**Administrative notice and demand for identification and credentials quo warranto.**

**Pursuant the Constitution for the United States of America, its First and Ninth Amendments and the California Constitution (1849).**

**Original writ of quo warranto under seal.**

**JURAT**

California state

 county

Subscribed and sworn to (or affirmed) before me on this \_\_\_\_\_ day of March 2013, by [ ], proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

KNOW BY ALL MEN OF THESE PRESENTS: This “Good Faith Presentment” by: (hereinafter “Presentor”) to Recipient(s):

Located at:

Presentor hereby exercises his Sovereign right, in pursuance of Article two, section one of the California Constitution (1849), having the reasonable expectation of receiving fair and honest services from his public servants, and issues this Administrative Notice and Demand for the purpose of verifying the credentials of the above named public servant(s), who are herein deemed “Recipient(s)” for the purpose of verifying the credentials of Recipient(s).

This Administrative Notice and Demand is duly issued and deemed to be actual, constructive, and sufficient notice, which requires that you provide to Presentor within ten (10) business days from the date of receipt, copies of the below listed documents that must be certified under penalty of perjury in accordance with 1 Stat 122, 2 Stat 298, FRCP Rule 902, Article VI of the Constitution of the United States for the united States of America (1789) as amended, and the California Constitution (1849):

1. Certification of Election or Letter of Appointment/Commission, whichever is applicable.
2. Oath of Office in accordance with Calif. Const. (1849) Article XI, sec. 3 and Gov. Code sec. 1360[[1]](#endnote-1).
3. Official Bond in accordance with Gov. Code secs. 1450-1462 (insurance does not fulfill the requirement of a bond[[2]](#endnote-2)).
4. Affidavit of Delegation of Authority.
5. Authorization to incur liability for the government corporation.
6. Employee Affidavit, if applicable.
7. Statement of Economic Interests (Calif. Fair Political Practices Comm. Form 700).
8. Pocket Commission.

For attorneys/lawyers, the following additional documents:

1. BAR Number.
2. License to practice law.
3. Registration Statement (Title 22 U.S.C. § 611 & 612[[3]](#endnote-3) re: foreign agent/propagandist).
4. Loyalty and Security Clearance (Title 22 U.S.C. 272b[[4]](#endnote-4)).
5. Copy of state BAR’s current business registration with the Secretary of State.

For judges, the following additional document:

1. Oath of Office for justices and judges per 28 U.S.C. sec. 453[[5]](#endnote-5).

Please be aware that the federal court has held in *U.S. v. Tweel*, 550 F.2d 297, 299 (1977) that “Silence can  only be  equated with  fraud where  there is a  legal or  moral duty  to speak  or  where  an  inquiry left unanswered would be intentionally misleading ...”. It is your duty and fiduciary obligation to provide the above information in a timely and truthful manner.

Your failure, refusal, and/or neglect to fully and timely comply with this Administrative Notice and Demand will establish, by *tacit procuration*, a default on and for the record that you have failed to qualify for your office or employment pursuant California Government Code section 1770(i)[[6]](#endnote-6). In case of such default, you are acting without lawful authority, office, and/or capacity as an officer, official, or agent for the original jurisdiction non-corporate governmental “People of the State of California” pursuant the California Constitution (1849) to conduct any business or to approach Presentor or any other man, woman, child or person.

I, , one of the People, in my correct public capacity and beneficiary of the original jurisdiction, being of lawful age, a competent self realized entity, a credible man upon the land, my yes be yes, my no be no, do state that the truths and facts stated herein are first hand personal knowledge, true, correct, complete, certain, not misleading; and as my Father who art in Heaven and my Creator is my Witness.

DONE on this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, two thousand thirteen, near Ventura county, California.

Further, Presentor saith not.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

All responses are to be sent addressed as follows:

End notes

1. California Government Code § 1360 is titled “Necessity of taking constitutional oath.” [↑](#endnote-ref-1)
2. California Government Code § 1450: Unless otherwise provided, every official bond shall be filed in the proper office within the time prescribed for filing the oath.

California Government Code § 1463, **Insurance policies**, 2nd sentence states: “An insurance policy procured pursuant to this section **may be used as a master bond** as though it were an official bond, subject to approval of the appointing power or the legislative body as provided in Section 1481.”

Section 1481, titled “**Master Bonds**,” found in Government Code Title 1, Article 2, has the heading: “**BONDS NOT REQUIRED BY STATUTE**.” Section 1481(a) states: “When deemed expedient by the appointing power, a master official bond or other form of master bond may be used which shall provide coverage on more than one officer, employee, or agent who is required by the appointing power or the board of supervisors of a chartered or general law county to give bond.” Section 1481(c) states: “’Legislative body’ means the board of supervisors of a county or city, or the governing board by whatever name called of a local public agency.”

West’s Ann.Cal.Gov. Code § 1458, Notes of Decisions #1, Master bond, states, in part: “**Master or blanket bond cannot be used to cover elected county officials who are required to furnish bond**, but it may be used by appointing power, the elected county officials, to cover deputies or clerks or by board of supervisors to cover county employees appointed by board …” 11 Op. Atty. Gen 159 (1948).

West’s Ann.Cal.Gov. Code § 1360, Notes of Decisions #6, Failure to take oath or give bond, at 2nd paragraph states: “**Until an officer-elect takes the oath of office and gives bonds according to law, he is not authorized to discharge the duties of the office** and if he fails to do so within the time prescribed by law, the office becomes vacant.” Note #8, Presumptions, states: “The fact that a claimant of office is acting as such under a certificate of election thereto raises the presumption the he has executed his bond and taken the oath of office.”

West’s Ann.Cal.Gov. Code § 1363, Notes of Decisions #1, Additional term of office, states: “**Where an officer was elected for a new term, he was required to give a new bond**.” Note #2, Judges, states: “**Judges of justice courts must file official bonds**, but municipal court judges are not required to do so.” Note #5, Separate offices, states: “In the absence of a statute expressly to the contrary, a person holding two separate offices was required to give to separate official bonds.”

California Government Code § 1458 reads: “The bonds of supervisors, treasurers, county clerks, auditors, sheriffs, tax collectors, district attorneys, recorders, assessors, surveyors, superintendents of schools, public administrators, coroners, and constables shall be approved by the presiding judge of the superior court before the bonds can be recorded and filed.”

The following sections of the Political Code of California (1872, 1884, 1905, & 1937), which set forth requirements for bonds of public officers, have not been repealed: 909, 948, 949, 951, 952, 953, 957, 971, & 975; section 975 is titled “**Office declared vacant for want of official bond**.”

California Government Code sections 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1460.1 and 1461 all relate to the requirement for bonds; these sections have not been repealed.

The first act of the United States Congress, 1 Stat 1 (1789), establishes the requirement of an oath of office for every public officer.

Article Eleven, section 3 of the California Constitution (1849) sets forth the required oath of office for state and local officials in California.

Article six of the Constitution for the united States of America (1789) states “… all executive and judicial Officers, both of the United States and of the several States, shall be **bound by Oath** or Affirmation, to support this Constitution.”

As the above citations indicate, the state legislature’s sleight-of-hand in inserting section 1463 within the code sections relating to bonding requirements is to set forth the guidelines for counties and cities to insure subordinate officers, employees, and/or appointed agents for which statutory bonding is not required. If the “Insurance” mentioned in section 1463 was intended for constitutionally and statutorily required bonding, it would be unconstitutional. The constitutional citations (above) demonstrate the fundamental requirements for governmental officers to be “bound by oath.” As the supreme court has ruled: “All laws which are repugnant to the Constitution are null and void,” Chief Justice Marshall, *Marbury vs. Madison*, 5, US 137, 174, 176, (1803); and “An unconstitutional act is not a law; it confers no rights; it imposes no duties; it affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." [*Norton v. Shelby County*, 118 US 425 (1885)](http://caselaw.lp.findlaw.com/scripts/getcase.pl?navby=case&court=US&vol=118&invol=425). [↑](#endnote-ref-2)
3. <http://www.fara.gov/indx-act.html> [↑](#endnote-ref-3)
4. Title 22 U.S.C. 272b: No person shall serve as representative, delegate, or alternate from the United States until such person has been investigated as to loyalty and security by the Director of the Office of Personnel Management. [↑](#endnote-ref-4)
5. 28 U.S.C. sec. 453: Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office: “I, XXX XXX, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as XXX under the Constitution and laws of the United States. So help me God. [↑](#endnote-ref-5)
6. California Government Code § 1770: An **office becomes vacant** on the happening of any of the following events before the expiration of the term:

 (i) His or her refusal or neglect to file his or her **required oath or bond** within the time prescribed.

Note: bolding and underlining has been added to the endnotes above for emphasis. [↑](#endnote-ref-6)