

**FROM:** \_\_\_\_\_

**TO: ARIZONA SHERIFFS:**

Mark J. Dannels	Tim Sumner	Chris Nanos
Joseph Dedman Jr.	William Ponce	Mark lamb
Jim Driscoll	Paul Penzone	David Hathaway
Adam Shepard	Doug Schuster	David Rhodes
Preston "PJ" Allred	David Clouse	Leon Wilmot

**FORMAL NOTICE TO THE SHERIFFS OF ARIZONA**

Sheriffs of Arizona, we are putting you on notice as protector and securer of our United States and Arizona Constitutional rights. You swore an oath to uphold the Arizona and the U.S. Constitution and faithfully carry out the laws of the state of AZ. The Oath of the County Sheriff is a Sacred Oath. (OATH: According to Black's Law Dictionary, the word oath, in its broadest sense, includes "*all forms of attestation by which a party signifies that (s)he is bound in conscience by "a solemn and formal declaration or asseveration that an affidavit is true".*")

DUTY OF THE COUNTY SHERIFF: The Sheriff is to support and defend the Law of the Land known as the Constitution and the Laws of Nature's God as known as Common Law, by which the former is vested via We the People who are vested by the latter, not legislative bodies! We are a nation governed by the common laws of God and when violated is a direct assault on our rights.

As the county Sheriff, you are a constitutional officer, elected by We The People. The constitution of the United States of America, and its capstone Bill of Rights, as well as the Arizona Constitution, is the law of the land and all statutes repugnant to the constitution are null and void.

This notice is being given to you Sheriff, as it is our right to give you frequent notice, 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*". We must provide a constant visible reminder to you and our government on the expansive rights of the people. Our rights are a "no tread" zone. The sheriff is to work for, and answer to, the people alone. His sole duty is to protect the unalienable rights of the people within the county and state.

We are reminding you of these constitutional facts because Governor Ducey has violated Arizonans rights at the commencement of the state of emergency, March 11, 2020, and continued to violate our personal, constitutional, and God-given natural rights to this day by failing to rescind the state of emergency/proclamation of emergency. He failed to bring the Legislative body into the decision-making legislative process and stepped far outside his position as member of the executive branch. It is not his job to set mandates, executive orders or proclamations that directly violate our rights.

So now we call forth to remind you, constitutional clauses that protect our rights in both Arizona and United States Constitution and to remind you of your responsibility to protect these God-given natural and constitutional rights:

## **PREAMBLE:**

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America

## **DECLARATION OF INDEPENDENCE:**

“When in the Course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

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, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn that mankind are more disposed to suffer, while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security...”

## **UNITED STATE CONSTITUTION:**

### **AMENDMENT I**

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

### **AMENDMENT IV**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### **AMENDMENT V**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

### **AMENDMENT IX**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

## **AMENDMENT X**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

## **AMENDMENT XIV**

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

### **U.S. CODES:**

18 USC §242 - DEPRIVATION OF RIGHTS UNDER COLOR OF LAW: 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, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

42 USC §1983 - CIVIL ACTION FOR DEPRIVATION OF RIGHTS: 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, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated, or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

### 42 USC §1985(3) - CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS:

Depriving persons of rights or privileges: If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

42 USC §1986 - ACTION FOR NEGLIGENCE TO PREVENT - Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed,

and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding \$5,000 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued.

Only people are sovereign, subject onto God alone and have rights vested by God. "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." - Miranda v. Arizona, 384 US 436, 491.

### **ARIZONA CONSTITUTION:**

Article II, section 2: "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."

Article II, section 4: "No person shall be deprived of life, liberty or property without due process of law".

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 6: "Every person may freely speak, write, and publish on all subjects..."

Article II, section 8: "No person shall be disturbed in his private affairs..."

Article II, section 11: "Justice in all cases shall be administered openly, and without necessary delay".

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".

AZ constitution: Article II section 32: "The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise."

AZ constitution: Article II section 33: "The enumeration in this Constitution of certain rights shall not be construed to deny others retained by the people"

**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".

Article V Section4: Governor; Powers and Duties; Special Sessions of Legislature; Message and Recommendations. "The governor shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers in the executive department upon any subject relating to the duties of their respective offices. He shall take care that the laws be faithfully executed. He may convene the legislature in extraordinary session. He shall communicate, by message, to the legislature at every session the condition of the state and recommend such matters as he shall deem expedient.

**Arizona Sheriffs-** we have brought this constitutional information top of mind as it is your duty to protect and uphold the Arizona and United States Constitution. We will call on you, as the body of people of the great state of Arizona, to uphold our rights and liberties against foes both foreign and domestic, and those elected officials and others who violate our rights in direct opposition to our freedom, liberty, and God-given natural rights.

**INSTRUCTIONS:**

- Fill out the top section of Page One with your name and address
- Make 15 copies of pages 1-4, and mail to each of the Sheriffs address below
  - Keep your original copy
  - Do not mail this 5<sup>th</sup> page of sheriff addresses, just the first four pages.
- Combine mailings with friends/family/peers to save postage.

**Mail Notices To:**

1. Sheriff Mark J. Dannels  
205 North Judd Drive  
Bisbee, Arizona 85603
2. Sheriff Joseph Dedman.  
PO Box 518  
St Johns, Arizona 85936
3. Sheriff Jim Driscoll  
911 E Sawmill Rd  
Flagstaff, Arizona 86001
4. Sheriff Adam Shepherd  
1100 South Street  
PO Box 311  
Globe, AZ. 85502
5. Sheriff Preston Allred  
600 W Graham Canal Rd,  
Safford, AZ 85546
6. Sheriff Tim Sumner  
824 S Coronado Blvd  
PO Box 998  
Clifton, Arizona 85533
7. Sheriff William Ponce  
1109 Arizona Ave  
Parker, Arizona 85344
8. Sheriff Paul Penzone  
550 West Jackson Street  
Phoenix, Arizona 85003
9. Sheriff Doug Schuster  
PO Box 1191  
Kingman, AZ 86402
10. Sheriff David Clouse  
137 W Arizona St,  
Holbrook, AZ 86025
11. Sheriff Chris Nanos.  
1750 E Benson Hwy  
Tucson, Arizona 85714
12. Sheriff Mark Lamb  
85 W Combs Rd. Suite 101  
Box 110,  
San Tan Valley, AZ 85140
13. Sheriff David Hathaway,  
2170 N Congress Dr,  
Nogales, AZ 85621
14. Sheriff David Rhodes  
255 E Gurley  
Prescott, Arizona 86301
15. Sheriff Leon Wilmot  
141 S 3rd Ave  
Yuma, Arizona 85364