



Notice of special appearance and Notice of
Affidavit of Bias and Prejudice for: Turner, Vernon Lamont
, Beneficial Owner, 1st Lien Holder of TURNER, VERNON LAMONT
Estate, d/b/a VERNON LAMONT TURNER ©®™

OHIO SUPREME COURT

TURNER, VERNON LAMONT
Dba VERNON LAMONT TURNER.

2446 Milton Street SE.
Warren Ohio [44484]

REALTOR

V

IN RE

STATE OF OHIO

RESPONDENT

AMENDED

) COMPLAINT FOR EMERGENCY

) WRIT OF MANDAMUS

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(Case#21-0133

TAKE MANDATORY JUDICIAL NOTICE OF OHIO CONSTITUTION 1851

Article 1 Section (16) Redress in Courts: All courts shall be open and every person for an injury
done him in his lands, goods, person, or reputation. Shall have remedy by due course of law, and
shall have justice administered without DENIAL OR DELAY.

TAKE MANDATORY JUDICIAL NOTICE of OHIO CONSTITUTION (1851)

Article (1) section (18) Suspension of Laws: NO POWER OF Suspending laws shall ever be
exercised, except by the General Assembly

This Court must Act there's nothing in the constitution that say I must suffer or be subject to
involuntary servitude before I petition the highest court in Ohio to Act you can not allow my
rights to be violated before I get my remedy this is not due process of law.

COMPLAINT FOR AN EMERGENCY WRIT OF MANDAMUS.

On or about ,January 29, 2021 I petitioned this honorable court to issue a writ of Mandamus
directing Wyatt McKay Dba TRUMBULL COUNTY JUDGE TO DISCHARGE SAID CASE, due to the
multiple constitutional violations .

On or about February 1, 2021 I made a non voluntary special appearance to inform the court of
my previous filing of a Writ of Mandamus, once I notified the judge he told me that he didn't

care what I filed and that if the Supreme Court Didn't issue an injunction on the case before February 22, 2021 he would proceed with a trial.

I personally hand delivered Wyatt McKays Clerk a copy of said writ and all she said was I was to appear in court on February 17th and that my appearance is Mandatory, I also tried to deliver the prosecution their copy but was stopped at the door, I was told that I could not enter the building and that they would hand Miss Diane Barber DBA TRUMB COUNTY PROSECUTOR the copies.

I petition this court for an Emergency Writ because I believe my appearance on the 17th is a form of intimidation because at the hearing on February 1st 2021 I addressed my issues with the court demanding that he discharge this case pursuant to Rule 5, and ORC 2945.73 Delay in Trial or hearing. A) A charge of felony shall be dismissed if the accused is not accorded a preliminary hearing within the time required by sections 2945.71 and 2945.72 of the Revised Code.

(B) Upon motion made at or prior to the commencement of trial, a person charged with an offense shall be discharged if he is not brought to trial within the time required by sections 2945.71 and 2945.72 of the Revised Code.

I also explained to him on how the on September 12, 2020 a previous judge refused to dismiss said case and when I confronted Terry F Ivanchek about said rule 5 and about him previously recusing himself. I was rushed by police officers and thrown in the back holding tank until the court room was empty. My Fiancé and Mother was there to witness said actions, My fiancé was then asked to come in the court room where they proceeded to try to get her to talk some sense in and waive my preliminary hearing. The rule states that I must waive in writing still to this day every motion that I filed in the municipality has yet to be answered but somehow my case was bound over to the grand jury. Then about 45 minutes after the court room was empty I was brought back in front of the judge where he told me that he wanted to review my case personally I was released and the court waived my preliminary hearing in which I believe it was retaliation because I in a previous case I petitioned this court for a AFFIDAVIT of Biasness and Prejudices where He and a fellow judge recused themselves. Well if you look at the record the case he recused himself from he changed the case number and put a fraudulent WARRANT out for me for multiple charges which were eventually dismissed on September 30th, 2020

On February 1, 2021 I also demanded that Wyatt McKay discharge this case due to him unlawfully waiving my right to a speedy trial. On or about 3-26-2020 he tolled my time which is a violation of my due process, once I mentioned this to him he told me that he was allowed and that the Ohio Supreme Court approved of his actions. I would like this court to take mandatory judicial notice of Text of Section 2:

Right to Alter, Reform, or Abolish Government, and Repeal Special Privileges

All political power is inherent in the people. Government is instituted for their equal protection and benefit, and they have the right to alter, reform, or abolish the same, whenever they may

deem it necessary; and no special privileges or immunities shall ever be granted, that may not be altered, revoked, or repealed by the General Assembly.

I believe that multiple exparte conversations and meetings have been had on this case without my presence.

On or about 07-08-2020 , a pretrial was set without my knowledge once I found out I filed a motion for bond to be rescinded , I stated my reasons why. At no time did I get a response from the state or the court a hearing was scheduled for August 28th 2020 as to which in my motion to rescind I asked for the captions to be removed and my bond to be reinstated. Which was never answered so I had my fiancé go purchase a copy of the record where I discovered a document granting the states motion to revoke bond. On 07-10-2020 the judge granted the prosecutions motion almost a month before the court date. On August 28th at said hearing I was forced to wave my right to speedy trial because it was already granted by the court almost a month before said hearing. Which is illegal to have a exparte hearing and grant motions before court date. This court has not followed the rules of procedure or the rules of evidence I believe that the ultimate goal is to throw me into involuntary servitude which is prohibited by Ohio Constitution Bill of rights Article (1) section (6)I believe that my life is in danger and that I will be forced to parcipate in said unlawfulness , I also believe that the TRUMBULL COUNTY COURT will not follow the rules prescribed by section which gives the court 21 days to respond, I believe that this court will defy that order.

TAKE MANDATORY JUDICIAL NOTICE OF OHIO CONSTUTION Article

I believe that this hearing is to threaten me and intimidate me in to going to trial.

TAKE MANDATORY JUDICIAL NOTICE OF IV.02 Organization and jurisdiction of Supreme Court

(A) The Supreme Court shall, until otherwise provided by law, consist of seven judges, who shall be known as the chief justice and justices. In case of the absence or disability of the chief justice, the judge having the period of longest total service upon the court shall be the acting chief justice. If any member of the court shall be unable, by reason of illness, disability or disqualification, to hear, consider and decide a cause or causes, the chief justice or the acting chief justice may direct any judge of any court of appeals to sit with the judges of the supreme court in the place and stead of the absent judge. A majority of the Supreme Court shall be necessary to constitute a quorum or to render a judgment.

(B)(1) The Supreme Court shall have original jurisdiction in the following:

(a) Quo warranto;

(b)Mandamus;

(c) Habeas corpus;

(d) Prohibition;

(e) Procedendo;

(f) In any cause on review as may be necessary to its complete determination;

Take Mandatory judicial notice to Ohio Constitution IV.02 Organization and jurisdiction of Supreme Court

(3) No law shall be passed or rule made whereby any person shall be prevented from invoking the original jurisdiction of

The facts of this case are as follows.

On or about March August 30th, 2019 when I was accosted by 2 regular police officers and a Sargent later identified as Howland Police Officers. Leaving the Dollar Tree Store on Elm road near warren Ohio. The officers waited until me and my family we're leaving from the store then one grabbed my arm as soon as I walked out of the store door.

The other 2 officers soon started to surround me. I asked the officers what the issue was they said they wanted my name. So I asked him why and he grabbed my arm and told me I was under investigation about a door being damaged at said store. I told the officers I knew nothing of what they were talking about and tried to walk to my car . The officer grabbed me again and started to go in my left bottom cargo shorts pocket where he retrieved 6 of my credit cards. Please note that the officer that went into my pockets said hey your that Sovereign guy and started laughing then he continued to go in my pockets.

He then gave my name to the dispatcher and handcuffed and arrested me for failure to identify. From the time the officers approached me and my family we did not consent to talk to the officers. They surrounded me and grabbed me pushing me up against the police cruiser. Trying to get me to talk to them. It was 3 officers at the scene.

I was arrested and charge with failure to identify , once the officer called in the name off my credit cards it was determined that it was a warrant out for my arrest

for violation of protection order 537.15 case number , 2017CRB001853, which was subsequently dismissed on 09-30-2019,

2 counts of tampering with county records Orc 2913.42 case number 2018CRA001912 which was subsequently dismissed on 09-30-2019 .

Sherene Hargrove on or about 9-09-2017 filed a Fraudulent affidavit accusing me of violating a temporary protection order case number 2017CRB001853 that charge was dismissed on 09-30-2019 because of my motion to strike said Fraudulent affidavit filed by Sherene Hargrove. I believe that when Terry F Ivanchek issued said warrant on 9-8-2017 it was retaliation because I embarrassed his court previously.

On or about 08-29-2016 Sherene Hargrove filed a fraudulent domestic violence case against me because of a incident that took place over the prior weekend, whereas Miss Hargrove attacked me and ripped my door handles off of my 2007 Cadillac Escalade ect..

on 08-30-2016 I filed a motion to dismiss said charges and was ordered held without bond because I would not plea , or sign a temporary protection order . I informed the judge that I was filing a constitutional challenge to the charges he then instructed his officers to grab me and violently handcuff me. I was taken to the room in the back then transported to St Elezabiths hospital because of back injuries caused by the Deputies, where I was arrested and handcuffed to to rail. After I was checked out at the hospital I was taken back to the Trumbull county jail held in segregation whereas I did not receive a phone call.

On 9-06-2016 I objected to said Constitutional violations and refused to sign a temporary protection order because it violated my right to travel pursuant to United States Constitution amendment 4, and Article (1) section (14) of the 1851 Ohio Constitution. Once again I was held without bond and thrown back in segregation.

On 9-00-2016 I was forced to sign said temporary protection order in order to be released on bond. On 9-13-2016 I filed a motion to dismiss said unlawful charges which was denied . On or about 1-31-2017 I filed a affidavit to the Ohio Supreme Court against Thomas P Gysgem dba WARREN MUNICIPAL JUDGE, Terry F Ivanchek dba WARREN MUNICIPAL JUDGE. And on or about 3-17-2017 Thomas P Gysgem dba WARREN MUNICIPAL JUDGE recused himself from said case. On or about 3-10-2017 Terry F Ivanchek dba WARREN MUNICIPAL JUDGE also revised himself and asked for a visiting judge to intervene. Said

Domestic violence case was dropped to disorderly conduct but these judges still issued a unlawful warrant without having a affidavit from Ziana Hargrove pressing charges instead they allowed Sherene Hargrove to lie and make false statements , in my affidavit of bias ness and prejudice I listed multiple Constitutional violations that was done to me. See Said exhibit (3) Thomas P Gysgem dba WARREN MUNICIPAL JUDGE affidavit recusing himself, See Exhibit (4) Terry F Ivan check dba WARREN MUNICIPAL JUDGE affidavit recusing himself from said case See exhibit (5) court docket . I believe these judges conspired against me and put Fraudulent warrants out which led up to said officers profiling me.

During said the arrest a small 22revolver was discovered and I was also charged with weapons under disability and carrying a Concealed weapon. I filed a motion to suppress said charges which was denied without a hearing or a response from the prosecution. On 9-12-2019 I was threatened with contempt of court because I told the judge he wasn't allowed to hear this case because he recused himself from the same case earlier under a different case number so he started yelling at me in open court in front of everyone. He told me that I was gonna loose because I always loose he had 4 officers grade me and take me in the back. He had his bailiff come get me after holding me 45 minutes in the holding cell. Once in the court it was me the judge and 4 officers and his bailiff.

He then ordered his bailiff to remove the handcuffs then he told me that he personally wanted to review my case he apologized for having me handcuffed in the holding cell and told me that he was continuing the case . I objected to no avail I felt like I he was violating my due process by not giving me my preliminary hearing that day pursuant to Ohio criminal rule (5)

Rule 5 - Initial Appearance, Preliminary Hearing (B) Preliminary hearing in felony cases; procedure.

(1) In felony cases a defendant is entitled to a preliminary hearing unless waived in writing. If the defendant does not waive the preliminary hearing, the judge or magistrate shall schedule a preliminary hearing within a reasonable time, but in any event no later than ten consecutive days following arrest or service of summons if the defendant is in custody and not later than fifteen consecutive days following arrest or service of summons if the defendant is not in custody. **2945.73 Delay in hearing or trial.**

(A) A charge of felony shall be dismissed if the accused is not accorded a preliminary hearing within the time required by sections 2945.71 and 2945.72 of the Revised Code.

(B) Upon motion made at or prior to the commencement of trial, a person charged with an offense shall be discharged if he is not brought to trial within the time required by sections 2945.71 and 2945.72 of the Revised Code. (D) When a

charge of felony is dismissed pursuant to division (A) of this section, such dismissal has the same effect as a nolle prosequi. When an accused is discharged pursuant to division (B) or (C) of this section, such discharge is a bar to any further criminal proceedings against him based on the same conduct.

Facts On August 30 ,2019 I made a special Appearance in Terry F Ivanchek dba WARREN MUNICIPAL JUDGE COURT to deny personal jurisdiction , subject matter jurisdiction and Demanded that this case be dismissed for failure to state a claim upon which relief can be granted pursuant to Rule 12(b)(1)(2)(6)

On or about August 28th 2019 I was unlawfully arrested and charged with violating Orc 2921.29 Failure to disclose personal information which violates the United States Constitution amendment (5),the 1851 Ohio Constitution section (14) during said unlawful search and arrest a 22revolver was found on my person which led to additional charges Orc 2923.13 (A)(3) Having weapons while under disability, carrying a Concealed weapon Orc 2923.12.

Said charges of failure to identify was Dismissed which left said weapons charge, which violates amendment (1) of the United States Constitution religious discrimination and Article (1) section (7) of the Ohio Constitution Rights of conscience; the necessity of religion and knowledge

On or about November 6th 2019, I filed a Non Voluntary special appearance to Demand that this case be dismissed.For (1) lack of subject-matter jurisdiction;

(2) lack of personal jurisdiction;

(3) improper venue;

(4) insufficient process;

(5) insufficient service of process;

(6) failure to state a claim upon which relief can be granted; and

(7) failure to join a party under Rule 19.

Which was subsequently denied without a response from the prosecutor.

On or about [November 6th](#) I filed a notice of motion to dismiss criminal complaint due to constitutionally protected rights , I also filed a notice of Judicial notice where I entered a certified copy of 1851 ohio Constitution outlining said violations and violations pursuant to rules of evidence 201 onto the record.

I then filed a notice of motion to be heard on said judicial notice which never happened. My certified copy of the Ohio Constitution from Secretary of State of

Ohio was overruled and called papers notarized. However the Judge is under oath Pursuant to Article (15) section (7)Every person chosen or appointed to any office under this state, before entering upon the discharge of its duties, shall take an oath or affirmation, to support the Constitution of the United States, and of this state, and also an oath of office.

So I'm sure he has knowledge of the Ohio Constitution to which he took and swore an oath to pursuant to Article XV Miscellaneous section (7) Oaths of Officers.

I filed a notice of Acknowledgment to said Unconstitutional weapons charges, whereas I demand said unlawful charges be dismissed. Which was eventually overruled by said Judge without a response from the State. The prosecutors finally responded to my motions by proceeding to call me a sovereign citizen he also listed cases where so called sovereigns had argued similar language.

My judicial notice and arguments were called interesting , a incorrect interpretation of adjudicated facts pursuant to evidence rule 201. I would like this court to take notice of section (B) of rule 201 (B) Kinds of facts. A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. I believe this court is aware of the 1851 Ohio Constitution without subsequent amendments.

On or about December 16th 2019 I responded to the state calling me a sovereign by Denying said allegations. Also in open court I Denied said claims for the record on the record I also stated for the record to the court that I was not a sovereign citizen.

I accused the prosecutors of slander. I stated for the record on the record that I was invoking my inalienable Rights which are protected by the United States Constitution as well as the Ohio Constitution. I asked the court for the record on the record if these charges were constitutional and judge Wyatt McKay told me that I was here because you have a previous conviction .

I informed the judge that he could not use special retroactive law against me because he was under oath to the Ohio Constitution and prohibited from practicing Special law .

On or about December 18th 2019 I filed a notice of Constitutional challenge to a statue as to where the Ohio Attorney's made a reserved appearance for the

record. But choose not to intervene at this time, he also instructed this court to update him on said challenge. Which I have yet to have a hearing on.

On or about December 27th 2019 I entered another Certified copy of 1851 Ohio Constitution for the court to take judicial notice of, on January 2nd 2020 I filed a notice of motion to be heard on my judicial notice which has never happen. This court has allowed the prosecutors to delay their responses to fit their needs not the rules. This court has allowed the prosecutors to slander my name by calling me a sovereign citizen which I DENY.

On or about January 14th I filed a notice of motion to Suppress said unlawful evidence which listed said violations which during said hearing the said states witness did not show up but my motions were all denied.

On March 20th 2020 I filed a notice to dismiss criminal complaint due to Constitutional Due Process violations. Which have yet to be answered.

On March 20 ,2020 I filed a notice of Status with this court informing this court that I am a American National but not a Citizen of the United States.

On March 20, 2020 I filed a notice of Denial of being Disabled and or having a Disability.

On or about March20,2020 I submitted the following GSA bonds .

GSA (28) Affidavit of individual surety with attached court summons a copy of my certified birth certificate and social security card.

GSA(25) performance bond

GSA(24) bid bond

GSA(25A) payment bond

GSA(91) release of personal property form escrow

GSA(90) release lien on real property.

Non of my filings were honored which is very disturbing because a judge is not allowed to use Special Law they must operate under their Oath of office pursuant to Article 15 section (7)

Take Mandatory Judicial Notice Of 1851 Ohio Constitution article (15) section (7)

Every person chosen or appointed to any office under this state, before entering upon the discharge of its duties, shall take an oath or affirmation, to support the Constitution of the United States, and of this state, and also an oath of office.

He also violated his oath of office by not Taking a Mandatory Judicial Notice of my certified copy of 1851 Ohio Constitution as well as Article (15) section (7).

My judicial notice was denied without a hearing. On or about December 16th 2019 I filed a notice of acceptance of Wyatt McKays Oath of office and his offer to be a servant and trustee of the public trust. On or about December 16th 2019 I filed a response to states response to my judicial notice. Which was never rebutted

i filed 3 Duces tectum to receive officers dash cam but have yet to get an answer, i filed one also to retrieve said video at said dollar tree which have yet to be handed over.

Eventually I was given a suppression hearing the arresting police officer lied on the stand testifying under oath that he did not know me, only later to admit that he knew me because of his ex girlfriend , he also after admitting he knew of me and had visited my FaceBook page prior to said incident.

He also stated that i may have changed my profile name since he last visited which i denied, my facebook name has never been Vernon Turner. The arresting officer was questioned if he had a grudge against me because i use to text his girlfriend, When this police officer grabbed me the first thing he said was i know you. The judge is well aware of this officer lying under oath but he choose to ignore it.

A hearing date was set for April 1st , 2020 when i appeared i was told that court was canceled and to show up for my trial by jury on April 20th , 2020.

On or about April 7th 2020 i filed a Notice of motion to be heard on notice to dismiss criminal complaint due to constitutional violation of due process, which yet to be rebutted and or heard.

I appeared on said date but was denied entry to said court house.

On or about July 22nd ,2020 i received papers from the court about a hearing to forfeit my bond.

I later found out that i had a warrant for my arrest, apparently the court issued me a court date and never notified me either by phone or by mail. After finding out about a warrant i filed a motion asking the court to rescind said warrant notifying the court that i did not know about said court date set for july 7th , 2020 i asked the courts to allow me to appear on said hearing set for August 26th at 10 am.

To date none of my motions have been answered which is very disturbing . I requested everything filed into this case by me and the prosecutor only to discover on March 26th , 2020 the courts entered a judgement tolling my speedy trial rights violating the Ohio Constitution 1851 section (18) Suspension of Laws; No power of suspending laws shall ever be exercised, except by the general assembly. I was never notified of said filing because i do not consent The Courts Also violating Orc [29.4572 \(1\)](#).

Also on or about August 2nd 2020 ,I discovered a document on file granting the prosecutors motion to forfeit my bond before said [August 26th](#) hearing to do so, SEE EXHIBIT (4) as further evidence of the judge and the prosecutor working together to unlawfully imprison me . The document tells the court not to enter the judgment on the record until I'm apprehended .

I Demanded that this judge be removed from this case and proceed no further pursuant to public law ch 646 June 25th 1943 section 144

Whenever a party to any proceedings in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party. Such judge shall proceed no further therein , but another judge shall be assigned to hear such proceeding. The affidavit shall state the facts and the reason for the belief that bias or prejudice exists and shall be filed not less than 10 days before the beginning of the term at which the proceeding is to be heard or good cause shall be shown gap a failer to file within such time. This statement and affidavit is made in good faith. Which was denied January 2021

Outlined Unconditional statues that violate rights protected by the United States Constitution and the 1851 Ohio Constitution Are as follows.

(1) Failure to Identify Orc 2921.29 violates TAKE MANDATORY JUDICIAL Notice OF Amendment (5) of the United States Constitution, and also Article (1) Bill of rights section (14)

(2) Weapons Under Disability Orc 2923.13 Violates Take Mandatory Judicial Notice of : Luke 22-36 and Amendment (1) of the United States Constitution, and amendment (2) and also Article (1) Bill of rights sections (4), Sections (7) Ohio Constitution 1851

(3) carrying a concealed weapon Orc 2923.12 violates Take Mandatory Judicial Notice of : Nehemiah (4)17-18, and Amendment (1) of the United States Constitution, and amendment (2) and also Article (1) Bill of rights sections (4), and (7)

Take Mandatory Judicial Notice of United States v Cruikshank Et. AL.542[Sup. Ct

6. The right to bear arms is not granted by the Constitution; neither is it in any manner dependent upon that instrument for its existence. The Second amendment means no more than that it shall not be infringed by Congress, and has no other effect than to restrict the powers of the national government.

8. The fourteenth amendment prohibits a State from depriving any person of life , liberty or property without a due process of law, and the denial of the rights of life and personal liberty, any person within its jurisdiction the equal protection of the law. I also believe that the judge is prosecuting this case the prosecution was advised by the Ohio Attorney General to keep him informed on my constitutional Challenge which has been completely ignored. I believe that my life is in Danger the judge is suppose to follow the rule of law . I was told that I could wave my right to a speedy trial rights and that's the only way he would not proceed with trial even after he was served by the Ohio Supreme Court and by me personally a copy of this Writ of mandamus .

Claim for relief

(1) I ask this honorable court Issue a writ directing said court to Cease, Decist any further proceedings, and or direct said court to discharge said charges as a direct violation of due process. Take mandatory judicial notice to the Ohio constitution that was submitted along with original filing on January 29 th 2020

(2) Also any other remedies this Honorable court may deem necessary.

I will not be returning to court if I allow this judge to proceed to trial it will be 523 days which is well beyond the 270 ascribed by law. I am within my Inalienable rights

to refuse to continue to contract with TRUMBULL COUNTY COURTS etal Dba As the STATE OF OHIO.

This Court must Act there's nothing in the constitution that say I must suffer or be subject to involuntary servitude before I petition the highest court in Ohio to Act you can not allow my rights to be violated before I get my remedy this is not due process.

