

SUPREME COURT OF OHIO

MONICA G JUSTICE

Case # 22-0840

v

Enjoined with case # 22 AP-068
& # 22-AP213 with 10th APPELLATE
COURT FRANKLIN COUNTY OHIO

STATE OF OHIO

MEMORANDUM IN SUPPORT
OF NOTICE OF APPEAL
PURSUANT TO S. CT. PRAC.
R. 7.01(A)(1)(a)(ii)

FILED
JUL 07 2022
CLERK OF COURT
SUPREME COURT OF OHIO

NOT FOR COMMERCIAL USE

As affirmed in the notice of appeal & reaffirmation of
"demurrer" pursuant to ORC 2941.53; 2941.57; et al., this
cause of action upon the bar/BAR on appeal raises substantial
Constitution questions, involves 'charges' of Felony & is a case
of public or great general interest as it involves the
general principles 'due process of law' is founded upon:
- the right to not only be informed of the nature and cause
of accusations brought against one but the right to challenge
said accusations as unsubstantiated if unfounded in fact.
- the right to have defined, established and placed upon
a court of record the jurisdiction the purported plaintiff
invokes and be proven a competent jurisdiction pursuant
to the established facts of the cause brought forth

MEMORANDUM IN SUPPORT

1 by an indictment

2 - the right to have all such accusations made under penalty of

3 perjury to insure against false accusations

4 - the right to have a speedy trial by an impartial jury

5 - the right to be secure in ones person, house, papers
6 and effects against unreasonable searches and seizures

7 but by warrants issued upon probable cause, supported
8 by Oath or affirmation.

9 - the right to not be held, imprisoned under a commitment

10 to bail, bond lest all of the above & more have been

11 established upon the case in a 'court' of record,

12 of competent and proper jurisdiction.

13
14 Wherein in this case, none of these general principles of

15 'due process of law' have been satisfied. Whereas the

16 Facts thus far, as established in this lower 'court' case

17 number 20-CR-03470 WITH COMMON PLEAS COURT FRANKLIN

18 COUNTY OHIO, prove that on July 17, 2020 ~~at~~ July 20,

19 2020, agents for FRANKLIN COUNTY SHERIFFS DEPART-

20 MENT did criminally trespass and enter into the

21 property at 2762 Beulah Road, Columbus, Ohio

22 the state, 43223, without a 4th Amendment

23 compliant "warrant" for arrest, search and/or seizure.

24 Wherein on July 20, 2020, when they did enter 2/8

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MEMORANDUM IN
SUPPORT

1 they did effect lethal force in a no-knock early
2 morning SWAT raid for the purposes of effecting
3 an eviction on appeal and in controversy by a
4 civil cause of action laying with this 'court' in case
5 number 2020-0760.

6 wherein during said raid petitioner *vs*-lotus:justice
7 was shot by said agents and suffered permanent
8 physical harm. Their acts also threatened the lives of
9 4 (four) other women & children on that day.

10 wherefore for her acts taken in defense of self
11 and others, her wife & family, her personal & business
12 belongs, papers, effects, etc., she was arrested and
13 has been held under commitment to bail/bond, imprisoned
14 at FRANKLIN COUNTY CORRECTION CENTER II, et al., against
15 her will for almost 2 (two) years, under 'charges'
16 brought against her (esque via instrument "MONICA G
17 JUSTICE".

18 wherein from the very first hearing in the cause upon the
19 bar/BTR Petition *vs*-lotus:justice as counsel for Defense
20 has invoked a "demurrer" (ORC 2941.53; 2941.57; et al)
21 a plea challenging not only the jurisdiction of the 'court',
22 averring said cause of action lays in the Federal jurisdiction,
23 but challenging the validity of the indictment, the indictment
24 stated therein & averring that the Facts established 3/8

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MEMORANDUM IN
SUPPORT

1 do not prove a crime, crimes within the statutes, et al.,
2 wherefore the first written "demurrer" the Petitioner
3 was able to get docketed in the lower courts was
4 docketed on August 13, 2020, in case # 20-CR-03470
5 WILL COMMON PLEAS COURT FRANKLIN COUNTY OHIO.

6 However due to administrative 'judge' david young
7 seeking to oppress an unconstitutional condition upon
8 Mr. Lotus Justice in the waiver of her 5th Amendment
9 right to self incrimination, testimony in order to exercise
10 her 6th Amendment Right to a speedy trial & presenting
11 in defense of Self/Self/Don as counsel For Defense, he
12 did not adjudicate said August 2020 "demurrer" until
13 January 11, 2022. Further Failing to place his determinations
14 in re of the "demurrer" and others, a plethora, of outstanding
15 petitions that had laid upon the Bar/BTR in Equity For
16 over 17 (seventeen) months, upon the record in a written
17 order until March 14, 2022.

18 wherein the Petitioner originally challenged the 'judges'
19 dismissal of the "demurrer" in January 11, 2022, by
20 an appeal in case # 22 AP-068 WILL 10th APPELLATE COURT
21 FRANKLIN COUNTY OHIO. When the appellate court did
22 dismiss that appeal in re of the "demurrer" for lack
23 of a written Final order.

24 After said judge did place his January 11, 2022. 4/8

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MEMORANDUM IN
SUPPORT

1 determinations in writing on March 14, 2022, Petitioner
2 did appeal multiple rulings made concerning various
3 outstanding petitions, inclusive of the dismissal of the
4 "demurrer", in one (1) appeal addressing 6 (six) basic
5 premises, case # 22 AP - 213 with 10th APPELLATE COURT
6 FRANKLIN COUNTY OHIO, as subject of this appeal

7 The arguments made in the 1st (First) appeal in re of
8 the "demurrer" in case # 22 AP - 065 with the appellate
9 'court' are provided herein with the "APPELLANT BRIEF"
10 of February 10, 2022 as Exhibit 1, attached as if fully
11 rewritten herein.

12 The 2nd (second) appeal in case # 22 AP - 213 with the
13 appellate 'court' addressed the "demurrer" in the assignment
14 of Errors 7 (seven) through 12 (twelve) on page 17 to 25
15 in the case "APPELLANT BRIEF ON APPEALS" of May 5, 2022,
16 again the subject of this appeal.

17 wherein the Facts supporting this cause of action
18 laying in the SUPREME COURT OF OHIO in summary are
19 thus.

20 + A "demurrer" is a legislative right afforded by ORC
21 2941.53; 2941.57; etal. wherein Article I Section 15 of
22 the Constitution OF THE STATE OF OHIO affirms there is
23 "no power of suspending laws" except by the General
24 Assembly". As such the judiciary has no grant 5/8

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MEMORANDUM IN
SUPPORT

1 of law to abolish the "demurrer" by rule and
2 convert them to motions, thereby modifying its
3 specific intent under the statutes with particularized
4 requirements for satisfaction to mere 'motions for dismissal'.
5 + Though Article IV Section 5(B) infers the Supreme
6 Court can over write established laws in conflict with
7 proposed rules "prescribed governing practice and
8 procedure in all courts of the state", this is an
9 unconstitutional expansion of the judiciary to legislate
10 law if in fact any argument is set forth averring
11 that Rules of Practice Rule 12 has the ability to
12 supersede a legislative grant of "demurrer" and
13 "abolish" such a grant, in an obfuscated, usurping
14 manner prima facie.

15 As such, in the treatment of the Detention "demurrer"
16 that laid for over 17 (seventeen) months as 'abolished'
17 by rule & treated as a mere 'motion to dismiss' which
18 was summarily dismissed without addressing the particular
19 challenges to jurisdiction & the indictment validity of
20 substantiation, the lower court 'judge' violated not only
21 Article I Section 18 of the constitution of this STATE
22 and operated coram non iudice for over 17 (seventeen)
23 months, but he, the court has yet to satisfy the
24 challenge to the jurisdiction of the court, the indictment, 6/18

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MEMORANDUM IN
SUPPORT

1 et al., thus the Petitioner's reaffirmation of the "demurrer" in
2 this cause of action.

3 wherein the Supreme Court, by separation of powers cannot
4 effect rules which separate law as statute enacted and
5 upon the books by the General Assembly.

6 wherein by acts of malpleasance, mispleasance and/or
7 nonpleasance the Petitioner has been imprisoned against
8 her will under commitment to bail/bond by order from
9 a 'court' without jurisdiction, which has not proven
10 jurisdiction. This is unconstitutional & is prima Facie
11 violation of 'due process of law' (4th, 5th, 6th Amendment)
12 & Article I Section 14 of the constitution of this STATE,
13 et al., wherein said lower 'court' ceased to operate under
14 lawful, legal jurisdiction the day jurisdiction of it was
15 challenge and the 'judge' willfully chose to none forward
16 coram non iudice without proving the "demurrer" unfounded,
17 which has never occurred in this cause of action.

18 As such the Petitioner approaches this court seeking
19 remedy at law (Judiciary Act of 1787 Section 16) For long
20 standing & purposeful abuses against her Substantial Rights
21 & her 14th Amendment reserve via instruments "MORIT &
22 JUSTICE" privileges and immunities, petitioning that all
23 charges laying in the lower 'court' cause of action be
24 discharged, For Failures of 'due process of law' & 7/8

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MEMORANDUM IN
SUPPORT

1 For lack of jurisdiction not only over the Petitioner, a real
2 live flesh and blood woman, but over the res "MONICA G-
3 JUSTICE", the purported 'defendant' in the lower 'court' case.

4 SS/ROJ HAR 7/6/22

5 -J. H.

6 Execum, Sittu, Trust, etc., of her
7 "MONICA G-JUSTICE", et al.

8 in propria personam

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9 CERTIFICATE OF SERVICE

10 Petitioner cannot guarantee certificate of service due to
11 the conditions of her imprisonment and as such requests the
12 clerk of 'court' to provide service to the following on her behalf
13 in the interest of justice SS/ROJ HAR 7/6/22

14 -J. H.

15 as a LOTUS, et al

16 1j-gary: tyank, et al, et
17 Presenting Attorney's Office
18 FRANKLIN COUNTY OHIO
19 373 South High Street, 14th Fl
20 Columbus, OH 43215

Exhibit 1

Rec'd
5/31/22
REG/APP

IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

State of Ohio,	:	
	:	
Plaintiff-Appellee,	:	
	:	
v.	:	No. 22AP-213
	:	
Monica Greer Justice,	:	(ACCELERATED CALENDAR)
	:	
Defendant-Appellant.	:	

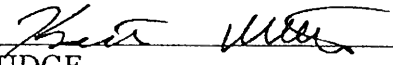
JOURNAL ENTRY OF DISMISSAL

This appeal is taken from a March 14, 2022 trial court entry that disposed of numerous pre-trial motions filed by appellant. On May 11, 2022, appellee moved to dismiss this appeal for lack of a final appealable order.

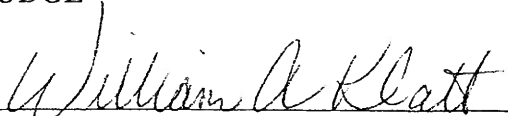
An appellate court is permitted to review judgments only when presented with an order that is both final and appealable, as defined by R.C. 2505.02. *Ohio Farmers Ins. Co. v. Bd. of Cty. Commrs.*, 10th App. No. 10AP-164, 2011-Ohio-2942. An appellate court has no jurisdiction if an order is not final. *Gen. Acc. Ins. Co. v. Ins. Co. of N. Am.* (1989), 44 Ohio St.3d 17. Here, the trial court's March 14, 2022 judgment does not constitute a final order under R.C. 2505.02. Accordingly, we lack jurisdiction over this appeal and appellee's motion to dismiss is granted. Any outstanding appellate court costs are waived.



JUDGE



JUDGE



JUDGE

cc: Clerk, Court of Appeals
Clerk, Criminal Division

Court Disposition

Case Number: 22AP000213

Case Style: STATE OF OHIO -VS- MONICA G JUSTICE

Motion Tie Off Information:

1. Motion CMS Document Id: 22AP0002132022-05-1199980000
Document Title: 05-11-2022-MOTION TO DISMISS - STATE OF OHIO
Disposition: 3201

APPELLANTS BRIEF

Exhibit 1

Franklin County Ohio Court of Appeals Clerk of Courts- 2022 Feb 10 3:35 PM-22AP000068

1 Whereas by the arguments brought forth by this brief
2 the Petitioner proves by a preponderance of facts that
3 administrative judge david young did error and abuse judicial
4 discretion in dismissing the plea of "demurrer" before addressing
5 all of the required mandates upon the 'court'.

6 As such, the Petitioner appeals for this appellant 'court'
7 to correct his error & do as he failed to do and vacate the
8 indictment & terminate, discharge any, all criminal charges levied
9 in the associated lower 'court' case

SS/RO Jan MAR 2/1/22

as a lotus justice, Executive Director, Trustee,
etc., of for MONICA G. JUSTICE, et al.
in propria personam

CERTIFICATE OF SERVICE

16 Petitioner cannot guarantee service due to the conditions of
17 imprisonment & as such ASK the clerk of 'court' to provide service
18 to the following persons/PERSONS on Petitioner's behalf.

SS/RO Jan MAR 2/1/22

as a lotus, et al.

22 eg - gary i. tyack, et al. &
23 Prosecuting Attorneys Office
24 FRANKLIN COUNTY OHIO, et al.
25 373 South High Street, 14th Floor
26 Columbus, OH 43215

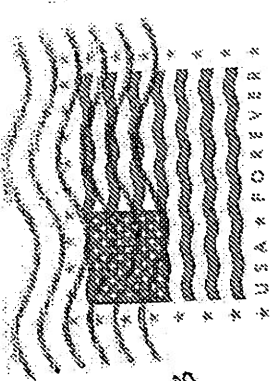
29 david young, et al. &
30 COMMON PLEAS COURT
31 FRANKLIN COUNTY OHIO, et al.
32 345 South High Street
33 Columbus, OH 43215

#48

10601 Justice
2400 Jackson Pike
Columbus, Ohio 43223
(614) 222-2223

COLUMBUS OH 430
7 FEB 2022 PM 5 L

Appeals



Mary-ellen: O'SHAUGHNESSY, ATTY.
Clerk of Court 10th APPELLATE COURT
FRANKLIN COUNTY OHIO
373 South High Street, 23rd Floor
Columbus OH 43215

PRIVATE CORRESPONDENCE

43215-453133
#48 10 of 48, marked 2/3/22 ~ 2:30 PM

10th APPELLATE COURT
FRANKLIN COUNTY
OHIO

Rec'd
REG. HR
2/15/22

Case # 22-AP000068

1 Mr-Lotus: Justice, et al.
2 as Executor, Settlor, Trustee, et al.
3 of for MONICA G JUSTICE, et al.
4 Relators

5
6 v.

7
8 STATE OF OHIO, et al.
9 David: Young, et al., &
10 COMMON PLEAS COURT FRANKLIN
11 COUNTY OHIO, et al.

12 Respondents

13
14 APPELLANTS BRIEF

15
16
17 Submitted by:
18 SS/REG. HR
19 Mr-Lotus: Justice
20 in propria personam
21 e 2460 Jackson Pike
22 Columbus, Ohio the State
23 USA (43223)
24 Counsel for Defense
25
26
27
28

Franklin County Ohio Court of Appeals Clerk of Courts 2022 Feb 10 3:35 PM-22AP000068

APPELLANTS BRIEF

TABLE OF CONTENTS

Franklin County Ohio Court of Appeals Clerk of Courts 2022 Feb 10 3:35 PM-22AP0000068

page

3-5

Table of Authorities

Assignment of Errors

Issues Presented

Statement of the case and the Facts

Arguments

Error 1

Error 2

In re of ORC 2941.57(A)

In re of ORC 2941.57(B)

In re of ORC 2941.57(C)

7 Elements to Jurisdiction

1st Element Failures

4th Element Failures

5th Element Failures

6th and 7th Element Failures

Conclusion

Certificate of Service

9

10

12

16

18

19

20

22

23

23

26

27

APPELLANTS BRIEF

TABLE OF AUTHORITIES

	<u>Page</u>
1	
2	
3	6
4	24
5	
6	23
7	15
8	9
9	6
10	14, 15
11	15, 15
12	15
13	24
14	24
15	24
16	15
17	6, 8, 9, 10, 18
18	6, 8, 9, 10, 11, 15, 16, 18, 19
19	15
20	18, 23, 24
21	12
22	12
23	12, 26
24	19-20
25	20, 23
26	22, 23
27	23
28	23

Franklin County, Ohio Court of Appeals Clerk of Courts - 2022 Feb 10 3:35 PM-22AP000068

Franklin County Ohio Court of Appeals Clerk of Courts- 2022 Feb 10 3:35 PM-22AP000068

TABLE OF AUTHORITIES (CONT)

1		
2		299
3	Element 7	23
4	Criminal Resource Manual 664, 679, 685 of DOJ	21, 22
5	Exclusionary Rule	24
6	False Claims Act of 1963	21
7	Fract of the Poisonous Tree Doctrine	25
8	Fox Libel Act	18
9	Judicial Act of 1789, Section 16	17
10	Major Crimes Act as 18 USC 1153	21
11	1 st Amendment	17
12	2 nd Amendment	15
13	4 th Amendment	10, 13, 14, 16, 18, 24, 26
14	5 th Amendment	10
15	6 th Amendment	10
16	8 th Amendment	22
17	12 Stat. 696	21
18	9 USC 5102(a)(7)	21
19	8 USC 51101 (22)	21, 25
20	18 USC 51153 as Major Crimes Act	21
21	26 USC 51275 Debt Instruments	21
22	28 USC 3002(15)	21
23	28 USC Chapter 97	21
24	Bacon v Baltimore, 32 U.S. 243 (1833)	17
25	Bryden City Union v. Stuart, 547 U.S. 398 (2006)	13, 16, 26
26	Cady v. Dombrowski, 413 U.S. 433 (1972)	14, 16, 26
27	Cariglia v. Strom, et al., S.Ct. No. 12-157,	13, 14, 16, 26
28	593 U.S. _____ (2021)	

APPELLANTS BRIEF

TABLE OF AUTHORITIES (CONT.)

page

Dowds v. Bidwell (1900), 182 U.S. 244, 249-251,
45 L.Ed. 1088, 1092

25

Elonis v. U.S. (2015), 135 S.Ct. No 13-983

16, 17

Ex parte Bellman & Ex parte Swartwort, 8 U.S.

(4 Cranch) 75 (1807)

9, 20, 23

Gelston v. Hoyt, 245 U.S. _____, 16 U.S. 246 (1818)

20

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140 S.Ct. 2452 (2020)

21

Meneg v. Arizona, 457 U.S. 385 (1970)

14, 16, 26

Simon v. Craft, 182 U.S. 427

20

Simon v. Lopper, 100 S.Ct. 2502 (1980)

10

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13, 24

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15

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15

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15

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15, 25

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211 P2d 389 (1949)

10

U.S. v. Will, 449 U.S. 200, 216, 100 S.Ct. 471,

66 L.Ed. 2d. 362, 406 (1980)

10

Welsh v. Wisconsin, 466 U.S. 740, 748 (1984)

13, 16, 26

Franklin County Ohio Court of Appeals Clerk of Courts - 2022 Feb 10 3:35 PM-22AP000068

APPELLANTS BRIEF

ASSIGNMENT OF ERRORS

1st Assignment of Error: The plea of "demurrer" (ORC 2941.53; 2941.57; et al.), a legislative right, may not be abolished by Administrative Rule 12 and recharacterized as a "motion to dismiss".

2nd Assignment of Error: The trial court erred and abused its discretion in dismissing the appellants plea of "demurrer" (ORC 2941.53; 2941.57; et al) before addressing all of the required mandates upon the court to address upon a plea of "demurrer".

ISSUES PRESENTED

On August 3, 2020, counsel for Defense, Mr. Lotus Justice, did invoke a plea of "demurrer" (ORC 2941.53; 2941.57; et al) in case #20-CR-03470 with COMMON PLEAS COURT FRANKLIN COUNTY OHIO challenging both the indictment and the jurisdiction of the court.

Wherein due to the prosecutors attack upon the competency of the counsel for the Defense, which resulted in administrative judge David Young issuing an order of commitment sentencing the defendant to one year at TWIN VALLEY BEHAVIORAL HOSPITAL, a hearing in re of said "demurrer" as well as any all pending pleadings, motions laid by Defense was not had until January 11, 2022. A prima Facie violation of ORC 2701.02.

Wherein during the hearing on January 11, 2022, David Young as administrative "judge" addressed the court's purported personal jurisdiction over the purported stated 'defendant',

Franklin County Ohio Court of Appeals Clerk of Courts-2022 Feb 10 3:35 PM-22AP000068

APPELLANTS BRIEF

1 merely affirming said personal jurisdiction. Wherein he did
 2 not address the ability of the prosecution to invoke the
 3 jurisdiction of a, the 'court', nor did he adjudicate and/or
 4 entertain the Defenses' challenges to the indictment affected,
 5 effected by Defenses' plea of demurrer. Wherein upon
 6 declaring personal jurisdiction over the stated 'defendant'
 7 'david: young' did then dismiss the Defenses' "demurrer" as if
 8 it were a 'motion to dismiss', without further arguments.

STATEMENT OF THE CASE AND

THE FACTS

12 On July 21, 2020, agents of 'state' sought to use a
 13 'probate order' as if it was a "warrant" to effect an eviction
 14 that was in controversy and on appeal with the OHIO SUPREME
 15 'COURT' in case number 2020-0760. As such, agents of 'state'
 16 effected, effected a warrantless raid a breach of the property,
 17 tenancy at 2762 Bentlak Road, Columbus, Ohio, 43211,
 18 using a 'probate order' to circumvent the prohibitions placed
 19 upon local agents & agencies by 'due process of law' & judicial
 20 appellate civil process.

21 During the warrantless raid a breach of the property,
 22 tenancy, gunfire was exchanged between 'state' agents as
 23 sheriff deputies and an occupant of the tenancy, property,
 24 r-lotus: justice, who did hold title by occupancy of the tenancy.
 25 Wherein r-lotus: justice and purportedly two sheriffs deputies
 26 were struck by gunfire, causing physical harm. The occupants
 27 of the tenancy, r-lotus: justice and rae: justice, were sub-
 28 sequently arrested after a lengthy standoff.

APPELLANTS BRIEF

1 'State' agent "Larry McCoy", who was not a victim of gunfire,
 2 did file a criminal complaint in case number 2020-10576-142
 3 with FRANKLIN COUNTY MUNICIPAL 'COURT' and an 'arrest warrant'
 4 was issued for "Monica Justice". That same said 'state' agent
 5 for the Attorney General's Division of Bureau of Criminal
 6 Investigation, "Larry McCoy", did then file for a warrant to
 7 search the breached property, seeking to garner material evidence
 8 supporting his criminal complaint. The evidence collected
 9 pursuant to said search warrant is to be used by the 'state'
 10 to support the criminal charges brought forth by criminal
 11 indictment in case number 20-CR-03470 with COMMON PLEAS
 12 COURT FRANKLIN COUNTY OHIO.

13 On August 3, 2020, counsel for the Defense, r-lotus
 14 :justice, did enter a plea of "demurrer" (ORC 2941.53;
 15 2941.57; et al.) in case number 20-CR-03470 with COMMON PLEAS
 16 'COURT' FRANKLIN COUNTY OHIO. Wherein between that time
 17 and January 11, 2022, the counsel for Defense filed multiple
 18 pleadings, petitions that were withheld from the record, not
 19 adjudicated due to a protracted interlocutory challenge by
 20 the 'state' & 'court' to the competency of r-lotus:justice to
 21 operate as counsel for the Defense. The challenge to the
 22 competency delayed any trial in the criminal case. For
 23 over eighteen months after an order of commitment of one
 24 year to a local mental hospital was issued by the administrative
 25 'judge' for the 'defendant'

26 Wherein after competency was affirmed, a hearing was
 27 held on January 11, 2022, where the "demurrer" and all
 28 outstanding pleadings, petitions that had been withheld from
 8/22

APPELLANTS BRIEF

1 the record, not adjudicated, were finally adjudicated by
 2 the administrative 'court' judge'. Wherein it was at that
 3 hearing that David Young as administrative 'judge' in said
 4 lower 'court' case did dismiss the Defenses' plea of
 5 "demurrer" without having addressed, entertained argument
 6 concerning Defenses' challenges to the indictment and
 7 the 'courts' jurisdiction.

ARGUMENTS

8
 9
 10
 11 1st Assignment of Error: The plea of "demurrer" (ORC 2941.53;
 12 2941.57; et al.), a legislative right may not be "abolished" by
 13 Administrative Rule 12 and recharacterized as a "motion to
 14 dismiss".

15
 16 Defense avers and asserts that the judiciary of STATE OF
 17 OHIO does not have the right, authority, or privilege to
 18 abolish the legislative grant of the plea of "demurrer" which is
 19 a method of excepting, challenging an indictment (ORC 2941.53)
 20 and challenging the jurisdiction of the 'court' (ORC 2941.57), by
 21 administrative 'court' rules which are not positive law § See: Ex parte
 22 Bollman, 8 U.S. (4 Cranch) 75 (1807). Wherein such acts are
 23 in violation of the constitutional separation of powers doctrine.

24 Hearings held on the challenges to an indictment (ORC
 25 2311.09) must comply with 'due process of law' and constitutional
 26 standards and not subject to abuses of judicial discretion
 27 which obstruct challenges to the acceptance of an indictment
 28 and/or challenges to the a 'courts' jurisdiction.

APPELLANTS BRIEF

1 Whereas a "demurrer" is a common law right, affirmed by
 2 'State' Statutes & the 4th, 5th & 6th Amendments which mandates
 3 a review of the particularities of an indictment prior to
 4 the administrative 'judge' establishing territorial, venue,
 5 subject matter, and personal jurisdiction which allows them
 6 to take cognizance of the cause.

7 Wherein the authority to dismiss a "demurrer" requires
 8 more than just a profession by an administrative 'judge' to
 9 satisfy its challenges. Facts of Law/law must be established
 10 supporting the indictment charges & intent, et al, & proving
 11 territorial, venue, subject matter and personal jurisdiction before
 12 a 'court' may proceed in the cause under an assumption of
 13 having jurisdiction. To move forward without proving jurisdiction
 14 once challenged, as Law/law mandates { See: *Simmons v. Lappen*,
 15 100 S.Ct. 2502 (1980); *Strick v. Medical Examiners*, 94 Cr 2d 751,
 16 211 P2d 389 (1948); et al } engages the 'judge' in an act or acts
 17 of treason { See: *U.S. v. Will*, 449 U.S. 200, 216, 101 S.Ct. 471,
 18 66 L.Ed.2d 362, 406 (1980); et al }

19
 20 2nd Assignment of Error: The trial 'court' erred and abused
 21 its discretion in dismissing the appellants plea of "demurrer"
 22 (ORC 2941.53; 2941.57; et al) before addressing all of the
 23 required mandates upon the 'court' to address upon a
 24 plea of "demurrer".

25
 26 The Facts sustaining the "demurrer" and the mandate to
 27 vacate the indictment and discharge any, all charges in case
 28 number 20-CR-03470 with COMMON PLEAS COURT FRANKLIN

APPELLANTS BRIEF

1 COUNTY OHIO are as follows.

2 On January 11, 2022, pretrial testimony was taken from
 3 a Supervisory agent of the FRANKLIN COUNTY SHERIFFS
 4 DEPARTMENT present during the breach of the tenancy at 2762
 5 Beulah Road, Columbus, Ohio 43211, on July 21, 2020, which
 6 established facts which support Defenses' "demurrer" (ORCA
 7 2941.57) and mandate the vacating of the indictment and
 8 the discharge of all charges in case number ~~10~~-CR-03470
 9 WITH COMMON PLEAS COURT FRANKLIN COUNTY OHIO.

10 Where by said testimony established that:

- 11 1) agents of state had no warrant for arrest or entry into
- 12 the tenancy of 2762 Beulah Road, Columbus, Ohio, 43211.
- 13 2) there were no exigent circumstances that existed mandating,
- 14 justifying said warrantless entry into the tenancy, nor any
- 15 crimes against persons in occupancy of the tenancy being
- 16 prevented, stopped by the warrantless entry into the tenancy.
- 17 3) no less conspicuous acts were taken by state agents,
- 18 attempting to acquire custody of the subject in question
- 19 prior to effecting acts of lethal force, forcible entry into
- 20 the tenancy without warrant.
- 21 4) the only foundation of the presumptive right for entry
- 22 into the tenancy without warrant by state agents was the
- 23 language of the "magistrate's order of detention" in case
- 24 number M31874 with PROBATE COURT FRANKLIN COUNTY OHIO,
- 25 which sought to authorize forcible entry into the property,
- 26 tenancy, only after attempting to take custody of the
- 27 subject by the least conspicuous means, for the purposes
- 28 of servicing an eviction.

APPELLANTS BRIEF

Franklin County Ohio Court of Appeals Clerk of Courts 2022 Feb 10 3:35 PM-22AP000068

1 5) the 'probate order' was not served to r-lotus; justice
 2 on July 21, 2020, a violation of ORC 5122.12.

3 wherein "ignorance of the law is no excuse" and such
 4 orders by magistrates, judges do not vacate the
 5 mandates of the 4th Amendment upon the judiciary and/or
 6 the executive branch. Wherefore pursuant to Law, law as
 7 statute & positive case law the warrantless entry into the
 8 property, tenancy was unlawful, unconstitutional, and illegal.

9 Pursuant to state statutes, entries into properties without
 10 warrant, especially if using deadly force, for the purposes
 11 of taking subjects into custody under ORC 5122.10 or 5122.11,
 12 violates ORC 5122.29 'Patient Rights' section (B)(2) which
 13 guarantees such persons be given reasonable protection from
 14 assault or battery by any other person. On July 21, 2020,
 15 having used a 'probate order' to affect, effect an eviction,
 16 doing serious bodily, spiritual, & emotional harm to r-lotus; justice,
 17 'state' agents violated ORC 5122.29(B)(2), prima facie.

18 Pursuant to state statute, entry into properties without
 19 warrant for the purposes of affecting, effecting an eviction
 20 using ORC 5122.10 or 5122.11 violates ORC 5122.29 'Patient
 21 Rights' section (B)(1) which requires that persons taking one
 22 into custody under ORC 5122 statutes preserve and safeguard
 23 the personal property in the possession of or on the premises
 24 occupied by that person. On July 21, 2020, when 'state'
 25 agents used a 'probate order' to effect, affect an eviction,
 26 they did violate ORC 5122.29(B)(1), prima facie.

27 Pursuant to positive law, knowingly entering into a
 28 tenancy with lethal force, without warrant, in the absence

APPELLANTS BRIEF

1 of exigent circumstances, having failed to comply with
 2 the requirement to take the least conspicuous action first
 3 to achieve custody of the subject, is not a minor
 4 offense by state agents. Such failure to comply with
 5 the specific language and mandate of the order
 6 before resorting to lethal force and warrantless breach
 7 of a property is an act of bad faith [See: State v.
 8 Brown, 142 Ohio St. 3d 92, 2015-Ohio-486]. On July
 9 21, 2020, agents of 'State' acted in bad faith.

10 Pursuant to positive case law, when no 'community
 11 caretaking' exigency exists, the burden is upon the government
 12 to establish an exception to the 4th Amendment exists [See:
 13 Welsh v. Wisconsin, 466 U.S. 740, 748 (1984)]. At the pre-trial
 14 hearing on January 11, 2022, in re of "demurrer", the
 15 state did not prove, was not made to prove an exception
 16 to the 4th Amendment existed on July 21, 2020, by the
 17 court administrative judge. In fact, testimony given
 18 did prove otherwise.

19 Pursuant to positive case law "a warrantless entry
 20 based on a "community caretaking" exigency requires specific
 21 and articulable facts supporting a reasonable belief by law
 22 enforcement that immediate action is necessary to address an
 23 existing emergency, which itself is sufficiently compelling to
 24 outweigh the Constitution's strong interest in protecting the
 25 sanctity of the home from governmental intrusion (citing petitioners
 26 brief page 7, *West of Corcoran, Caniglia v. Strom, et al.*, S.Ct.
 27 No. 20-157, 593 U.S. ____ (2021) [See: *Welsh v. Wisconsin*, 466 U.S.
 28 740, 748 (1984); *Brigham City Utah v. Stuart*, 547 U.S. 398

APPELLANTS BRIEF

Franklin County Ohio Court of Appeals Clerk of Courts: 2022 Feb 10 3:35 PM-22AP000068

1 (2006); *Mincey v. Arizona*, 437 U.S. 385 (1978); *Cady v.*
 2 *Dombrowski*, 413 U.S. 433 (1973); *Caniglia v. Strom, et al.*,
 3 S.Ct. No 20-157, 583 U.S. — (2021), et al. On July 21,
 4 2020, when state agents did affect, effect a 2nd attempt to
 5 enter the tenancy in question without warrant, using a 'probate
 6 order' to affect, effect an eviction, wherein no "community
 7 caretaking" exigency existed; State agents did violate the 4th
 8 Amendment. Wherein the acts of the state agents actually
 9 put the life, safety and well being of the occupants in
 10 peril by their actions in violation of both the language of
 11 the 'probate order' itself, the 4th Amendment, and 'due process of law'.

12 Whereas the testimony given on January 11, 2022, does
 13 support & prove by Facts, Law, law as statute, and positive
 14 case law that state agents did act in a manner that did
 15 violate the 4th Amendment Right of all the occupants of the
 16 property, tenancy they did breach without warrant on July 21,
 17 2020. Wherein those same 'state' agents did effect, affect
 18 constitutional torts and crimes against the tenancy
 19 occupants when they did put their life, safety and well
 20 being of said occupants in peril by, with their lawless,
 21 illegal, and unconstitutional acts.

22 Whereas, and in as much as by their acts 'state' agents
 23 had no lawful right to be within the premises, tenancy
 24 of 2762 Beulah Road Columbus, Ohio, 43211, on July 21,
 25 2020, pursuant to ORC 2901.05 and 2901.09, *in-lotus*
 26 : justice was within her lawful, legal right to operate in
 27 'Self defense', defense of Self, and others, and property
 28 against lawless, warrantless entry, breach of property

APPELLANTS BRIEF

1 by state agents. As such, pursuant to Defenses "demurrer",
 2 acts in 'self defense', defense of self and others cannot be
 3 proven to be acts with 'criminal intent' to do harm (ORC
 4 2941.57 (B)), as 'self defense' is an 'affirmative defense'
 5 (ORC 2901.05, et al) in cases of persons defending themselves
 6 and others against lethal force during unlawful, illegal
 7 entry into a property, tenancy they occupy. { See State
 8 v. Thomas, 77 Ohio St. 3d 323 (1997); State v. Harris, 129
 9 Ohio App. 3d 527 (1998); et al. }

10 Wherein as an 'affirmative defense', the right to 'self defense',
 11 defense of self and others and property is a Substantial Right
 12 (2nd Amendment) (ORC 9.61, et al) especially preserved in circumstances
 13 where ones physical safety and life is in peril, which one does
 14 not create. As such, any criminal charges levied against one,
 15 persons under 'weapons under disability' (ORC 2923.13) and, or
 16 'Firearm specification' (ORC 2941.145(A); 2941.1412(A)) for acts
 17 taken against unlawful, illegal warrantless entry into ones
 18 tenancy, residence, home, where one has no duty to retreat,
 19 nor ability to retreat, are not supported for acts taken in
 20 'self defense', defense of self and others and property (ORC
 21 2901.05; 2901.09; et al.) { See: State v. Hardy, 60 Ohio App. 2d
 22 325, 328-330 (1978); State v. Thomas, 77 Ohio St. 3d 323 (1997);
 23 State v. Powell, 176 Ohio App. 3d 28, 2002-Ohio-1316; State v.
 24 Harris, 129 Ohio App. 3d 527 (1998); State v. Patton, 106 Ohio
 25 App. 3d 736 (1995); et al. }

26 Wherefore, having established the fact that the raid, breach
 27 into the tenancy, property at 2762 Bentlak Road, Columbus, Ohio the
 28 State, 43211, on July 21, 2020, was warrantless & void of 'conspiracy'

APPELLANTS BRIEF

Franklin County Ohio Court of Appeals Clerk of Courts- 2022 Feb 10 3:35 PM-22AP000068

1 caretaking exigency, and thus in violation of the 4th Amendment,
 2 the acts taken by re-lotus justice on that day in 'self
 3 defense', defense of Self, others and property against unlawful,
 4 illegal & unconstitutional acts by 'state' agents "do not
 5 constitute an offense punishable by the laws of [the] state"
 6 (ORC 2941.57(A)).

7 Whereas 'self defense', defense of self and others & property
 8 as an 'affirmative defense' invalidates 'criminal intent', said
 9 'criminal intent' has not been established to substantiate the
 10 offense charged (ORC 2941.57(B)).

11 Wherein the language, purported Facts, as stated in the
 12 'purported affidavit of mental illness in case number M31874 with
 13 PROBATE 'COURT' FRANKLIN COUNTY OHIO does not prove the
 14 existence of exigent circumstances, nor any intent to do
 15 harm, nor a credible threat to people, persons, property, etc.,
 16 with any particularity supporting probable cause {See: Elonis v.
 17 U.S. (2015), 135 S.Ct. No 13-983} nor warrantless entry.

18 Where as the 'states' desire to effect an eviction is not an
 19 exigent circumstance justifying probable cause for warrantless
 20 entry with deadly force and the issuance of the 'probate order'
 21 was not supported sufficiently to establish some 'criminal intent;
 22 the state did not establish Facts nor probable cause which
 23 supported the waiving of the 4th Amendment and its constitutional
 24 interest protecting the sanctity of the home from governmental
 25 intrusion {See: Caniglia v. Strom; Welsh v. Wisconsin; Brigham
 26 City Utah v. Stuart; Mincey v. Arizona; Cady v. Dombrowski, et al.}

27 Wherein the 'purported affidavit, that was not given under
 28 penalty of perjury, put forth by the 'state' merely seeks

APPELLANTS BRIEF

1 to challenge the cultural and/or political beliefs of the subject
 2 which are protected by the 1st Amendment {See: Elonis v. U.S.},
 3 additionally, by its assertions in libel, designating the subject
 4 as a domestic terrorist with, by the labeling her as a "Sovereign
 5 Citizen". As such, in the seeking of a 'probate order' which
 6 merely sought to challenge the cultural and/or political beliefs of
 7 the subject, and further cultivating a culture where she would
 8 be targeted by 'law enforcement' as a domestic terrorist, the
 9 agents of the 'state' violated the 1st Amendment, abused the
 10 probate judicial system, defrauded the probate judicial system,
 11 and affected war against a zeitgeist a particular subset of
 12 the American People {See: Barron v. Baltimore, 32 U.S. 243 (1833)}
 13 do hold. Wherein, the Substantial Right to hold that zeitgeist
 14 and to create a limited government for by the American Peoples
 15 designs {See: Barron v. Baltimore} as the 4th Branch of
 16 government in lieu of said constitutionally protected cultural
 17 beliefs, is the reason our Founders established our
 18 Constitutional Republics' Bill of Rights insuring a government
 19 of the People, for the People, and by the People, and not
 20 tyrannical & despotic 'states' of men.

21 When the judiciary is being used, abused as an instrument
 22 of war against the American People {See: Barron v. Baltimore}
 23 & their substantial rights, where does remedy lay for them
 24 {Judicial Act of 1789, Section 16} against overreaching and abusive
 25 governmental acts & institutionalized tyranny and despotism at
 26 the hands of the prevailing state & its prevailing law of the
 27 Realm which supports and promotes its agenda & beliefs
 28 and not that of the American People? Should the state

APPELLANTS BRIEF

Franklin County Ohio Court of Appeals Clerk of Courts- 2022 Feb 10 3:35 PM-22AP000068

1 be allowed to assert unsubstantiated libels against a certain
 2 subset of Americans exercising their Substantial Rights which
 3 challenge the 'state', declaring such Americans mentally ill and/or
 4 domestic terrorists to defame & impugn them, seeking to
 5 dilute their freedoms and expression of objections? Should
 6 such criminal libels (Fox Libel Act) by the 'state' be left
 7 unpunished in our constitutional Republic?

8 Being unsubstantiated, it is no wonder the 'probate order'
 9 was justifiably expunged (ORC 5122.01(R)(4)) shortly after its
 10 issuance. But by then its purpose, in the circumventing of
 11 'due process of law' and the 4th Amendment, had already been
 12 accomplished by the 'state'. Wherein, it is to be noted with
 13 emphasis, that though the Relators have brought multiple
 14 causes of action to the Bar/BAR challenging the constitutionality
 15 of the issuance, use, and perpetuation of the 'probate order'
 16 case number M31874 WITH PROBATE COURT FRANKLIN COUNTY OHIO
 17 even after expungement (See. case number 20-AP552 &
 18 21-AP253 with 10th APPELLATE COURT FRANKLIN COUNTY OHIO;
 19 case number 21-225 OHIO SUPREME COURT; case number 2:21
 20 -CV-63584 & 2:21-CV-5962 WITH UNITED STATES DISTRICT COURT
 21 SOUTHERN DISTRICT OF OHIO EASTERN DIVISION; by "demurrer"
 22 (ORC 2941.53; 2941.57) in case number 20-CR-03470 WITH
 23 COMMON PLEAS COURT FRANKLIN COUNTY OHIO) there has yet
 24 to be any 'court' to rule, adjudicate the Relators' challenges
 25 to the grammar of the, this criminal cause of action now
 26 on appeal.

27 Pursuant to the "demurrer" challenging the 'courts' jurisdiction
 28 18/22

APPELLANTS BRIEF

1 (ORC 2941.57(A)) the 'state' has Failed to comply with the
 2 "seven elements to jurisdiction" granting them the ability to
 3 invoke a, the 'court', secure personal jurisdiction & territorial jurisdiction

4 The "seven elements to jurisdiction" that the 'state', as plaintiff,
 5 must comply with to support the invocation of a, the 'court' are
 6 as follows.

- 7 1) The accused must be properly identified in a fashion, manner
 8 in which identity cannot be mistaken.
- 9 2) The statute of the purported offense must be identified by its
 10 proper name, not mere numbers.
- 11 3) Acts of the alleged offense must be described in a non-prejudicial
 12 language & detail to enable the, an average person of average
 13 intelligence to determine, understand the nature of the charge
 14 & enable preparation of defense.
- 15 4) The accuser must be a name of some positively identifiable
 16 person. A human being, living flesh and blood woman must be
 17 the accuser & must take responsibility for the making of the
 18 accusation, not an agency or institution. The injured party,
 19 corpus delicti, must make accusation. Hearsay evidence, testimony
 20 may not be provided. To do otherwise is a false accusation.
- 21 5) The accusation must be made under penalty of perjury. If
 22 perjury cannot reach the accuser there is no accusation, otherwise
 23 anyone may accuse another falsely without risk.
- 24 6) The five previous elements must be complied with for the
 25 accusation to be valid. The accused must be accorded 'due process
 26 of law'. The accuser must have complied with the Law, law
 27 as statute, procedure & form in the bringing of the charges
 28 for them to be valid. This includes the 'court' determining

19/27

APPELLANTS BRIEF

Franklin County Ohio Court of Appeals Clerk of Courts - 2022 Feb 10 3:35 PM-22AP000068

1 'probable cause', summons, notice & procedure { See: Simon v.
 2 Craft, 182 U.S. 427 }
 3 7) The court must be one of competent jurisdiction & to have
 4 valid process the tribunal must be a creature of its constitution
 5 in accordance with the law of its creation. For example, the
 6 administrative 'judge' of an Article III tribunal must operate
 7 as an in legis agent of state' who complies with the statutory
 8 grants enabling, limiting the purported 'court's' jurisdiction { See:
 9 Ex Parte Ballman & Ex Parte Swartwout, 8 U.S. (4 Cranch) 75 (1807) }.

10 Therefore, lacking any of the "seven elements to jurisdiction"
 11 or portions thereof (unless waived intentionally or unintentionally)
 12 are designed to insure against further prosecution. It is the
 13 duty of the purported plaintiff to inform the 'court' of facts
 14 alleged for determination of sufficiency to support conviction
 15 should one be obtained, otherwise there is no lawful notice
 16 and charge(s) must be dismissed for failure to state offenses.
 17 Without lawful notice, there is no lawful jurisdiction.

18 In re of the 1st element, element one: The Petitioner
 19 has affirmed and asserted repeatedly that the stated 'defendant'
 20 in case number 20-CR-03470 with COMMON PLEAS 'COUNT' FRANKLIN
 21 COUNTY OHIO, "MONICA A JUSTICE", is a res, a thing, a certificate
 22 vic of a civilis mortuus trust. It is a security with a CUSIP
 23 (Committee on Uniform Securities Identification Procedures) number of
 24 779557107 valued at over SIX billion dollars. Wherein though
 25 the indictment does designate the name of mixed upper case &
 26 lower case gloss, font, type set "Monica A Justice", the 'criminal
 27 case' plea itself designates a 'state' action in rem { See: Gelston
 28 v Hoyt, 245 U.S., 16 U.S. 246 (1918) } seeking to attach, lien

APPELLANT'S BRIEF

Franklin County Ohio Court of Appeals Clerk of Courts 2022 Feb 10 3:35 PM-22AP000068

1 the THING with both the purported 'defendant' and 'plaintiff'
 2 designated in all capital gloss, font, typeface. It is not an
 3 Ex rel action between natural persons, people, women.

4 wherein the THING, 'MONICA G JUSTICE' is subject to
 5 a LIS PENDING plea by petitioner - r-lotus:justice in two
 6 Federal jurisdictional cases, asserting her as lawful Executor,
 7 Settlor & Trustee of the instrumentality (26 USC 51275 Debt
 8 Instruments, emphasis (b)(3); etd.) (leaving it for acts of
 9 Fraud & False Claims (False Claims Act of 1863; 12 Stat. 696;
 10 et al.) by agents of STATE OF OHIO (9 Uniform Commercial Code
 11 5(02(a)(77)) trustees, as Bar/BAR union members.

12 wherein r-lotus:justice is a living flesh and blood natural
 13 woman who has lawfully and legally expatriated the "United
 14 States" (28 USC 5302(15)) and disavowed the use of the
 15 name "Monica G Justice", etd, due to said Frauds and False
 16 Claims by the trustees of the transferring utility STATE OF
 17 OHIO (9 UCC 5(02(a)(77)). wherein r-lotus:justice is not
 18 a "United States", United States citizen subject to the
 19 jurisdiction of STATE OF OHIO, neither is she the THING
 20 "MONICA G JUSTICE" as the stated 'defendant'. wherefore
 21 s/he is an American National (8 USC 51101(22)) subject to the Federal
 22 jurisdiction. AS such the cause of action by law et statute is a
 23 diversity of citizenship cause of action (28 USC Chapter 87) subject to
 24 the Federal jurisdiction. wherein as r-lotus:justice is of
 25 Native American Tribal Descendancy { See: McGirt v. Oklahoma,
 26 No. 18-9526, 591 U.S. _____, 140 S.Ct. 2452 (2020) }, the
 27 acts of 'State' agents on July 21, 2020, did violate the
 28 Major Crimes Act (18 USC 51153; Criminal Resource Manual

APPELLANTS BRIEF

Franklin County Ohio Court of Appeals Clerk of Courts- 2022 Feb 10 3:35 PM-22AP000068

1 664, 679, 685; et al).

2 Additionally, despite having held re- (later) justice under
 3 Cocaine detention and excessive bond (8th Amendment) under
 4 the stated 'defendants' name "MONICA C JUSTICE", personal
 5 jurisdiction has never been acquired over the course of the
 6 nineteen months s/he has been held in unlawful, illegal
 7 imprisonment. Wherefore re- (later) justice has never identified
 8 herself as the 'defendant', has objected to such jounder, has
 9 never contracted with a Bar/BAR union member of STATE OF
 10 OHIO (9 ucc § 102(a)(7)(1) trusteeship, has never requested
 11 discovery & as such has never surrendered to the jurisdiction
 12 of the private, foreign tribunal doing business as common
 13 PLEAS 'COURT' FRANKLIN COUNTY OHIO willfully, intentionally
 14 or unintentionally, having overtly & repeatedly asserted
 15 "demarrec", challenging the indictment, the jurisdiction of
 16 the foreign tribunal & any attempts to enjoin/injoin her
 17 as a THING, a res.

18 In re of the 4th Element, element Four: The 'complaints'
 19 Filed in case number 20-CR-101057~~6~~ with FRANKLIN COUNTY
 20 MUNICIPAL COURT on July 21, 2020, as Foundations for
 21 indictment and criminal charges in case number 20-CR-03470
 22 with COMMON PLEAS 'COURT' FRANKLIN COUNTY OHIO are filed
 23 by a "Larry McLog" of the BUREAU OF CRIMINAL INVESTIGATION
 24 (BCI), and not any of the purported injured parties "Gary
 25 Bourquin" & "Marcus Pearwell". As such, the initial complaint
 26 used to substantiate the "Arrest Warrant" in case #20-CR-101057~~6~~
 27 with the municipal 'court' is a False accusation Founded on
 28 hearsay.

APPELLANTS BRIEF

Franklin County Ohio Court of Appeals, Clerk of Courts, 2022 Feb, 10 3:35 PM-22AP000068

In re of the 5th Element, element five. Neither the 'probate order' in case number M31874 with PROBATE COURT FRANKLIN COUNTY OHIO, nor the initial complaints as Filed in case number 20-CR-A01057 with FRANKLIN COUNTY MUNICIPAL COURT were made under penalty of perjury. As such, neither are a lawful, legal, valid accusation, statement.

In re of the 6th & 7th Element, element six and seven. In as much as the 1st, 4th & 5th Elements, elements one, four and five, were not complied with, the accusations are not valid, due process of law violated, and the 'court' the 'state' seeks to invoke, is without jurisdiction.

Additionally, whereas *Ar-Lotus*: justice has repeatedly been denied 'due process of law' by the conditions of her imprisonment & the acts of administrative 'judge' *Ar-Lotus*: young in case number 20-CR-03470 with COMMON PLEAS COURT FRANKLIN COUNTY OHIO allowing the perpetuation of the expunged 'probate order' (ORC §122.01(R)(4)) in violation of the state statute and thus his int legis fiduciary duty; the 'court' is without jurisdiction, having operated outside of his grant { See: *Ex parte Bollman* }.

According to the testimony given by a supervisory agent of the FRANKLIN COUNTY SHERIFFS DEPARTMENT concerning the events of July 21, 2020, the PROBATE COURT FRANKLIN COUNTY OHIO never established jurisdiction either, wherein according to his testimony the 'probate order' was never served to *Ar-Lotus*: justice on July 21, 2020, prior or even after being taken into custody by arrest. As such, pursuant to the "Rules of Superintendency for the Courts of Ohio" Rule 26.04(D), failure to serve the 'probate order' is a Failure

APPELLANTS BRIEF

Franklin County Ohio Court of Appeals Clerk of Courts- 2022 Feb 10 3:35 PM-22AP000068

1 to establish 'court' jurisdiction. As the probate case number
 2 M31874 has been expunged & vitiated (ORC 5122.04(R)(4)),
 3 there is no record affirming the establishment of jurisdiction.
 4 As such, in the absence of establishing jurisdiction by service,
 5 or the capacity to prove jurisdiction upon expungement, the acts
 6 taken by 'state' agents on July 21, 2020, wielding said probate
 7 order', were effected, retrospectively, without jurisdiction, in the
 8 absence of jurisdiction, territorial or otherwise.

9 Even if service had been achieved and/or the probate
 10 order' had not been expunged, probate judges', more or less
 11 magistrates, and probate courts' are not historically included in
 12 ORC 2933.21, and the plain language of ORC 2931.01 excludes
 13 probate judges' for the purposes of ORC Chapters 2931 to 2953.
 14 As such, probate judges' are not within jurisdiction, territorial
 15 or otherwise, to issue warrants to search a house or place
 16 (ORC 2933.21) (Crim. R. 41(A)(1)) & See: State v. Brown, 142
 17 Ohio St. 3d 92, 2015-Ohio-4863. Thus, though the language
 18 of the 'probate order' did appear to authorize forcible entry
 19 into a house, place, tenancy, residence for the purposes of
 20 taking the subject into custody, the 'probate court' did operate
 21 outside, without jurisdiction, territorial or otherwise, to do so.

22 Whereby if the probate 'court' did not establish, have
 23 jurisdiction to act, any, all acts taken by 'state' agents
 24 utilizing any 'probate order' issued under the presumption of
 25 legitimacy of jurisdiction, including arrests, would be unlawful,
 26 in violation of 'due process of law' of the 4th Amendment and
 27 void pursuant to the Exclusionary Rule, territorial jurisdiction, et al.

28 Whereby if the 'probate court' never established jurisdiction

APPELLANTS BRIEF

1 and as such, 'state' agents were acting without jurisdiction;
 2 any acts taken defensively in opposition to 'state' agents
 3 acts { See: State v. Thomas (1977) } do not constitute
 4 offenses punishable by the law of the state (ORC 2941.57(A)&(B))
 5 and the Fruit of the Poisonous Tree Doctrine. Whereas said 'state'
 6 agent acts would be unlawful 'state' acts against, in this
 7 case, an American National (8 USC 5' 1101(22)) { See: Downes
 8 v. Bidwell (1900), 182 U.S. 244, 249-251, 45 L.Ed. 1088, 1092 }
 9 not within the jurisdiction of state 'courts'

10 And last, but certainly not least, the territorial
 11 jurisdiction of the FRANKLIN COUNTY SHERIFFS DEPARTMENT,
 12 CITY OF COLUMBUS, FRANKLIN COUNTY MUNICIPAL COURT, and
 13 STATE OF OHIO had been challenged by the Petitioner in
 14 OHIO SUPREME COURT' case number 20-0760 asserting the
 15 tenancy¹ limited deed, subject to multiple acts of Congress,
 16 had been defrauded, & thus laid within the Federal jurisdiction

17 Wherein agents for FRANKLIN COUNTY SHERIFFS DEPARTMENT,
 18 CITY OF COLUMBUS, FRANKLIN COUNTY MUNICIPAL COURT,
 19 and STATE OF OHIO replied to the Petitioner's claims in
 20 the civil action on appeal in said 'supreme court' case on
 21 July 13, 2020, thereby surrendering to the superior 'court'
 22 jurisdiction. However, then on July 16, 2020, those same
 23 agents sought to circumvent said challenge to territorial
 24 jurisdiction by initiating a civil action with PROBATE
 25 COURT' FRANKLIN COUNTY OHIO whose jurisdiction they
 26 failed to cure, establish by their failure of service, et al.
 27 Wherefore if their territorial jurisdiction was already
 28 in question, being challenged in the superior court of the
 25/27

APPELLANTS BRIEF

1 'State', the initiation of a new civil case of action in a
 2 lower 'court' of the state did not, could not since, cure,
 3 establish territorial jurisdiction to act upon the tenancy
 4 already in controversy. At such, no territorial jurisdiction
 5 existed for any of the stated actors, and the eviction, as
 6 well as the execution of the 'probate order', were both unlawful.

CONCLUSION

7
 8
 9 For a variety of reasons established by the Facts of
 10 the case and the testimony of January 11, 2022, which
 11 prove said breach of the property, tenancy in question
 12 was warrantless and effected without established territorial
 13 jurisdiction, the indictment in case number 20-CR-03070 with
 14 Common Pleas Court Franklin County Ohio, as challenged
 15 by a plea of "demurrer", should be vacated and any, all
 16 associated criminal charges terminated by Fruit of the Poisonous
 17 Tree Doctrine, 4th Amendment violation, et al.

18 There are no Facts which sustain, support the perpetration
 19 of 'criminal' charges against anyone except FRANKLIN COUNTY
 20 SHERIFFS DEPARTMENT agents, et al, who violated the 4th
 21 Amendment, et al, when they breached a property, a tenancy, at home
 22 without a valid warrant for arrest, and/or search, and
 23 wielded a 'probate order' for the purposes of executing an eviction
 24 sans any exigency, in violation of State Statutes ORC §129
 25 (B)(1) & (2), established case law [See: *Coughlin v. Strom*,
 26 *Welch v. Wisanski*; *Deerham City Utah v. Stuart*; *Money v.*
 27 *Arizona*; *Cady v. Dembskiy, et al.*], due process of law'
 28 the 4th Amendment, et al.

Franklin County Ohio Court of Appeals Clerk of Courts- 2022 Feb 10 3:35 PM-22AP000068