

**UNITED STATE DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA INC.

VS.

Edward McLarnon, living soul man

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Ca. No. 1:15-cr-00212-SM

**MEMORANDUM IN SUPPORT OF
PETITION TO VACATE CONVICTION**

Now comes the defendant in error, Edward McLarnon, a living soul man pursuant to the de jure united States Constitution for the united states of America, 2nd 4th, and 5th, and 8th Amendments inter alia. He is an American state citizen of the Commonwealth of Massachusetts. Hence, first and foremost challenges the jurisdiction of this Federal Government Corporation to charge a state citizen. The several actors of the Federal and State Government are in violation of federal statutes as referred to throughout hereinafter. The U.S. Supreme court has clearly stated in **Rundle v. Delaware & Raritan Canal Company, 55 U.S. 80 (1852)** A corporation cannot do business with a living man or woman.

1. **1875- This definition of "United States," as a Corporation has its own citizens (see United States v. Cruikshank, 92 U.S. 542)** who are generally referred to as "UNITED STATES CITIZENS". Your defendant in error claims to be a living soul Massachusetts State citizen.
2. 1818 * **US v. Bevans**, 16 US 336: Establishes 2 separate Jurisdictions within the United States of America; The Federal (Territorial-DC) Zone and the geographical union states jurisdictions. The Federal Government committed fraud upon the court with a fake arrest warrant (See **Exhibit A and C**) with an arrest date of December 12, 2015, when he was in custody on November 6, 2015. They did not produce any prior warrant or subpoena to justify claiming defendant was a "fugitive from Justice" The Federal Government furthered their fraud by claiming there was interstate Commerce, though the record is conspicuous absent any such proof to establish jurisdiction.
3. The United States is a Federal Corporation. Title 28 Subsection 3002.
4. "The United States district court is not a true United States court established under Article III of the Constitution to administer the judicial power of the United States therein conveyed. It is created by virtue of the sovereign congressional faculty, granted under Article IV, § 3, of that instrument, of making all needful rules and regulations respecting the territory belonging to the United States. The resemblance of its jurisdiction to that of true United States courts, in offering an opportunity to nonresidents of resorting to a tribunal not subject to local influence, does not change its character as a mere territorial court. Nor does the legislative recognition that federal constitutional questions may arise in litigation in Porto Rico have any weight in this discussion. The Constitution of the United States is in force in Porto Rico, as it is wherever and whenever the sovereign power of that government is exerted. This has not only been admitted, but emphasized, by this Court in all its authoritative expressions upon the issues arising in the Insular cases,

especially in the **Downes v. Bidwell** and the Dorr cases. The Constitution, however, contains grants of power, and limitations which in the nature of things are not always and everywhere applicable and the real issue in the Insular cases was not whether the Constitution extended to the Philippines or Porto Rico when we went there, but which ones of its provisions were applicable by way of limitation upon the exercise of executive and legislative power in dealing with new conditions and requirements. The guaranties of certain fundamental personal rights declared in the Constitution, as, for instance, (313) that no person could be deprived of life, liberty, or property without due process of law, had from the beginning full application in the Philippines and Porto Rico, and, as this guaranty is one of the most fruitful in causing litigation in our own country, provision was naturally made for similar controversy in Porto Rico.” **Balzac v. Porto Rico**, 258 U.S. 298, 312, 313 (1922) The court without jurisdiction also deprived McLarnon of “life, liberty.... Without due process of law” as painfully seen herein, hence is in violation of federal statute as referred to at 18 USC § 241 and 242 and 28 USC § 1983.

5. In the rules heretofore promulgated by this Court (May 7, 1934, 292 U.S. 661) limited to proceedings in criminal cases in "District Courts of the United States" and in the Supreme Court of the District of Columbia and subsequent appellate proceedings, the term "District Courts of the United States" means constitutional courts created under Art. III of the Constitution; it does not embrace legislative courts such as the District Court for the Territory of Hawaii. P. 303 U. S. 205, nor does it embrace Courts created by Corporations. **Mookini v. U.S.** 303 US 201 (1938) It is clear therefore when looking at **Balzac** and **Mookini** in concert there is a total lack of jurisdiction as this is an Article IV § 3 court not authorized to adjudicate Constitutional Criminal cases hence is in violation of federal statute as referred to at 18 USC § 241 and 242 and 28 USC § 1983.
- 6.
7. “Here, it was the **duty of the court to see that they had jurisdiction**, for the consent of parties could not give it []”but the court in McLarnon case declined to do so every time the issue of lack of jurisdiction was raised, no finding of facts or conclusions of law. All the court said was DENIED. See **Capron v. Van Noorden**, 6 U.S. 126 (1804) (**emphasis and Bold added**) The court continued in violation of federal statute as referred to at 18 USC § 241 and 242 and 28 USC § 1983 with its gross negligence to perform its fiduciary duty to establish jurisdiction.
8. The lack of proper procedure as seen herein after allowed prosecution to issue an arrest warrant when the record is void of any credible threats against Judge Dennis Saylor, Lisa Monico or any person, and evidence states grenades were dummies for practice until the evidence was tampered with.
 - A. This was a classic case of entrapment as McLarnon refused the offer FOUR (4) times to buy firearms. The alleged crime was cooked up by the Feds, and the original crime was never in the mind of McLarnon, it was concocted by the Feds. See **Sherman v. United States**, 356 U.S. 369 (1958)
9. The lack of proper procedure as seen herein after allowed prosecution in absence of jurisdiction to hold defendant as they withheld evidence of a fraudulent arrest warrant claiming Defendant was arrested on “12/16/15 when it was arrested on 11/6/2015 and held 20 Months with no initial appearance, no bail hearing, or arraignment. They did manage to manufacture some transcripts, that again will prove to be another Fraud.
10. The lack of proper procedure as seen herein after allowing prosecution in absence of jurisdiction to prosecute under 26 USC § 5861 as no contract or license to sell firearms existed hence, they deceive the court again. McLarnon never at any time possessed a license to sell firearms, nor could a contract be produced nor was there any interstate Commerce as alleged to make a

jurisdiction claim hence they continued in violation of federal statute as referred to at 18 USC § 241 and 242 and 28 USC § 1983. **US v. Lopez** clearly shows no interstate Commerce could have existed. Again, if due process was given the lack of jurisdiction would have been apparent here also.

11. The lack of proper procedure as seen herein after allowed prosecution in absence of jurisdiction to prosecute as a Fugitive from justice, but cannot produce any Subpoena, or warrant issued prior to fraudulently being deemed a fugitive from justice for the sole purpose to invoke federal jurisdiction to prosecute under 18 USC, Federal Jurisdiction in violation of federal statute as referred to at 18 USC § 241 and 242 and 28 USC § 1983.
12. The lack of proper procedure as seen herein allowed prosecution under 18 USC § 3231 as the Government must have proved Fugitive from justice prior but did not and cannot.
13. U.S. District Courts within the several states do not stand on federal property, but state property. In district court Concord, NH, Motion to Dismiss after sentencing the Governor's Office corroborates that New Hampshire never ceded the property upon which the court stands to the Federal government. The courthouse therefore flies the normal, non-admiralty flag. But, in each courtroom they fly the Admiralty flag. Therefore, the court cannot claim to have Territorial Jurisdiction, when the court itself and each courtroom are on STATE property. See 18 USC § 7 below #12 page 11.

I. STANDARDS FOR REVIEW FOR JURISDICTION

"The requirement that jurisdiction be established as a threshold matter is 'inflexible and without exception,' " *id.*, at 94 95 (quoting **Mansfield, C. & L. M. R. Co. v. Swan**, [111 U.S. 379, 382](#) (1884)); for "[j]urisdiction is power to declare the law," and " '[w]ithout jurisdiction the court cannot proceed at all in any cause,' " [523 U.S., at 94](#) (quoting **Ex parte McCardle**, 7 Wall. 506, 514 (1869)). The Court, in **Steel Co.**, acknowledged that "the absolute purity" of the jurisdiction-first rule had been diluted in a few extraordinary cases, [523 U.S., at 101](#). In **Steel Co. v. Citizens for Better Environment**, [523 U.S. 83 \(1998\)](#), this Court adhered to the rule that a federal court may not hypothesize subject-matter jurisdiction for the purpose of deciding the merits.

With devastating effect of lack of proper procedure by the courts, the prosecution NOT THE COURTS must establish jurisdiction as, the burden of proof of jurisdiction lies with the asserter in which is the state of New Hampshire first then Federal Government. The court is only to rule of the sufficiency of the proof tendered. See **Mc Nutt v. GMAC**, 298 U.S. 178. The origins of this doctrine of law may be found in [**Maxfield's Lessee v. Levy** 4 U.S. 178. The Man

McLarnon believes, this paramount issue should be answered for the record of lack of subject matter jurisdiction, because the Prosecutor(s)'s complaint fails to allege facts sufficient to show that the court had subject matter jurisdiction to appear on the record of the administrative agency and all administrative proceedings", (**Hagan v. Levine**, 415 US 533).

"Therefore, it is necessary that the record present the fact that establishing the jurisdiction of the tribunal" (**Lowe v. Alexander**, 15 C 296. **People v. Board of S.F. Fire Dept.** 14 C 479). As the LAW requires such proof to appear on the official record this, State, Federal Government, or it's Agencies Agents to produce lawful and legal proof verified and demonstrated evidence [Discovery] to its alleged jurisdiction over this Private Citizen, Sui Juris.

The term resident and citizen of the UNITED STATES is distinguished from a citizen of one of the several states, in that the former is a special class of citizen created by Congress. **U. S. Anthony** 24 Fed. 829 (1873) "We have in our political system a government of the United States and a government of each of the several States. Each one of these governments is distinct from the others, and each has citizens of its own..." **United States v. Cruikshank**, 92 U.S. 542 (1875)

Plaintiff is guaranteed the fundamental right to an independent and unbiased judiciary. See **Evans v. Gore**, 253 U.S. 245 (1920). The existence of a contract between the presiding Judge and any other branch of the STATE government, or any of its agencies, assigns, or instrumentalities, is evidence of a conflict of interest and proof of a dependent and odious judiciary. See **Lord v. Kelley**, 240 F. Supp 167, 169, (1965) and compare with **Evans v. Gore** supra. Moreover, since both State and Federal governments are in fact corporations, they further cannot have intercourse with the State Citizen*. (See definitions in Appendix 1)

The acting Prosecutors: Who apparently used misleading documents at best has the duty to place all fact(s) of jurisdiction upon the record as a necessary requirement of due process of law. This was a void proceeding from the start, and if necessary, will address this travesty of justice and the egregious acts of the Government in blatant violation of federal statute as referred to at 28 USC § 241, and 242. [A Court "cannot confer jurisdiction" where none exists and cannot

make a void proceeding valid] (see **Gowdy v. Baltimore and Ohio RR Company**, 385 Ill, 86, 92, 62 N.E. 2d 255 (1943) [without evidence, no such jurisdiction can be presumed to exist. Mr. McLarnon respectfully demands that the court take judicial notice of the law set forth in this memorandum under the mandates of the Rules of Evidence 201 (d) specifically **U.S v Henderson**, and the strict standards for deprivation of all Constitutional rights, including the 2nd Amendment.

Moreover, New Hampshire statute NHRS 159:14 and the State Constitution does not require any such registration even if 26 USC 5861(d) was properly applied, and we still assert its egregious mis application. New Hampshire statute NHRS 159:14 States:

159:14 Exemption. – None of the provisions of this chapter shall prohibit an individual not licensed under the provisions thereof who is not engaged in the business of selling pistols or revolvers from selling a pistol or revolver to a person licensed under this chapter or to a person personally known to him.

Source. 1967, 220:9, eff. Aug. 21, 1967.

II. SUBJECT MATTER JURISDICTION:

1. Two parties in appearance. One injured party.
2. A law, statute or precedent of controversy.
3. Two witnesses and testimony. Attorneys cannot testify.
4. Sufficient pleadings.
5. SMJ cannot be waived, and it can be easily lost.
 - 1.) It must be noted that the Corporation must establish a corpus delecti and produce an injured party.
 - 2.) The Federal Government must provide evidence of how they got jurisdiction in a State matter that was lawful and their false claim of a Fugitive from justice with a warrantless arrest and prosecution has no merit and will be address in detail if necessary.
 - 3.) The Federal Government must provide testimony of the existence of a corpus delecti and bring forth an injured party. Attorneys making allegations
 - 4.) The Federal Government always has the burden of proof must produce sufficient pleadings to establish jurisdiction.
 - 5.) SMJ has never been waived and never existed in the sovereign state of New Hampshire absent a request for the Governor for assistance.

Subject matter jurisdiction is the court's power to hear and determine cases of the general class or category to which proceedings in question belong: the power to deal with the general subject involved in the action. Subject matter jurisdiction can never be waived, cannot attach by mutual consent of the parties, or through lapse of time or course of event other than sufficient pleadings. Once the subject matter is established, jurisdiction can be lost. When subject matter jurisdiction is challenged, the party asserting that the court has subject matter jurisdiction has the burden of proof of showing that it exists on the record. Once the court has knowledge that subject matter is lacking, the court has no discretion but to dismiss the action. Failure to dismiss means the court is proceeding in clear absence of all jurisdiction. Once jurisdiction is challenged it must be proven. **Hagere v. Lavine** 415 U.S. 533 note 3

No sanctions can be imposed absent proof of jurisdiction **Standard v. Olsen**. 74 8 Ct. 768. Where jurisdiction is an issue of entirety the mere imposition is an assailable order in itself and must be pleaded at the administrative level Jurisdiction once challenged cannot be assumed and must be decided. **Main v. Thiboutot** 100 S. Ct. 2502.

The law provides that where "jurisdiction" is squarely challenged all administrative and judicial enforcement of a supposed law must come to an end in the nature of abatement and must be proved to exist by production and pleading of jurisdictional facts of the administrative record (5 U.S.C. 101 559 701 705 govern the issue). The law provides that absent such proof of jurisdiction there is no subject matter to enforce. This principle is well set forth (above) in the dissenting opinion in **Main v. Thiboutot** supra (1980)

When questions of jurisdiction have been passed on or in prior decisions sub silentio this court has never considered itself bound when a subsequent case finally brings jurisdictional issue before us. **Hagere v. Lavine**, supra, see also **Morrell v. Dept of Social Services of City of N.Y.**, 436 U.S. 663. **U.S. v. Idore** 3 Cr. 159. (**emphasis strongly added**)

McLarnon claims he is NOT A U.S. Citizen and does not hold office of the Person or Registered Organization/EDWARD MCLARNON*. If the federal government could produce any proof that

McLarnon holds the office of the Person, he reserves the right to challenge any assertion as it would have been obtained by lack of full disclosure or fraud. Fraud vitiates any Contract. Moreover, the Federal Government must establish a valid Contract with McLARNON to obtain jurisdiction after it proves the Governor requested intervention and evidence of the States requesting said or at least approval thereof.

III. ACCEPTANCE OF OATH OF OFFICE:

1. Declarant notices to all civil servants, in the above-entitled matter, Edward McLarnon, (hereinafter) declarant binds the Respondeat Superior to their Oath of Office. Let it be known by these words that the Oaths and Bonds of all public officers are hereby accepted and confirmed and Declarant hereby binds them to it, who by fealty and homage bear faith in opposition to all men without any saving or exception, protect the Declarant and their property from belligerents. Declarant bestows their unalienable rights/immunity on them while administering my lawful orders. This public record under the seal of a competent Court of Record is guaranteed full faith and credit per Article 4 Section 1 of your Constitution. Any officer of the public who fails to immediately execute these lawful orders to comply with due process, well established law in deciding matters or jurisdiction and if they do not comply admits and acknowledges warring with the Constitution and committing treason. Any/all orders or writs issued Declarant's Tribunal of the Court of Record orally or witnessed under Declarant's hand and seal is binding on all officers, courts, corporations, agencies, individuals and/ civil servants or persons. Failure to immediately execute said orders and/or writs constitutes a violation of said Oath of Office and an act of war against the Constitution hence is in violation of federal statute as referred to at 18 USC § 241 and 242 and 28 USC § 1983.

5 U.S. Code § 3331 - Oath of office

An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: "I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." This section does not affect other oaths required by law.

IV. EACH RENUMERATED PARAGRAPH IS A FURTHER CLAIM OF THE SAME NUMBER ABOVE, ADDING OTHER COLLATERAL CLAIMS TO THE LACK OF JURISDICTION ISSUE.

1. The federal government is holding the Defendant in error as he is the living soul man, not the artificial man indicted as this proceeding are corporate in nature. The egregious holding for over 20 months not allowing him to assert his claims of lack of jurisdiction violated the 4th Amendment due process 6th Amendment to speedy trial/Bail (held 20 Months without being brought before the court) and the 8th Amendment cruel and unusual punishment. It cannot be

stressed enough that the Standards set forth in **Balzac** and **Mookini** in concert create a total lack of jurisdiction that under no circumstances could the Federal Court obtain jurisdiction. This is an Article IV § 3 court not authorized to adjudicate Constitutional Criminal cases. See **Exhibit J-2** and 3.

A. Government held Defendant for 20 Months without court Appearance.

The record will reflect the fact that McLarnon was actually held for 20 Months and the court manufactured transcripts to attempt to cover up their reprehensible conduct only proving McLarnon assertion of an odious judiciary. There is no transcript of a timely bail hearing and judge Steve J. McAuliffe pulled its usual competency hearing, hiring Doctor Drukteinis the judge's friend, to do the analysis. This is the definition of an odious court. **Exhibit J 2-3** Transcripts lost or destroyed.

2. The federal government attempted to and did usurp the de facto jurisdiction of the State of New Hampshire and the New Hampshire Constitution 2nd amendment and laws related thereto. The federal codes the federal government was attempting to rely on do not exist at the state level, and in light of the recent Supreme Court decision in **U.S. v. Henderson** they have on Jurisdiction or justification, except retaliation for exposing corruption in the judicial system. (Arizona Kidnapping [Bing Videos](#))
3. It is an irrefutable fact that "The United States is a Federal Corporation. Title 28 Subsection 3002" further support the Federal Corporations lack of jurisdiction over a living soul, American State Citizen of Massachusetts. We find it strange indeed that Judge Steve J. McAuliffe would uphold 10 Hospitals in demanding the State comply with federal law in another high-profile case but does not practice what he preaches condemning an innocent man to 25 years in Federal prison abandoning his Oath of office.
4. The prior courts egregiously failed to uphold their Oath to the Constitution by transgressing their most basic function to have an asserter of jurisdiction establish it on the record. It is difficult for one to believe that this was just oversight or harmless error. This is one of the most basic functions of the court as habitually cited by the Supreme court since 1804. **Capron v. Van Noorden, 6 U.S. 126 (1804)** McAuliffe seemly continues to be at war against the Constitution mandating a En banc hearing of this matter under FRCP Rule 28. When the courts want to keep defendants out of a case standing and jurisdiction play a paramount part of the proceedings leading reasonable minds still scratching their heads. It is difficult to believe it to be anything but willful and deliberate denial of justice to allow the Federal government to manufacture this case

out of whole cloth to prosecute Mr. McLarnon. (Exhibit A fraudulent arrest report) The actions or lack thereof by the Court and Federal government were in clear violation of federal statute as referred to at 18 USC § 241 and 242 and 28 USC § 1983.

“ That requirement, in safeguarding the liberty of the citizen against deprivation through the action of the state, embodies the fundamental conceptions of justice which lie at the base of our civil and political institutions. *Hebert v. Louisiana*, [272 U. S. 312](#), [272 U. S. 316](#), [272 U. S. 317](#). It is a requirement that cannot be deemed to be satisfied by mere notice and hearing if a state has contrived a conviction through the pretense of a trial which, in truth, is but used as a means of depriving a defendant of liberty through a deliberate deception of court and jury by the presentation of testimony known to be perjured. Such a contrivance by a state to procure the conviction and imprisonment of a defendant is an inconsistent with the rudimentary demands of justice as is the obtaining of a like result by intimidation. And the action of prosecuting officers on behalf of the state, like that of administrative officers in the execution of its laws, may constitute state action within the purview of the Fourteenth Amendment.” **Mooney v. Holohan**, [294 U.S. 103](#), at 112-113 (1935)

5. “Here, it was the duty of the court to see that they had jurisdiction, for the consent of parties could not give it[] ”but the court declined to do so every time the issue of lack of jurisdiction was raised judge. All Steve J. McAuliffe said was DENIED. See **Capron v. Van Noorden**, [6 U.S. 126](#) (1804) **No demand on Government to prove jurisdiction as mandated, no finding of facts, or conclusions of law to allow this travesty ride on the U.S. Railroad the Judges took an oath to support and protect. Simple procedural due process went out the window.**
6. The lack of simple due process as seen herein allowed the FBI SWAT team to falsely arrest McLarnon within the sovereign State of New Hampshire with no warrant, no probable cause, no police power, and no federal authority or jurisdiction whatsoever.(**Exhibit D-1 c.f. A**) Lack of judicial scrutiny allowed the prosecution to issue an arrest warrant when the record is void of any credible threats against Judge Dennis Saylor, Lisa Monico or any person, (**See Exhibits B**) The evidence states grenades were dummies for practice until the evidence was tampered with. “Some explosive material in order to support criminal charges (See end of Request for inert firearms &Explosives **Exhibits (A-E)** clearly show that the court was deliberately deceived and if not but for the court’s malfeasance, they could not obtain jurisdiction. The record is absolutely void of any witness or pleadings to support these allegations of the State warrant that put McLarnon in custody on November 6, 2015 not what the fake federal warrant claims to wit; December 16, 2015. This also violated the 5th Amendment egregious fashion.
7. This was entrapment,(**Exhibit G**) lawfare, and a federally manufactured maze of manipulation fraud and deceit, pushing the fraud, like usual through the lap dog media.(See **Exhibit C-3 and**

D) Justice, like real journalism in America is on life support, and in this case was D.O.A. (**Exhibit C**) The record is void of any credible threats of violence against Judge Dennis Saylor, Lisa Monico, Martha Coakley or any other person. (See **Exhibit B**) This whole case was cooked up by the F.B.I. in retaliation for exposing Judge Margret Marshal, the lefts sweetheart, and the involvement of the State and Federal Governments involvement in Child trafficking and kidnapping children from their families by use of the “System”. (See [Bing Videos](#)) A. The proof is in the pudding. It is an irrefutable fact that McLarnon only went there for advice as how to expose the government sponsored child trafficking, and the FBI continued to pressure him to buy guns, and get this; they were so desperate to get him they told him to *take the guns as collateral until he got paid for services rendered*. How could that be? Entrapment is easily established when McLarnon had no propensity or attraction to guns and made it clear he was only there for advice. The alleged crime(s) were cooked up by corrupt agents who have no regard to their oath of office all have been bound to herein and are the real unconvinced criminals. In fact many have admitted their unlawful acts at law hence creates an estoppel to relitigate these issues set forth in (**EXHIBIT K 1**)

8. **A.) 8th Amendment violations** (20 Months no appearance like J 6ers) prove that the actors involved here had weaponized their “Just us” system to keep their criminal enterprise from being exposed. Mr. McLarnon’s exercising his 1st Amendment right to be a journalist, the State controlled media refuses to be, and it cost him his freedom. See [Bing Videos](#) exposing the Arizona child trafficking with documented facts, unlike this matter before the bar. Maybe this is how the State controls the Media. **When the Government fears the people there is liberty, but when the people fear the Government there is tyranny.** The question is, is there anyone left in the judiciary to restrain this leviathan?

B.) 6th Amendment violations (20 months no bail hearing) a simple quoting of that amendment further supports a “just us” system and the arrest of the Constitution:

“In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.”

“Although a speedy trial is guaranteed the accused by the Sixth Amendment to the Constitution, [[Footnote 1](#)] this Court has dealt with that right on infrequent occasions. See *Beavers v. Haubert*, [198 U. S. 77](#) (1905); *Pollard v. United States*, [352 U. S. 354](#) (1957); *United States v. Ewell*, [383 U. S. 116](#) (1966); *United States v. Marion*, [404 U. S. 307](#) (1971). See also *United States v. Provoo*, 17 F.R.D. 183 (D. Md.), *aff’d*, 30 U.S. 857 (1955). The Court’s opinion in *Klopfer v. North Carolina*, [386 U. S. 213](#) (1967), established that the right to a speedy trial is “fundamental,” and is imposed by the Due

Process Clause of the Fourteenth Amendment on the States. [\[Footnote 2\]](#) See *Smith v. Hooey*, [393 U. S. 374](#) (1969); *Dickey v. Florida*, [398 U. S. 30](#) (1970) **Barker v. Wingo**, [407 U.S. 514, 515](#) (1972)

B.1. McLarnon to date is being denied his rights as his exculpatory evidence is being “lost” or stolen, video tapes have been removed from his defense, (See **Exhibits F-5 and H**) his legal papers have been ransacked and withheld to thwart this action. Bar Attorneys and or the courts have blackballed him hence must seek counsel outside the bar that are prohibited from private or prolonged meetings to draft this matter.

B.2. McLarnon to date is being **denied 6th amendment** right to compulsory process to issue subpoenas which will show the fraud of the Government by in many cases the lack of evidence, or its manufacturers certificate or origin, so to speak. Case in point, how the made-up charges that the law cited do not support .(See **Exhibit D**)

9. All title 26 are tax codes and you can clearly see the defects in this manufactured menagerie:

“It shall be unlawful for any person—

(a) to engage in business as a manufacturer or importer of, or dealer in, firearms without having paid the special (occupational) tax required by section 5801 for his business or having registered as required by section 5802;”

If the court were to allow due process (Subpoenas) and compliance with the **Brady** doctrine this catastrophe of a case could have never got off the ground. The Government if held to the jurisdictional mandatory standards rarely complied with in the Corporate Courts today, they would have been made to produce a license or “his business [] having [been] registered as required by section 5802; (**Exhibit D-2 to 9**)

A.) Likewise, the Governments attempt to fly it flag of interstate commerce falls flat. The simple fact is even if guns are made in other states the “interstate commerce” ends when it hits the licensed dealer who must fall within the mandates of (a) above. This too only serves to prove the actions of the Government were to jail McLarnon by any means necessary. They have tried this before and failed. Justice Thomas sums it up as it directly relates to this instant matter.

“While the principal dissent concedes that there are limits to federal power, the sweeping nature of our current test enables the dissent to argue that Congress can regulate gun possession. But it seems to me that the power to regulate "commerce" can by no means encompass authority over mere gun possession, any more than it empowers the Federal Government to regulate marriage, littering, or cruelty to animals, throughout the 50 States. Our Constitution quite properly leaves such matters to the individual States, notwithstanding these activities' effects on interstate commerce. Any interpretation of the Commerce Clause that even suggests that Congress could regulate such matters is in need of reexamination.” **United States v. Lopez**, [514 U.S. 549 at 585](#) (1995)

10. The manufactured Fugitive from justice arrest warrant is not only irrefutable evidence of the fraud upon the court, creates the overwhelming preponderance of evidence that this whole prosecution was manufactured out of whole cloth by the power to be, and was lawfare, entrapment, conspiracy, Kidnapping, and depravation of Constitutional rights under the color of Law in egregious violation of federal statutes as referred to at 18 USC § 241, 242, and 42 USC § 1983 inter alia. (See **Exhibit A cf. Ex C**) McLarnon is also respectfully demands this court correct its records when this is all said and done under Under: **5 USC § 522(d)(2)**, individuals, American National State Citizens “ANSC’s” have the right to access and correct records held by federal agencies, including state agencies operating under delegated federal authority. The U.S. Federal Government operates as a corporate entity enforcing commercial Codes, acts or Statutes under the guise of statutory law, which conflicts with constitutional protections of unalienable rights ripped to shreds herein.

11. To culminate this lawfare the Government uses 18 USC § 3231, which quickly falls apart due to their fraud seen in paragraph 8 and 10 on page 2 and above in 10 of this page. This fraud on the court was essential to claim Federal jurisdiction as no State crimes could be manufactured. The problem is New Hampshire is a 2nd Amendment State already in compliance with the new Ruling of **U.S. v. Henderson**, supra and has no requirements to register 2nd Amendment property. **Exhibit D-1** when compared to **Exhibit D-5 to 7** establishes the irrefutable fact the Federal Government did not have jurisdiction via a “Fugitive from Justice” claim as he was in State Custody on November 6, 2015. (**Exhibit D-1**) Moreover, adding insult to injury of the Governments Fraud, is the fact no law existed requiring the registration of firearms purchased in New Hampshire to be registered. And even if such law did exist, **U.S. v. Henderson** in a 9-0 decision prohibits transgressing the 2nd Amendment which states at pertinent parts. “the right of the people to keep and bear Arms, shall not be infringed.” That is clear and unambiguous language the court has no power to interpret if it complies with its own law of statutory construction.

12. The Federal Court in and of itself in the State of New Hampshire has no jurisdiction to enforce any of the codes, acts, or statutes for the United State Inc. as it could only at best operate under the de jure Constitution as an article III court and not, as seen in paragraph 4. (Page 1) the article IV § 3 court. 18 USC 7 is crystal clear, and Stevie Wonder can see this action against Edward McLarnon is one of the most egregious abuses of power and exactly what our founding fathers set out thwart with our Bill of Rights and de Jure Constitution FOR the united States of America, not

the totally treasonous UNITED STATE CONSTITUTION OF THE UNITED STATE OF AMERICA INC.

18 U.S. Code § 7 - Special maritime and territorial jurisdiction of the United States defined

The term "special maritime and territorial jurisdiction of the [United States](#)", as used in this title, includes:

(3) Any lands reserved or acquired for the use of the [United States](#), and under the exclusive or concurrent jurisdiction thereof, or any place purchased or otherwise acquired by the [United States](#) by consent of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dockyard, or other needful building.

CONCLUSION

No reasonable minds can draw any other conclusion with to totality of the reprehensible, odious, and treasonous conduct set forth here, then the actors here have declared war against the je Jure Constitution, and the rights the courts were established to protect. They have failed in fantastic fashion for the purpose of Keeping McLarron silent and protecting the child trafficking court cabal. We have over thirty (30) people who have admitted these facts to William P. Bar. This is organized Crime; our Constitution and Bill of Rights were designed to curtail. We do not get our rights from the Constitution we get our rights from God and the law form our country was founded on, the Bible. The Constitution and the Courts were designed to protect the people from the very tyranny and lawfare on display. If the courts continue in their malfeasance, non-feasance, or misfeasance, and habitual refusal to comply with their own law to protect un-convicted criminals within the State and Federal Government, trafficking our children for profit, we have lost our Country to these criminals.

We the People must expose these cunning and unprincipled men as George Washington warned about and find media outlets that will exercise and exhaust our 1st Amendment rights before this too escalates into more unrest in our country and people feel they have no choice but to exercise their 2nd Amendment Rights. Strangely enough a violation of those rights is what started this kidnapping of Edward McLarnon and he is only one of the thousands denied due process so the Government can do whatever it wants to the People.

I leave you with our Declaration of Independence and what our Country is headed for if the good and honest people still left in the court system, FBI, Justice Department, and most importantly Media do not speak up and take action. **"Not to speak is to speak, Not to act is to act."** God will not hold us guiltless for violating our oath, committing treason by our non-action and allowing domestic enemies to destroy

what He has blessed us with. Though deeply flawed now, as you can see, it is still the greatest country ever known to mankind, and for our posterity must preserve it.

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 effect their Safety and Happiness.

Only a treasonous trader could condone what these cunning and unprincipled people have done, and now this court has a decision to make. Join the treason by knowing, willing, with malice and forethought violate your oath to the Constitution too or serve you Country honorably and bring as our pledge of allegiance says, "liberty and justice for All".

WHEREFORE, for the above reasons this matter absent clear evidence to the contrary of facts and law, McLarnon respectfully requests a full finding of facts and clear conclusions of law to comply with the due process he has not received for Twelve years (12) and this matter must be dismissed for lack of jurisdiction and deliberate fraud under a plethora of facts and law set forth herein.

Respectfully Submitted, for
Edward McLarnon, Defendant in error

By: _____
ronald eugene lheureux
Friend of the court, by special appearance pursuant to
Schware v. Board of Examiners, 353 U.S. 238, 239
Sims v. Aherns, 271 S.W. 720 (1925)
With explicit Reservation of All Rights, Without Prejudice, Non-Assumpsit, ,
Non-Person, without the United States 28 USC 1746(1)Non-Domiciled, Non-
Resident

APPENDIX OF EXHIBITS

Exhibit A- Fraudlent arrest report (no prior warrants)

Exhibit B- No evidence of violence against Saylor, Monaro, or Coakley.

Exhibit C-1 Seabrook inaccurate arrest report of 11.6.15

C-2 Seabrook accurate arrest report of 11.6.15

C-3 Daily news given false information arrest was at police station.

Exhibit D-1 FBI arrest warrant of 12.3.15

D-2 Criminal complaint on possible Code (defendant not Mfg. or importer)

D-3 and 4 Fraudulent Affidavits of FBI agent Le Blanc

D-5 to 9 Indictment on charges they knew were bogus and had no facts to support.

Exhibit E- False manufactured reports to try to support probable cause.

Exhibit F-1 and 2 List of stolen evidence

F-3 to 4 Acknowledgment of FOIPA Request

F-5 to 6 Proof of Obstruction of justice via mail tampering

Exhibit G More law on entrapment

Exhibit H Disc inventory

Exhibit I Fraud and Sentencing for crimes they know had no basis in Law or fact.

Exhibit J-1 Letter to Att. Ramsdell Re Judge McAlliffe obstruction of justice.

J-2 to 3 Response Ramsdell "No transcripts or recording should exist 11.29.16

J-4 to 5 Response Ramsdell on 12.6.17 Missing or erased "Protective orders"

Exhibit K List of those who may have conspired to jail McLarnon

Exhibit L Conflict of Interest Judges McAlliffe and Saylor

Exhibit M US Court of Claims those attempting to deny justice.

Exhibit N Additional cases on FBI's condemned contact

Exhibit O Continued FBI attempt to obstruct justice