

Advisement About Common Law Writs



By Anna Von Reitz

This morning I was asked again about the use of Common Law Writs as a means of moving the foreign courts. Here is my reply:

Writs like this don't apply to any of these courts except The United States Supreme Court.

This is because as I explained yesterday none of these courts except the USSC operate in our jurisdiction.

And never have.

As they succinctly said in *Thompkins vs Erie Railroad*, they have no "General Common Law". The only kind of "Common Law" they have is Military Common Law. So now if you attempt to address anything using Common Law in their courts you inadvertently push it into military tribunal mode.

And then you fail to properly declare yourselves and that gives them the opportunity to presume that you are an Enemy Combatant.

Once you get into Admiralty mode you can declare The Law of Peace and the Saving to Suitor's Clause but that requires a level of awareness and expertise that most people including most lawyers don't have— and even after you hop through the hoops in this case, you would be claiming redress against bankrupt entities.

You can now see why all the Ancient Writs don't work in their courts, except the Supreme Court, and why even if you win in Admiralty, you lose.

Writ of Habeas Corpus has additionally been suspended for "US citizens" since the Civil War and most court actions involving statutory and regulatory infractions are addressed to US citizens.

So that's additionally why Writs of Habeas Corpus aren't honored by these courts.

Just so you know.

The best way to deal with these courts is simply to concentrate on building up our own courts so that we never have to go in them in the first place.

If you do have to deal with them there are three pertinent questions you always wish to address to the Court and the Prosecutor:

- (1) Does this Court have jurisdiction over the living man? (No, they do not.)
- (2) What probable cause does the Prosecutor or Police Officer have for presuming that.... (for example— the Defendant was driving for hire and not simply traveling for private purposes? Use whatever applies to your case.)
In the vast majority of cases the Prosecutor has no probable cause to presume anything about the capacity in which you were acting.
- (3) Finally, put them in a Double Bind. If you are dealing with a Law Enforcement Officer giving testimony against you, ask him if he is an attorney? If not, how is he competent to interpret the

statutory law or Federal Code and make a determination that any crime occurred? (He's not a competent Witness for their purposes and they know that, but they will bluff if you don't call them on it.). The other alternative will be a standard case where you have an attorney acting as Prosecutor and they will be making accusations against you without any first-hand knowledge of anything at all, so you ask— Mr. Prosecuting Attorney, do you have any first-hand knowledge of the circumstance and happenings that you are referring to in this complaint? (No, of course not, he is just chuffing wind.) "Will it please the Court to hear my testimony under affirmation and penalty of perjury, as I am (in most cases) the only Witness to these events having first-hand knowledge of them?"

Either they have no competent Witness or ninety-percent of the time they have no Witness at all and whatever account you give of your actions and intentions stands.

"On April the 7th of this year, I got into my car about four-thirty in the afternoon and proceeded to via that means to our local grocery store where I purchased items for dinner. I was enroute going back to my home with the intention of cooking my dinner when I was accosted by Patrolman Pierce in his patrol car. I stopped to see what he wanted and if I needed to render assistance. He demanded to see a Driver License and Registration. I asked him if he had probable cause to think that I was engaged in commercial business for profit of any kind? He then arrested and detained me under force without my consent and without any lawful authority to do so, whereupon I counterclaimed that he was violating my Fourth Amendment Guarantees and he refused to discuss anything further. So here we are, still stuck on the question of probable cause and exactly why Patrolman Pierce assumed that I was doing anything at all beyond returning home to cook my dinner — and why he violated my freedom from violent detainer? He didn't in fact ask me what I was doing or why. He simply assumed that I was engaged in some sort of commercial activity requiring a license and reacted violently when I asked for his probable cause for that assumption. I find that I have been detained, hauled into a court and jurisdiction foreign to me for no clearly stated reason, and compelled by the circumstance to comment about my private actions and intent, which is certainly a violation of my free will and privacy by a man who is not adequately trained in the practice of law to even make a determination of probable cause much less presume that any entity subject to the statutory law was even present and inhabiting an Office of Person. Whereupon I wish for this Court to dismiss these unsubstantiated charges and set my persons free."

What can the judge do or the police Officer say?

That the Registration of the car as a Motor Vehicle was the only basis for their presumption that it was being operated as such that afternoon? And also the only basis for their presumption that you were operating as a licensed driver, too?

The same issues apply to virtually any issue entertained by any of these courts. They are always operating on the basis of unsubstantiated presumptions brought forward by Witnesses who are incompetent or lacking first-knowledge.

The fundamental presumption of capacity and guilt being foisted off on you and giving rise to their idea that you are guilty by definition rests upon the presumption that you are a Municipal citizen of the United States within the meaning and intent of the "Fourteenth Amendment" which is in fact a By-Law of the Articles of Incorporation of an interloping Scottish Commercial Corporation that was infringing on our name and copyrights and which has been defunct since 1907.

THAT is truly how absurd and baseless their legal presumptions about you are, but it is still your job to rebut them in an effective manner, so that the judge can identify who you are and the capacity in which you are (or were) acting.

If he then convicts or harms you in any way upon being fully advised that you are an American State Citizen and that you were acting in your private capacity as such and had it demonstrated that there is no credible probable cause to presume otherwise— it is his proverbial neck in the noose upon your appeal.

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