**LAWFUL NOTICE AND DEMAND**

To Mendocino County: Board of Supervisors, CEO, County Counsel, District Attorney, Sheriff, Mendocino College, School Superintendents, School Boards, Public Health Officer-Dr. Coren, Public Servants, Employees, City of Ukiah:

In regard to requiring Proof of a Covid-19 Vaccination/Testing/Boosting/Masking for employees of Emergency Medical Services, Fire, Law Enforcement, Temporary Disaster Shelters, Dental Offices, Pharmacies, Students, Employers, Patrons, etc., this constitutes **direct and constructive notice** to you personally and to all your subordinates, and your or their replacements, successors, substitutes and agents. The purpose of this notice is to make you aware of violations of the law and allow you the due process right to correct them and restrict your actions to the limits placed upon you by the California State Constitution and the Constitution for the united States of America as well as case law including ***County of Butler v. Governor Wolf***, Case 2:20-cv-00677-WSS1 and ***Home Building & Loan Assoc. v. Blaisdell***, 290 U.S. 398 (1934) 2 and ***Ex Parte Milligan*,** 71 U.S. 2 (1866) 3.

Any and all “COVID-19” “ordinances,” “policies,” “orders,” or “mandates” including those given by a Governor or State Health Officer or Board of Supervisors (Ordinances 4461, 4464) or County Health Officer and including but not limited to orders for mandatory vaccination, testing, tracking, or proof of “vaccination”, boosters and masking are not **law** and do not contain the force of law as they have not been passed by the State or Federal Legislature and further, no law created by any governing body that would require the People to consent to the violation of their natural, unalienable, Constitutionally protected rights can exist.

*The Constitution is the supreme law of the land.* ***Any law that is repugnant to the Constitution is null and void****…* ***Marbury v. Madison***, 5 U.S. 137 (1803)

*“Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.”* ***Miranda v. Arizona***, 384 U.S. 436, 491 (1966)

*“Every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellow-men, without his consent.”* ***Cruden v. Neale***, 2 NC 338, 339 (1796)

The “orders” or “mandates” of a governor, board of supervisors or agent or officer of the Centers For Disease Control (CDC) or for a city, county or state health department are not law, and public “policy” cannot be created that would violate the Due Process Rights or Liberty of the People. Therefore, enforcement of such mandates or health orders at any level is a violation of the actual law and you can be held personally liable for that violation.

*“No human being in this country can exercise any kind of Public authority which is not conferred by law; and under the United States it must be given by the express words of a written Statute. Whatever is not so given is withheld, and the exercise of it is positively prohibited.”* ***Ex Parte Milligan*,** 71 U.S. 2 (1866)

*“No public policy of a state can be allowed to override the positive guarantees of the U.S. Constitution [for the united States of America].”* ***16 Am Jur 2d,*** *Const. Law*, Sect 70

*“The term [liberty]…denotes not merely freedom from bodily restraint, but also the right of the individual to contract, to engage in any of the common occupations of life, to acquire useful knowledge, to marry, to establish a home and bring up children, to worship God according to the dictates of his own conscience… The established doctrine is that this liberty may not be interfered with, under the guise of protecting public interest.”* ***Meyer v Nebraska,***262 US 390, 399, 400 (U.S. Supreme Court)

Drafting ordinances that falsely reflect the authority of the CDC or an appointed public servant within state agencies that lack direct accountability to the people violates at minimum Article 1, Sections 1, 2, 3, 4, 8, 9, 10, 11 and 19 of the California State Constitution as well as the First, Fourth and Fifth Amendments to the Constitution for the united States of America. To be clear, the People have waived none of our rights and do not consent to any ordinances that violate any of our natural, unalienable, Constitutionally protected and secured rights or any other rights that we may have.

*“Waivers of Constitutional Rights not only must be voluntary, but must be knowingly intelligent acts done with sufficient awareness of the relevant circumstances and likely consequences.”* ***Brady v. United States***, 397 US 742 (1970)

**YOU ARE ALSO HEREBY WARNED that you will lose any “immunity” and be held fully responsible and personally liable for any unlawful actions which violate any of our Rights** (including any fees or fines for damages which result from any violations pursuant to U.S.C. Title 18, Sections 241-242 and U.S.C. Title 42, Section 1983).

*“It is said that all persons are presumed to know the law, meaning that ignorance of the law excuses no one; if any person acts under an unconstitutional statute, he does so at his peril and must take the consequences.”* ***16 Am Jur 2d.,*** *Const. Law*, Sec 70

*“When a state officer acts under a state law in a manner violation of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States.”* ***Scheuer v. Rhodes***, 416 U.S. 232, 94 S.Ct. 1683, 1687 (1974)

**BACKGROUND**

**WHEREAS,** The People on the land known as California (hereinafter “People of California”) known as Californians constitute the Sovereignty in California; and,

**WHEREAS,** Californians affirming their Sovereignty do so by acknowledging the “Laws of Nature and of Nature's God”, which is the source of their Sovereignty; and,

**WHEREAS,** Californians created and authorized the legislative, judicial, and executive branches of government; and,

**WHEREAS,** Californians have delegated limited powers and limited subject matter upon the branches of the government; and,

**WHEREAS,** Californians have retained oversight over the powers and subject matter delegated to the branches of government; and,

**WHEREAS,** The People known as Californians have reserved all powers and subject matter not delegated to the branches of the government to themselves; and,

**WHEREAS,** Said exercise of reserved powers can be invoked independently of the branches of government created; and,

**CAUSE OF NOTICE AND DEMAND**

WHEREAS, The branches of government have repeatedly trespassed upon the “Reserved Powers of the People” to the point that the trespasses have become so frequent and so comprehensive as to become onerous and unconscionable; and,

FURTHER, Said trespasses and encroachments have been initiated by city, county, state, and federal Public Servants to the detriment of the People of California while California Public Servants have refused to exercise the Powers granted them by the People to check and balance overreaching state and federal governments; and,

FURTHER, The branches of the municipal corporate government system from the federal to local levels have become so overbearing in the exercise of the powers delegated to them that many Public Servants act as though the government is the source of the People’s rights; and,

WHEREAS, The People are co-tenants of the sovereignty in tenancy in common, merely, in California, all immunity to California Public Servants flows from the People; and,

FURTHER, Any act done by a California Public Servant outside of his or her enumerated powers is not only NULL and VOID as it lacks the proper source of authority, the California Public Servant is also personally liable for the unauthorized action; and,

FURTHER, The California People are not endeavoring to harm or prosecute anyone; it is the intent of Californians that the checks and balances of power in our government be restored; and,

FURTHER, While current California Public Servants are not entirely responsible for creating the state of affairs that is harming the People, but rather inherited it, they are still responsible for restoring the checks and balances on California; and,

FURTHER, the drift from adhering to the original authority established in 1849 has become so cavalier that one can no longer recognize how far off course it now is, and the following FINDINGS OF FACT have been produced to show how far California has drifted from its original footing;

THEREFORE, Meeting the California People’s demands for error correction can become the first step toward immunity from a tainted and inherited past, or failing to do so may become evidence of tacit participation in attempting to implement a foreign jurisdiction on California and a betrayal of one's own People, as this NOTICE AND DEMAND will be prosecuted to its full conclusion for the purpose of RESTORING THE PEACE IN CALIFORNIA according to California Law; and,

PEOPLE ARE ALWAYS EITHER MAINTAINING THEIR FREEDOM OR THEY ARE DESCENDING INTO TYRANNY. THERE IS NO NEUTRAL GROUND. IF THE PEOPLE OF CALIFORNIA DO NOT ACTIVELY CHOOSE FREEDOM, TYRANNY WILL OVERTAKE THEM; and,

**FINDINGS OF FACT**

The following Findings of Fact are drawn from the compacts already in place between the People of California and her sister states. The quotes used herein are not hearsay but are quotes from original source documents about our country’s founding, or from people themselves who participated in the events upon which our country was founded and are, therefore, first-hand personal accounts of the events as they occurred. These are not political statements or opinions from so-called experts. These Findings are self-evident truths understood by the writers of the documents reporting on their knowledge of the events at the time they occurred;

*“at the Revolution, the sovereignty devolved on the people, and they are truly the sovereigns of the country, but they are sovereigns without subjects, and have none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the sovereignty…*.*In Europe, the sovereignty is generally ascribed to the Prince; here, it rests with the people; there, the sovereign actually administers the government; here, never in a single instance; our Governors are the agents of the people, and, at most, stand in the same relation to their sovereign in which regents in Europe stand to their sovereigns. Their Princes have personal powers, dignities, and pre-eminences; our rulers have none but official; nor do they partake in the sovereignty otherwise, or in any other capacity, than as private citizens.”* - **Chisholm v. Georgia (1793)**, United States Supreme Court

(This excerpt from Chisholm v. Georgia, which is from the opinion of Justice James Wilson, is quoted because, as a Delegate and Floor Manager at the Constitutional Convention, he had personal, first-hand knowledge of the founding structure of our government and as such, his quote serves as first-hand evidence of the same and is not hearsay or opinion.); and*,*

The self-evident truths set forth in this Notice are drawn from the conclusions that flow from the founding architecture of our system of government which has been the envy of the world. This same architecture is also the principal impediment to the success of the tyrant; and,

Our founding principles were not put in place because it was the political view of a group of people. Our founding fathers put the architecture of our government in place because it was their best attempt to design a system in harmony with Natural Law and the laws of the universe. They realized there is a natural penalty for disobeying Natural Law, which is merely a reflection of reality; and,

The question before each of you in your elected capacity is: which side of the line will you be standing on when the gavel of Natural Law comes down? Whether it condemns you or vindicates you is your choice; and,

 *“It is error alone which needs the support of government. Truth can stand by itself.”*

(Thomas Jefferson); and,

**DEMAND TO CEASE AND DESIST**

**WE THE PEOPLE OF MENDOCINO COUNTY DEMAND THAT THOSE IN PUBLIC SERVICE CEASE AND DESIST ANY AND ALL ACTIONS THAT ATTEMPT TO RESTRICT THE FREE EXERCISE OF LIFE AND LIBERTY AND THAT YOU HALT ANY FURTHER SEIZURE OF THE PEOPLES’ PROPERTY INCLUDING OUR RIGHTS, BUSINESSES, PERSONAL DATA, EXERCISE OF RELIGION AND FREEDOM OF MOVEMENT. WE DEMAND THAT YOU INSTRUCT THOSE UNDER YOUR SUPERVISION TO RECOGNIZE AS ACKNOWLEDGED, THE “RESERVED POWERS OF THE CALIFORNIA PEOPLE” AND THAT ANY AND ALL RULE MAKING, ORDINANCES OR GUIDELINES THAT ARE IN VIOLATION OF LAW MUST BE STOPPED AS THEY ARE A TRESPASS ON THE DUE PROCESS RIGHTS OF THE PEOPLE OF THE COUNTY OF MENDOCINO. AND FURTHER, THE PEOPLE OF THE COUNTY OF MENDOCINO RESPECTFULLY REMAND THE BOARD OF SUPERVISORS, COUNTY COUNCIL, CEO,**

**SHERIFF, SCHOOL BOARD, DR. COREN, BACK TO THEIR DELEGATED AUTHORITIES AS DEFINED PER THE CALIFORNIA STATE AND FEDERAL CONSTITUTIONS AND REMIND THEM THAT THEY MUST UPHOLD THE OATH THEY SWORE TO KEEP WHEN THEY CHOSE TO ENTER OFFICE AT THE SERVICE OF THE PUBLIC.**

**STANDING TO EXECUTE NOTICE AND DEMAND**

The Declaration of Independence affirms that the People; i.e., Californians and Americans, are given their Rights by God, and as God-given Rights, they are unalienable; and,

People may choose not to exercise these Rights or allow themselves to be deceived into believing they do not have them, but they cannot alienate these Rights from themselves; and,

The People of California are parties to the compact known as the Constitution of the State of California (1849) and beneficiaries of the Act for the Admission of California Into the Union; therefore, the People of California have Equal Footing in the union of States with the People on the original Thirteen states, who ratified and authorized the unanimous Declaration of Independence (1776); and,

The branches of the government are not parties to the Constitutional Compacts as they lack the Power to covenant and are mere fictions apart from the natural man with Lawful capacity sitting in the Office created by the People in the Constitution; and,

*"The power which is derived cannot be greater than that from which it is derived."* (Bouvier 1856); meaning: the created cannot rule over the creator; and,

California and her sister states in the Union are nations in their own right and are the parties to the compact known as the federal constitution; and,

The content of this NOTICE AND DEMAND is limited to the Common Law, the above- mentioned Declaration of Independence, the California Constitution not repugnant to the Common Law, the Constitution for the United States of America not repugnant to the Common Law, and the self-evident deductions made from the fact that the Powers NOT delegated to the branches of the government, are retained by the People; and,

That all other counterfeit Declarations, Constitutions or rule making masquerading as Law, gained by Duress and Color of Law, were and are NULL AND VOID ON THEIR FACE, being repugnant to the Common Law; therefore,

Any Californian singly, or jointly with other Californians, may enforce the provisions of the Declaration of Independence (1776), the Constitution for The united States of America (1789), as amended, including the original 13th Amendment ratified in 1819, and the Constitution of the State of California (1849) not repugnant to the Common Law or the organic Common Law by which said Constitutions were constructed, as these compacts are binding upon the whole of California’s People and Land and Waters.

**NOTICE OF VIOLATIONS AND SCHEDULE OF FINES (DAMAGES)**

This **NOTICE** is to inform you of your **VIOLATION(S)** of my **CONSTITUTIONALLY PROTECTED RIGHTS** (Article 4:2:1) or **ANY OTHER RIGHTS, PRIVILEGES, OR IMMUNITIES** that we may have and **VIOLATION(S) OF *DUE PROCESS OF LAW*** as is required by US Code, Statute, the Constitution for the united States of America and the California Constitution.

**BE IT KNOWN** that you are **attempting to make law in the absence of due process of law by issuing “**Ordinances,” “Orders,” “Mandates,” and other statements that create a color of law but are not actual law and you **DO NOT HAVE THE AUTHORITY TO DO SO**. THEREFORE, you are PARTICIPATING IN A CONSPIRACY that is IN VIOLATION OF YOUR OATH OF OFFICE. As an Oath Sworn public servant you are governed by the Contracts established by Federal and California State Constitutions and Federal Codes and Statutes and all **apply to you**.

**Be on Notice that YOU WILL BE HELD** **FULLY RESPONSIBLE AND PERSONALLY LIABLE** for your actions under the pertinent US Codes (see attached schedule of fines) and Criminal and Civil Statutes, some of which are set forth in this NOTICE, but are not limited to this notice.

**WARNING**

**ANY CLAIM OF IMMUNITY IS FRAUD. REMOVAL FROM OFFICE IS AUTHORIZED AND MANDATED AT MINIMUM UNDER ARTICLE 2, SECTION IV OF THE FEDERAL CONSTITUTION; AS WELL AS 18 USC 242, 42 USC 1983, 1985, 1986. For Example:**

**U.S. CODE TITLE 18, CHAPTER 13, SECTIONS 241 & 242:** MAKES IT A FELONY TO USE OR CONSPIRE TO USE COLOR OF LAW TO EN-FORCE A CODE OR REGULATION WHICH RESULTS IN THE VIOLATION OF A PERSON’S RIGHTS. VIOLATORS WILL BE PROSECUTED.

**TITLE 18 U.S.C, SECTION 241:** CONSPIRACY AGAINST RIGHTS OF CITIZENS IF TWO OR MORE PERSONS CONSPIRE TO INJURE, OPPRESS, THREATEN OR INTIMIDATE ANY CITIZEN IN THE FREE EXERCISE OR ENJOYMENT OF ANY RIGHT OR PRIVILEGE SECURED TO HIM BY THE CONSTITUTION OR LAWS OF THE UNITED STATES, OR BECAUSE OF HIS HAVING EXERCISED THE SAME: OR IF TWO OR MORE PERSONS...WITH THE INTENT TO PREVENT OR HINDER HIS FREE EXERCISE OR ENJOYMENT OF ANY RIGHT OR PRIVILEGE SO SECURED- THEY SHALL BE FINED NOT MORE THAN $10,000 OR IMPRISONED NOT MORE THAN 10 YEARS, OR BOTH: AND IF DEATH RESULTS, THEY SHALL BE SUBJECT TO IMPRISONMENT FOR ANY TERM OF YEARS OR FOR LIFE.

**TITLE 18 U.S.C, SECTION 242 DEPRIVATION OF RIGHTS UNDER COLOR OF LAW:** WHOEVER, UNDER COLOR OF ANY LAW, STATUTE, ORDINANCE, REGULATION, OR CUSTOM, WILLFULLY SUBJECTS ANY INHABITANT OF ANY STATE, TERRITORY, OR DISTRICT TO THE DEPRIVATION OF ANY RIGHTS, PRIVILEGES, OR IMMUNITIES SECURED OR PROTECTED BY THE CONSTITUTION OR LAWS OF THE UNITED STATES, OR TO DIFFERENT PUNISHMENTS, PAINS OR PENALTIES...SHALL BE FINED NOT MORE THAN $1,000 OR IMPRISONED NOT MORE THAN ONE YEAR, OR BOTH: AND IF DEATH RESULTS SHALL BE SUBJECT TO IMPRISONMENT FOR ANY TERM OF YEARS OR FOR LIFE.

**TITLE 42 U.S.C. CHAPTER 21, SECTION 1983**: "WHEN TWO OR MORE PERSONS CONSPIRE TO USE FORCE, INTIMIDATION OR THREAT, OR TO INJURE A PERSON, AND DEPRIVES THEM OF THE RIGHTS AND PRIVILEGES AS A UNITED STATES CITIZEN, THE PARTY INJURED MAY HAVE AN ACTION FOR THE RECOVERY OF DAMAGES, OCCASIONED BY SUCH INJURY OR DEPRIVATION, AGAINST ANY ONE OR MORE OF THE CONSPIRATORS"

**THE FOLLOWING IS A PRELIMINARY LIST OF U.S. CODE VIOLATIONS, BUT NOT LIMITED TO - WITH MINIMUM FINES THAT WOULD APPLY TO ANY PUBLIC SERVANT WHO HARMS THE PUBLIC IN THEIR OFFICIAL CAPACITY:**

|  |  |  |
| --- | --- | --- |
| Breach | Penalty | Authority |
| VIOLATION OF OATH OF OFFICE | $250,000.00 | 18 USC 3571 |
| CONSPIRACY | $10,000.00 | 18 USC 241 |
| DEPRIVATION OF RIGHTS UNDER COLOR OF LAW | $1,000 | 18 USC 242 |
| EXTORTION | $5,000.00 | 18 USC 872 |
| FRAUD | $10,000.00 | 18 USC 1001 |
| RICO/RACKETEERING (CIVIL) | $25,000.00 | 18 USC 1964(C) |
| BRIBERY CONCERNING RECEIVING FEDERAL FUNDS | $5,000 per violation (10 years in prison) | 18 USC 666 |
| OBSTRUCTING AND DELAYING COMMERCE and unlawfully taking and obtaining personal property under fear of threat | 10 years in prison minimum | 18 USC 1951 “Hobbs Act” |
| GENOCIDE | $1,000,000.00 | 18 USC 1091 |
| TREASON (combined actions above) and allowing unelectedand unaccountable agencies and agents to dictate and shape policy that violates due process rights | $250,000.00 | 18 USC 3571 |

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT**

**OF THE LAWFUL NOTICE**

The Courts have reinforced the authority of the Bill of Rights (Prohibitions) time and time again for over 200 years and the **most** **recent decisions** from the Fifth and Six circuit court of appeals **have limited** and relegated the executive branch of the federal government to its proper role and function and has censured “emergency” measures from federal agencies such as OSHA. **It is only a matter of time before the wheels of justice reach into every hall and office of our civic structure.** The question we ask you, are you aware of the following authorities and are you prepared to uphold or defend from them as per the dictates of your Oath of Office?

The following points and authorities **and a multitude of others** will inform a federal lawsuit under at minimum USC 241 and 242 as Federal judges are especially reticent to allow those who serve in government to violate 4th and 5th amendment protections. The people of Mendocino County are not endeavoring to harm or prosecute anyone; it is our intent to ensure that the checks and balances of power in our government be restored and that those delegated the power to govern act in a manner that is in alignment with this delegated authority.

**THEREFORE, THE FOLLOWING IS CASE LAW THAT DESCRIBES THE DUE PROCESS RIGHTS OF THE PEOPLE OF MENDOCINO COUNTY**

**Hale v. Henkel,** 201 US 43 at 74-75 (1906):*“The individual may stand upon his Constitutional [secured] Rights as a Citizen. He is entitled to carry his own private business in his own way. His power to contract is unlimited… His Rights are such as existed by the Law of the Land* ***long antecedent*** *to the organization of the state, and can only be taken from him by Due Process of Law, and in accordance with the Constitution…* ***He owes nothing to the Public****, so long as he does not trespass upon their Rights….”*

# County of Butler et al v. Thomas W. Wolf et al (2020), No. 2:2020cv00677 - Document 15 (W.D. Pa. 2020): *“However, good intentions toward a laudable end are not alone enough to uphold governmental action against a constitutional challenge. Indeed, the greatest threats to our system of constitutional liberties may arise when the ends are laudable, and the intent is good-especially in a time of emergency. In an emergency, even a vigilant public may let down its guard over its constitutional liberties only to find that liberties, once relinquished, are hard to recoup and that restrictions-while expedient in the face of an emergency situation-may persist long after immediate danger has passed. Thus, in reviewing emergency measures, the job of courts is made more difficult by the delicate balancing that they must undertake. The Court is guided in this balancing by principles of established constitutional jurisprudence. This action seeks a declaration that Defendants' actions violated and continue to violate the First Amendment [and Fourth and Fifth Amendments]… The Court closes this Opinion as it began, by recognizing that Defendants’ actions at issue here were undertaken with the good intention of addressing a public health emergency. But, even in an emergency, the authority of government is not unfettered. The liberties protected by the Constitution are not fair-weather freedoms—in place when times are good but able to be cast aside in times of trouble. There is no question that this Country has faced, and will face, emergencies of every sort. But the solution to a national crisis can never be permitted to supersede the commitment of individual liberty that stands as a foundation of the American experiment. The Constitution cannot accept the concept of a ‘new normal’ where the basic liberties of the People can be subordinated to open-ended emergency mitigation measures. Rather, the Constitution sets certain lines that may not be crossed, even in an emergency. Actions taken by Defendants crossed those lines. It is the duty of the Court to declare those actions unconstitutional. Thus, consistent with the reasons set forth above, the Court will enter a judgment in favor of the Plaintiffs.”*

**In re Midwest Institute of Health v. Michigan,** Docket No. 161492: Argued on request to answer certified questions September 9, 2020. Decided October 2, 2020.*". . . concluded that the Governor lacked the authority to declare a “state of emergency” or a “state of disaster” under the EMA [Endangered Missing Advisory] after April 30, 2020, on the basis of the COVID-19 pandemic and that the EPGA [Emergency Powers of the Governor Act] violated the Michigan Constitution because it delegated to the executive branch the legislative powers of state government and allowed the executive branch to exercise those powers indefinitely****….****Thus, the Governor’s emergency powers were of indefinite duration, and the only standards governing the Governor’s exercise of emergency powers were the words “reasonable” and 'necessary,' neither of which supplied genuine guidance to the Governor as to how to exercise the delegated authority nor constrained the Governor’s actions in any meaningful manner. Accordingly, the EPGA constituted an unlawful delegation of legislative power to the executive and was unconstitutional under Const 1963, art 3, § 2, which prohibits exercise of the legislative power by the executive branch. Finally,* ***the unlawful delegation of power*** *was not severable from the EPGA as a whole because the EPGA is inoperative when the power to “protect life and property” is severed from the remainder of the EPGA. Accordingly, the EPGA was* ***unconstitutional in its entirety****.”* ***Please note ALL STATE Constitutions are similar in form and content and reflect and uphold the Federal Constitution.***

**Yick Wo v. Hopkins,** 118 US 356 (1886):*“Sovereignty itself is, of course, not subject to**law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty remains with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power. For the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself.”*

**Byars v. U.S.** 273 U.S. 28 (1927): “*Rights must be interpreted in favor of the citizen. No unlawful search and seizure.”*

**Boyd v. U.S.** 116 U.S.616 (1886): “*The court is to protect against any encroachment of constitutionally secured liberty.”*

**CASE LAW THAT DESCRIBES THE LOSS OF IMMUNITY FOR THOSE ELECTED TO SERVE THE PUBLIC SHOULD THOSE RIGHTS BE VIOLATED BY THE USURPATION OF POWER OR UNLAWFUL RULE MAKING**

**Owen v. Independence,** 100 S. Ct. 1398 (1980): *Officers of the court have no immunity, when violating a constitutional right, from liability, for they are deemed to know the law.*

**Hafer v. Melo**, 502 U.S. 21 (1991): *“State officers may be held personally liable for damages based upon actions they take in their official [PERSONAL] capacities.”*

**Scheuer v. Rhodes**, 416 U.S. 232, 94 S.Ct. 1683, 1687 (1974): *“When a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States.”*

**Home Building & Loan Assoc. v Blaisdell** 290 U.S. 398 (1934): *“Emergency does not create power. Emergency does not increase granted power or remove or diminish restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the Federal Government and its limitations of the power of the States were determined in the light of emergency and they are not altered by emergency.”* And: *“...No human being in this country can exercise any kind of Public authority which is not conferred by law;...”*

**Supreme Court of the United States 1795, Penhallow v. Doanes Administrators,** 3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54: *“Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. can concern itself with anything other than corporate, artificial persons and the contracts between them.” -*

**THE FOLLOWING IS CASE LAW THAT DEFINES THREATS, DURESS AND COERCION**

**Heider v. Unicume**, 142 Or. 410, 20 P.2d 384, 385 and **Shlensky v. Shlensky**, 369 Ill. 179, 15 N.E.2d 694, 698: *“Unlawful constraint exercised upon a man whereby he is forced to do some act that he otherwise would not have done... where the person is deprived of his liberty in order to force him to compliance… threats of bodily or other harm, or other means amounting to or tending to coerce the will of another, and actually inducing him to do an act contrary to his free will.”*

**Metro-Goldwyn-Mayer Distributing Corporation v. Cocke**, Tex.Civ.App., 56 S.W.2d 489: “*It may be actual, direct, or positive, as where physical force is used to compel act against one's will, or implied, legal or constructive, as* ***where one party is constrained by subjugation to other to do what his free will would refuse.”***

**ENUMERATION OF VIOLATIONS OF LAW, STATUTES AND CODES AND VIOLATIONS AND MATERIAL FACTS AND EVIDENCE IN SUPPORT THEREOF**

Take specific notice of the following violations and corresponding statues and/or code section violations pertaining to orders and ordinances, and they are as follows:

* **1. Disturbance of the Peace**
* **2. Deprivation of Rights Under Color of Law**
* **3. Violations of Civil Rights, Anti-Discrimination Law & Equal Protection**
* **4. Violations of Due Process Rights**
* **5. Deprivation of Right to Privacy**
* **6. Extortion**
* **7. Conspiracy to Defraud the People**
* **8. Breaches of Oaths, Negligence & failure to perform duties expected of public servants**
* **9. Abuse of Peace Officers**
* **10. Violation of Right to Informed Consent**

**1. Disturbance of the Peace**

The orders/ordinances are an extension of measures which exaggerate the dangers associated with SarsCoV2 infection, and create an undue level of fear. It is by this atmosphere of fear, that the people have been coerced to accept unlawful orders/mandates and experimental drugs (falsely labeled as “vaccines” and are not FDA approved). After 22 months of continuous emergency declarations, changing goal posts, and rules made without cost/benefit analysis, we now question whether these orders/ordinances really are in the interest of the people’s health and well being, and particularly **where it deprives people of activities that are essential to good physical, emotional, mental and spiritual health**.

These orders/ordinances force businesses and other places of public accommodation to break the law as it directs them toviolate theCivil Rights and Due Process Rightsof the people. The sweeping inclusion of anything NOT itemized, indicates a further **unlawful** **abuse of authority***.*

**2. Deprivation of Rights under Color of Law**

Mendocino County officials/employees are **acting under color of law**, that is, acting under the pretense of authority which they DO NOT have. We would like to move Dr. Coren and the Board of Supervisors, etc. to take specific notice of the felony violations: **FEDERAL CODES** **18 USC §241 - CONSPIRACY AGAINST RIGHTS and, USC §242 DEPRIVATION OF RIGHTS UNDER COLOR OF LAW.**

We report that Mendocino County officials/employees violated these FEDERAL CODES, by executing **unlawful orders to shut down businesses and churches** (rationalized byarbitrarilydeclaring them as “non-essential,”) and thereby dis-possessing the people their right to employment, livelihood, commerce, property, wages, free exercise of religion and worship.

**3. Violations of Civil Rights and Violations of Anti-Discrimination Law -**

These orders are potentially dangerous and can have devastating impacts on communities. The orders expose small business owners to personal liabilities in the form of lawsuits, by **forcing them to discriminate against people on the basis of a medical condition.** Requiring proof of vaccination, testing, masking, etc to participate in everyday activities like obtaining an education or employment, shopping or eating in a restaurant constitutes human and civil rights abuse not seen since the dismantling of Jim Crow. Vaccine requirements/passports are creating a radical restructuring of American society. The heroes of last year – [nurses](https://brownstone.org/articles/hospitals-should-hire-not-fire-nurses-with-natural-immunity/), policemen, firefighters, truckers, and others who kept our society functioning while the laptop class stayed home during the lock-downs, are now being told that their civil rights and rights to informed consent do not count.

Requiring proof of vaccination is disproportionately impacting working class people by eliminating their opportunities to work.

These orders are additionally unethical because vaccination and masking does not prevent infection, and because it will pressure potential employees with natural immunity to be vaccinated, and thus violate their Right to Informed Consent along with many other rights.

Public Servants that enforce these orders will be liable for any violation of Civil Rights (not limited these cited). Please take specific notice of the following codes that apply to you:

**FEDERAL CODE 42 USC § 1983 – CIVIL ACTION FOR DEPRIVATION OF RIGHTS (1976) a provision that: “Every person who, under color of any statute, ordinance, or regulation...subjects, or causes to be subjected, any citizen of the United States or any other person...to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.”**

Furthermore, Public Servants that enforce these orders can be held accountable for damages under: **CALIFORNIA CIVIL LIABILITY CODES 51(b) (The Unruh Civil Rights Act)** *“All persons within the jurisdiction of this state are free and equal, and no matter what their...****medical condition (or) genetic information,****..are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever...Whoever...makes any discrimination or distinction...is liable for each and every offense for the actual damages, and any amount that may be determined by a jury, or a court...up to a maximum of three times the amount of actual damage but in no case less than four thousand dollars ($4,000), and any attorney’s fees...”*

Additionally these orders also violate **the Equal Protection Clause** which reads, “*no* *State shall deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”* [Bill of Rights, Amendment XIV]

**4. Violations of Due Process Rights-**These orders violate the people’s Due Process Rights “*to be secure in their persons, houses, papers and effects, against unreasonable seizures and searches”* And it is no stretch to imagine that the Covid19 “vaccination status” data collected together with other personal data can easily be used to compel a person to *“be a witness against himself”* and/or be used to deprive a person “*of life, liberty, or property...without just compensation”* (as is observable today in Austria, Canada and Australia.)

Along with the Deprivation of our Civil and Due Process Rights, these orders assume that local Peace Officers and Sheriffs will be willing **to act in violation of their oaths**. **We** **support any and all who lawfully refuse to enforce it**, particularly those whose duty it is to protect the people and uphold the Law.

**5. Deprivation of Right to Privacy**

Every Californian has a legal and enforceable Right to Privacy. The Right to Privacy protects our personal information, including (but not limited to) information related to our locations, whom we meet, our activities, and thoughts. The intention of the law is to protect against the collection and centralization of such personal data.*“The right of privacy is the right to be left alone... It prevents government and business interests from collecting and stockpiling unnecessary information about us and from misusing information gathered for one purpose in order to serve other (or, 3rd party) purposes... Fundamental to our privacy is the ability to control circulation of personal information...the right of privacy is fundamental in any free society.”*

**6. Extortion**

A “proof of vaccination” order is a form of extortion wherein, our personal information is coerced from us in exchange for a privilege.

Evidence:

Dr. Coren states that the “vaccines currently authorized” are “highly safe and extremely effective at providing protection” this statement is misleading and easily disputable information. This contradicts the statement by the CDC director, Rochelle Walensky, “But what (the vaccines) can’t do anymore is prevent transmission.” Who’s correct in this instance? The CDC director or our Public Health Officer, or neither? VAERS on December 31st 2021 reached over ONE MILLION adverse reactions. 21,382 are deaths and VAERS accounts for only 1% of vaccine injuries.

We have reason to believe that local public servants are complicit in colluding to trade that private vaccine recipient information, to Federal (CDC and HHS) and other agencies, in exchange for funding (FEMA, CARES and other), via state programs, or other.

We also have reason to believe that **our private information and individual data**, such as our DNA samples taken in PCR and other Covid19 tests, **are being shared with 3rd parties, foreign corporations and the People’s Republic of China**.

We have reason to believe that the state of California has programs similar to that of Arizona where, **vaccinated people can NOT opt out of a surveillance program** **that updates their private information to the CDC and HHS every 24 hours.**

We the people reserve our Right to investigate any public servant for **Civil and Criminal Violations of Law** related to the sale or trading of protected private individual data in exchange for Federal funding and/or any other interests such as loans and bonds. Similarly, we have the Right to investigate evidence of collusion in procurement of our personal information for pharmaceutical companies such as Pfizer, Moderna, Johnson and Johnson, and where appropriate, hold anyone accountable to the Federal **RACKETEERING/RICO statute 18 USC 1962(c) – Conducting or Participating in the Conduct of the Affairs of an Enterprise Through a Pattern of Racketeering Activity**.

**7. Conspiracy to Defraud the People by deceptive and misleading information-**

We challenge the **assumed consensus on the safety and efficacy** of Covid19 experimental gene therapies, as we know these product are marketed to us by companies and agencies that profit by promoting them, such as the CDC, and we can provide a multitude of evidence to the contrary (VAERS reports, statistics on breakthrough cases etc.). **You will be held accountable for repeating or promoting any false or misleading claims** of the CDC, FDA, WHO and the NIAID director, Anthony Fauci.

In addition, we challenge the continuation of the Mendocino County declared local emergency, when NO such EMERGENCY exists.

Evidence of lack of an emergency: The current death count of 106 people, due to COVID, in almost two years, in a county of 85,000 does not present any evidence to support an emergency.

**8. Breach of Oath of Office & failure to perform duties and basic responsibilities expected of a public servant,** Those elected to serve in Mendocino County are and have been demonstrating a pattern of violating their Oath of office. In an effort to control the outcome of this virus, they have inadvertently destroyed the institutions around us such as, churches, businesses, schools and the right to assemble. The elected are further **Trespassing** by restricting the people’s access to these institutions, particularly public meetings, and our right to assemble.

**9. Furthermore, these orders demonstrate the intent to abuse Peace Officers –** in commanding local law enforcement to breach their oaths to enforce unconstitutional orders/mandates.

**10. Violation of Right to Informed Consent -** The EUA - **21 U.S. Code § 360bbb–3** for Covid19 gene therapy drugs is an authorization for use of experimental medical treatments. Such treatments require each subject be given the right to refuse, as well as the Right of Informed Consent."...*To establish true informed consent, it is now required to disclose* ***all risks*** *that might affect a patient's treatment decisions.*” This requires the subject be informed of all serious side effects, and complications,as well as all recognized alternative forms of treatment. With respect to Covid19 gene therapy drugs, medical experts affirm that, the *“significant risk of Antibody Dependent Enhancement (ADE) should have been and should be prominently and independently disclosed to research subjects...”*

Informed Consent law requires that, the subject be able to exercise a “*free power of choice****”*** without **any interference** such as by“*any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion…”*

**Who assumes Liability** **for injury and death from the Covid19 gene therapy injections?**

A “proof of vaccination” order is a coercive measure. The above liability falls personally upon the public servants that order and enforce the promoting of the experiment in violation of Informed Consent Law. *“****The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs, or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.****”*

**Violations of Informed Consent law –** areevidenced by any and all orders/mandates, incentives, and persuasive messages and any and all forms of coercion, including peer pressure. Case law has added that any personal or economic interests that may influence the subject’s judgment must also be taken into consideration as forms of coercion.

By ignoring any risks to individuals, these orders undermine the dignity ofthe Peopleto make informed choices according to their own understanding and individual conscience. It destroys the Individual’s Free-will and Right to Bodily Autonomy, and is completely hostile to a free American society.

**THE TEN POINTS OF AUTHORITY OF THE NUREMBERG CODE**

## The ten points of the code were given in the section of the judges' verdict entitled "Permissible Medical Experiments”:

1. The voluntary consent of the human subject is absolutely essential. This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise **free power of choice, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion;** and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision. This latter element requires that before the acceptance of an affirmative decision by the experimental subject there should be made known to him the nature, duration, and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon his health or person which may possibly come from his participation in the experiment. **The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs, or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.**
2. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.
3. The experiment should be so designed and based on the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study that the anticipated results will justify the performance of the experiment.
4. The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.
5. No experiment should be conducted where there is an *a priori* reason to believe that death or disabling injury will occur; except, perhaps, in those experiments where the experimental physicians also serve as subjects.
6. The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment.
7. Proper preparations should be made and adequate facilities provided to protect the experimental subject against even remote possibilities of injury, disability, or death.
8. The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of the experiment of those who conduct or engage in the experiment.
9. During the course of the experiment the human subject should be at liberty to bring the experiment to an end if he has reached the physical or mental state where continuation of the experiment seems to him to be impossible.
10. During the course of the experiment the scientist in charge must be prepared to terminate the experiment at any stage, if he has probable cause to believe, in the exercise of the good faith, superior skill and careful judgment required of him that a continuation of the experiment is likely to result in injury, disability, or death to the experimental subject.

**With explicit reservation of our natural, unalienable, and Constitutionally protected and secured rights (Article 4:2:1), and any other rights, privileges, or immunities that we may have, with none waived, and without prejudice.**