are bound by the contract to the Arizona Constitution agrees to have these matters heard before an Arbitrator of my choice. Any man or woman denying these claims are true must rebut these claims point by point within three (3) days (72 hours.) Failure to respond means that by acquiescence you agree all claims are true.

Verification

I hereby declare, certify, and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC §1746 that all of the above and foregoing representations are true and correct to the best of my knowledge, information, and belief.

Executed in _____, Arizona on this _____ day of _____
in the Year of Our Lord Two Thousand and Twenty-One.

Autograph of Affiant

Notary as JURAT CERTIFICATE

_____ State }

_____ County }

On this _____ day of _____, 2021 (date) before me, _____,

a Notary Public, personally appeared _____ Name of Affiant, who proved to me on the basis of satisfactory evidence to be the man/woman whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and by his/her autograph(s) on the instrument the man/woman executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of Arizona State and that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary/Jurat _____

Seal

PROOF OF SERVICE and ADDITIONAL PEOPLE NOTICED

I declare that a true and accurate copy of the foregoing Notice of Affidavit was sent by **USPS Certified Mail, return receipt requested**, to the parties listed below on _____, 2021.

Respondent(s):

Served by: _____ (Person Serving the Document)

- | | | |
|--|---|--|
| 1. Sheriff Mark J. Dannels
205 North Judd Drive
Bisbee, Arizona 85603 | 10. Sheriff David Clouse
137 W Arizona St,
Holbrook, AZ 86025 | 18. MC Supervisor
Clint Hickman
301 W Jefferson St,
10 th floor
Phoenix, AZ 85003 |
| 2. Sheriff Joseph Dedman.
PO Box 518
St Johns, Arizona 85936 | 11. Sheriff Chris Nanos.
1750 E Benson Hwy
Tucson, Arizona 85714 | 19. MC Supervisor
Jack Sellers
301 W Jefferson St,
10th floor
Phoenix, AZ 85003 |
| 3. Sheriff Jim Driscoll
911 E Sawmill Rd
Flagstaff, Arizona 86001 | 12. Sheriff Mark Lamb
85 W Combs Rd. Suite
101 Box 110,
San Tan Valley, AZ
85140 | 20. MC Supervisor
Steve Chucri
301 W Jefferson St,
10th floor
Phoenix, AZ 85003 |
| 4. Sheriff Adam Shepherd
1100 South Street
PO Box 311
Globe, 85502 | 13. Sheriff David
Hathaway,
2170 N Congress Dr,
Nogales, AZ 85621 | 21. MC Supervisor
Bill Gates
301 W Jefferson St,
10th floor
Phoenix, AZ 85003 |
| 5. Sheriff Preston Allred
600 W Graham Canal
Rd,
Safford, AZ 85546 | 14. Sheriff David Rhodes
255 E Gurley
Prescott, Arizona 86301 | 22. MC Supervisor
Steve Gallardo
301 W Jefferson St,
10th floor
Phoenix, AZ 85003 |
| 6. Sheriff Tim Sumner
824 S Coronado Blvd
PO Box 998
Clifton, Arizona 85533 | 15. Sheriff Leon Wilmot
141 S 3rd Ave
Yuma, Arizona 85364 | |
| 7. Sheriff William Ponce
1109 Arizona Ave
Parker, Arizona 85344 | 16. Attorney General Mark
Brnovich
2005 N. Central Ave.
Phoenix AZ 85004 | |
| 8. Sheriff Paul Penzone
550 West Jackson Street
Phoenix, Arizona 85003 | 17. Senate Pres. Karen Fann
(Serve to all Legislators)
1700 W. Washington St.
Room 205
Phoenix AZ 85007 | |
| 9. Sheriff Doug Schuster
PO Box 1191
Kingman, AZ 86402 | | |