

Steven L. BERNARD (bond) John Daniel DAILEY (witness) 2 East 14th Avenue Denver, CO 80203	<b>USDC NNY #18-mc-7 In re: David Merrill</b>	U.S. DISTRICT COURT - N.D. OF N.Y. <b>FILED</b> SEP 13 2019 AT _____ O'CLOCK John M. Domurad, Clerk - Albany
People of the State of Colorado  v  Patrick Neill MORENO	Eighth Judicial District 18-cr-315, 18-cr-2908  Colorado Court of Appeals Case <b>#2019-CA-1541</b>	
<b>Waiver</b>		

Herein this Certificate of Exigent Circumstances and to the world be it known by this and other reliable Information that bonding is set with the Colorado and United States treasuries authorizing certain specific waiver of court rules. With the bond dodging rampant racketeering in both state and federal judiciaries, hereinafter the Treasury, no sovereign or judicial immunity stands reasonably against instant lien and garnishment upon either treasury. Settlement must therefore be immediate, complete and figured between the state and federal treasuries privately. All transactions are redeemed lawful money by demand Title 12 USC §411.

Specifically rules about conviction and sentencing to precede the court of appeals from taking immediate action are waived in this unique matter. Also, an interlocutory appeal designed in this same manner about deviant oaths has already been filed (2019-CA-1203), heard and dismissed without prejudice based in following rules of court in this irregular and extraordinary matter. Waiver of Tort by the NY Code and global municipal home rule prescribes settlement through billing is just and fair. This is best handled domestically within the United States of America.

The history of this matter describes the bond dodging has been developing around harassments from John William SUTHERS' vacant office of district attorney in the Fourth Judicial District for negotiating a growing Patriot Movement with and around fears of David Merrill, one in the same person as David Merrill VAN PELT. This is described in the last section of the filing herein. David A. GILBERT was Chief Prosecutor during the vacant terms of office and subsequently as district court judge he altered and re-filed his oath of office mid-term. John SUTHERS, subsequently as State attorney general dissolved the State of Colorado Capital



Finance Corporation that had operated as his private evidence and money laundering operation when confronted with the \$20,000,000.00 lien UCC-1 #20092001574, illegally evading the debt.

### ARTICLE III - PURPOSES

The purposes for which the corporation is organized are as follows:

(a) To acquire by purchase, lease or otherwise, interest in real or personal property, or any combination thereof, to construct or install improvements, and to lease or otherwise convey interests in real or personal property or improvements or any combination thereof to the State of Colorado (the "State")

(b) To borrow money, to become indebted, and to execute and deliver bonds, notes, or debentures or other securities, instruments or obligations for the purposes of acquiring such interests in real or personal property, constructing or installing such improvements, or any combination thereof, and for such other purpose or purposes as may be

Donald John TRUMP declared federal employees might have Christmas Eve (2018) off work on December 22, 2018 with EO #13854 and that department managers would decide whether the essential personnel working would be paid that day to illegally disguise restructure of the US Government in bankruptcy. This was the first restructure as it was the first to exceed the 31 Day shutdown stipulation.

START DATE	PRESIDENT	LENGTH IN DAYS
DEC. 22, 2018	Trump	34
DEC. 16, 1995	Clinton	21
OCT. 1, 1975	Carter	17
OCT. 1, 2013	Obama	16
OCT. 1, 1977	Carter	12
OCT. 1, 1979	Carter	11
OCT. 1, 1975	Ford	10
NOV. 1, 1977	Carter	5
DEC. 1, 1977	Carter	5
NOV. 14, 1995	Clinton	5
DEC. 19, 1992	Reagan	2
NOV. 11, 1983	Reagan	1
OCT. 6, 1995	Bush	1
NOV. 21, 1993	Reagan	1
OCT. 1, 1984	Reagan	1
JAN. 20, 2019	Trump	1
OCT. 1, 1992	Reagan	1
OCT. 4, 1984	Reagan	1
OCT. 17, 1988	Reagan	1
DEC. 19, 1987	Reagan	1
FEB. 9, 2018	Trump	1



An offer of a memorandum explaining what is on the record still stands but an experienced eye will be able to scan the Albany Remand, USDC NNY 2018-mc-07, with USDC Washington, Tacoma 2016-cv-5520 and pull the key documented events. Key to understanding that administrative remedy has been exhausted in vacant judiciaries is commentary by Victor J. WOLSKI in the US Court of Federal Claims - 15-cv-1416. Wherein you see, WOLSKI was afraid to let the clerk of court publish the Refusal for Cause on the face of his bogus oath.

The second document, received on December 16, 2015, is entitled "Update." This document cites and discusses the Order dated December 9, 2015, docket number 10, and thus Mr. Merrill will not be excused for failing to move for leave to file it. In addition, apparently due to his unusual theory about the significance of the phrase "SO HELP ME GOD" being printed in small capitals on an oath of office certificate, throughout this document Mr. Merrill refers to the undersigned using only a surname. Whatever his disputes with other judges, as a litigant in this court

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Case 1:15-cv-01416-VJW Document 13 Filed 12/23/15 Page 2 of 2

Mr. Merrill must conduct himself with proper decorum. The disrespect implied in his manner of referencing the undersigned would justify disregarding the paper were it a brief, *see* Rule 5.4(a)(1) of the Rules of the United States Court of Federal Claims (RCFC), and striking the document were it a pleading, *see* RCFC 12(f)(1). The Clerk is directed to return this document to plaintiff.

The court is again reminded that this has nothing to do with religion or God. The issue at hand is so simple a second grader will easily understand it upon examination. An oath is solemn and prescribed by the general assembly or Congress. The oath of office is to be administered according to common law and uniformly executed as a fungible fidelity bond. No oath may be altered in form except by the legislative body in authority to do so. An example of this rectification of judiciary is 18-HB-1138.



Case 1:18-mc-00007-LEK-DJS Document 32 Filed 11/26/18 Page 34 of 61



The amount now due may be calculated within the Albany Remand by claim forms.  
"David Merrill as First Trustee" by Treasury Check for \$20,000,000.00 to David Merrill c/o UPS  
Store #6046, 720 N 10th St; STE A, Renton, Washington. 98057 and:

1. Longino Idrogo Doc 1, Page 23
2. Troy Lee Doc 1, Page 35
3. Craig Steven Doc 1, Page 39
4. Kevin Brian Doc 1, Page 54
5. Karl Nelson Doc 1, Page 65
6. Mark Christopher Doc 1, Page 73
7. Denise Elizabeth Doc 1, Page 75
8. Michael Holman Doc 1, Page 81
9. Scott Robert Doc 6, Page 2
10. Christopher Jonathan Doc 4, Page 1
11. Rickie Eugene Doc 11, Page 1
12. Luis Alberto Doc 12, Page 23

The chevron over the uroboris, accompanied by the rosy red cross is ancient. See NEPHALIM at Genesis chapter 6.

An updated listing of claims short Michael Paul on Doc 38; Page 4 of 26 is found on Doc 54. The damages and claim of the original \$175,000.00 have been appended at the end of this Doc.



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fatal flaws by motion would certainly prevail, but at risk of career and livelihood. Such is the nature of racketeering.

All claims still stand valid as found on Doc 30; Page 7 of 40 and include now the garnishment Patrick Neill stated against Julie Kuntz FIELD.

The amount now due may be calculated within the Albany Remand by claim forms. "Pay to: David Merrill or David Merrill VAN PELT" by Treasury Check for \$20,000,000.00 sent to David Merrill c/o UPS Store #6046, 720 N 10th St; STE A, Renton, Washington. 98057 and:

1. Longino Idrogo Doc 1, Page 23
2. Troy Lee Doc 1, Page 35
3. Craig Steven Doc 1, Page 39
4. Kevin Brian Doc 1, Page 54
5. Karl Nelson Doc 1, Page 65
6. Mark Christopher Doc 1, Page 73
7. Denise Elizabeth Doc 1, Page 75
8. Michael Holman Doc 1, Page 81
9. Scott Robert Doc 6, Page 2
10. Christopher Jonathan Doc 4, Page 1
11. Rickie Eugene Doc 11, Page 1
12. Luis Alberto Doc 12, Page 23
13. Patrick Neill Doc 30, Page 13
14. Steven Walter Doc 51, Page 11

This action continues on and for the behalf of the United States.

State of Arizona  
County of Maricopa  
The foregoing instrument was acknowledged before  
me on this 30 day of April, 2019  
by Francisco G. Moreno  
who is personally known to me or has produced  
AZ 613/00195 as Identification  
Amy D. Hiale  
Notary's Signature

By: Francisco G. Moreno (POA)  
Francisco G. Moreno (POA)  
For: Patrick Neill (House of MORENO)  
Trustee of the Resulting Trust  
Power of Attorney attached



Amy D. Hiale  
Notary Public  
Maricopa, Arizona  
My Comm. Expires 01-31-2022



In dishonor, SUTHERS dissolved the State of Colorado Capital Finance Corporation shortly after I published this lien. This is past due notice.

Patrick Neill's claim is effective garnishment on Julie Kuntz FIELD for having a deviant oath of office, a vacant office and also for violations of law and ignoring a major fatal flaw at trial - described near the signature lines. The court must be reminded that the following documentation is only a small example of the illegal torture that has been going on, to flay Patrick Neill into submission to false, not even *de facto*, authority of Steven John JOUARD.





**PROBATION DEPARTMENT**  
2555 MIDPOINT DRIVE SUITE B  
FORT COLLINS CO 80525

(970) 494-3980  
FAX (970) 492-2457

**CHRIS GASTELLE**  
Chief Probation Officer

DATE FILED: August 23, 2019 10:41 AM  
CASE NUMBER: 2018CR315

## Memo

**To:** Stephen John Jouard

**From:** Laurie Lindberg, Probation Officer

**Reviewed by:** Tom Hulse, Probation Supervisor

**CC:** District Attorney, Public Defender

**Date:** August 21, 2019

**RE:** Moreno, Patrick Neill

**Case #:** 18CR315/18CR2908

Sentencing date/time: September 3, 2019 3:30 P.M.

On 08/02/18, Mr. Moreno was found guilty in Larimer county case 18CR315. On this same date the Court ordered a Pre-Sentence Report to be completed for sentencing on 09/21/2018. The Court also ordered a Community Corrections screen. Mr. Moreno failed to contact the Probation Department to complete his Pre-Sentence interview and the report could not be completed for sentencing.

On 09/21/18, Mr. Moreno failed to appear for sentencing in Larimer County case 18CR315 and a Warrant for Failure to Appear was issued by the Court. Additionally, on 09/21/18, Mr. Moreno was charged in Larimer County case 18CR2908 of Count I: Violation of bail Bond Conditions (F6). On 011/28/18, a Warrant was issued upon Affidavit. On 02/15/19, the Warrants were cancelled due to Mr. Moreno being arrested by the Larimer County Sheriff's Office. On 07/25/19, Mr. Moreno was found guilty in Larimer County case 18CR2908. On this same date the Court ordered a Pre-Sentence Report to be completed for sentencing on 09/03/2018. On 07/29/19, in Larimer County case 18CR315 the Court re-ordered a Pre-Sentence Report and Community Corrections screen to be completed for sentencing on 09/03/2019.

On 08/21/19, this Officer spoke with Mr. Moreno regarding his Pre-Sentence Investigation and Mr. Moreno politely stated (verbatim):

Judge Jouard's oath of office has not been filed with the Secretary of State in accordance with Article 12 Sections 8, 9, and 10 of the Colorado Constitution. Therefore, the office is vacant, and he is not a Judge.

Mr. Moreno indicated he would not fill out the psi-packet or participate in the psi-interview for the above stated reason. Therefore, due to Mr. Moreno's failure to participate in the Pre-Sentence investigation the Pre-Sentence report cannot be completed for sentencing. If the Court chooses to re-order the Pre-Sentence Report, it is respectfully requested the Court schedule sentencing on or after 10/15/19. Please contact me at 494-3995 with any questions or concerns.


Patrick Neill has a claim against the Treasury for \$3,250,000.00. To describe torture simply ask yourself what is a six-week unexplained delay supposed to do toward justice except to extend this unlawful imprisonment and compel Patrick into submitting to an obviously vacant office?



Case 1:18-mc-00007-LEK-DJS Document 43 Filed 01/24/19 Page 1 of 14

RE 125 418 881 US

Eighth Judicial District Case # 18cr315 - Maricopa County Superior Court Case # CR2018006254001

United States District Court for the District of New York - Albany James T. Foley U.S. Courthouse Suite 509; 445 Broadway Albany, NY 12207	 <p>[18-mc-7 In re: David Merrill]</p> <p>Citing Doc 30, Page 9 of 40 herein</p>
Garnishments in USDC DC On and for the behalf of the UNITED STATES	
<p align="center"><b>Notice of Vacant Offices</b></p> <p align="center"><b>Garnishment - Julie Kuntz FIELD for \$3,250,000.00</b></p>	

**COMES NOW**, Patrick Neill of the family MORENO and Redeemed. Demand is made for redemption of central banking currency in Lawful Money in all transactions pursuant to Title 12 USC §411 and §16 of the Federal Reserve Act. Service to the agent is service to the principal and vice versa.

The addresses are found on the Claims cited within the Albany Remand in the image above, and the \$20M Treasury check is to be mailed to David Merrill at 720 N 10th St; STE A, Renton, Washington. 98057-5525. Demand for lawful money is global and uniform for all these claims.

In addition to the probation department torture Sheriff personnel is harassing Patrick in the jail about postage. Important process is being returned to Patrick in his cell a week or more later claiming he did not put enough postage on it. The main deputy sheriff is putting stipulations also on what the jail will recognize as "LEGAL MAIL". As pointed out, JOUARD is already timing process as to make it nearly impossible for Patrick to manage defense, and now operate an appeal, by delaying until the last minute and the mail hassles are very harmful to morale and cause undue anxiety.



**LARIMER COUNTY SHERIFF'S OFFICE**

Jail

### Inmate Grievance/Appeal

Inmate ALLEN, J. H.

Date	(Last)	(First)	(Middle)
Aug 21 2019		Pod	Room

☐ Grievance ☒ Appeal

State Issue: 1. The 1990s

Meaning that we must not be too sure of ourselves.

12. 1901 May 24 (Sat) 1899

\_\_\_\_\_

1. The first part of the paper is devoted to a general discussion of the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters  $\alpha$  and  $\beta$ .

*Handwritten note:* The above is a copy of the original which is held by the author.

11. 11. 1911 - 1. 11. 1911 - 1. 11. 1911

11. Plan To (check one) ☒ Buy ☐ Rent ☐ Lease

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[illegible]

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**Suggested Solution:**

Suggested Solution:

to be pulled into the same zone (early) with you. I have been

Page Four

11. 10. 18

Life pattern observed in a "half-bred" family.

4. The first group of students is the most important group of students.

Received by \_\_\_\_\_ Date/time: \_\_\_\_\_

Routed to: ☐ Programs ☐ Counseling ☐ Medical ☐ ADA ☐ ASU

Answer: ☐ Transportation ☐ Booking ☐ Administration ☐ Other \_\_\_\_\_

Answer. ☐ Approved ☐ Denied (state reason below):

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Staff Signature and Title \_\_\_\_\_

Small Screened

Printed Name \_\_\_\_\_ Officer # \_\_\_\_\_

Date/time \_\_\_\_\_

Original—Social File      Yellow—Inmate (response)      Gold—Kept by Inmate

LCSO/D-29A (04/18) (3 part)

The answer is designed to describe the ongoing communications problems within jail policy by evading that all LEGAL MAIL that is not sent certified is to be expediently processed through security and paid for by the jail.



THIS WAS BROUGHT TO THE ATTENTION OF FIELD. NO RESPONSE.  
ALSO, with respect to Field trial, Prosecutor at no time presented the evidence before trial, did not call for, schedule or preside over any hearing to present or discuss evidence against Patrick.



This document is truly certificate of exigent circumstances enacting garnishment on the Treasury for the total of all the claims listed herein. Rule B(1)(c) FRCP and state equivalent statutes cover that the bonded agent Steven L. BERNARD is to fashion an ORDER in authority of the only bond found within earshot for immediate settlement of these garnishments and liens. More appropriately BERNARD is to allow and instruct the Appeals Court clerk of court to execute this rule of law. Failure to do so is breach of trust and may result in the lien developing into more harmful displays of the racketeering unraveling release valve systems for the highly compressed information infrastructure within fractional lending and collections by central banks globally. As it has always been, it would best to settle up sooner than later.

**UPDATE 9/4/19:** Patrick has been sentenced to four years in prison, by Mr. Steven John JOUARD. The transcript should contain nearly an hour of allocution about oaths and imposter judges etc.

The Albany Remand nears 80 Docs in length and any motions are directed to Mr. Daniel J. STEWART. This connection to the Dragon Court is remarkable considering Daniel means Judge for God in biblical Hebrew and STEWART is the house for any western filings. Therefore it became important to call Mr. STEWART on bonding. Two suitors directed inquiry through FOIA to the Department of Justice and got the same reply, saying that the DoJ does not handle FOIA requests for federal magistrates.





**U.S. Department of Justice**  
**Office of Information Policy**  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

Telephone: (202) 514-3642

August 12, 2019

Karl Nelson  
10 Charles St.  
Quincy, MA 02169  
[henck@comcast.net](mailto:henck@comcast.net)

Re: DOJ-2019-005901  
DRH:VAV:MEC

Dear Karl Nelson:

This responds to your Freedom of Information Act (FOIA) request received in this Office on July 15, 2019, in which you requested the Oath of Office and Appointment Affidavit for United States Magistrate Judge Daniel J. Stewart.

Please be advised that the Office of Legal Policy (OLP), for which this Office processes FOIA requests, maintains records pertaining to all sitting federal judges, except magistrate, bankruptcy, Tax Court, Veterans Appeals Court, and military Court of Appeals judges. For your information, records relating to all federal judges, including Magistrate Judge Daniel J. Stewart, are maintained by the Administrative Office of the United States Courts (AOUSC). As the AOUSC is an entity within the judicial branch, it is not subject to the FOIA. Although the policy of the AOUSC is not to release documents to the public, should you wish to contact that entity its address follows:

Judges Compensation and Retirement Services Office  
Administrative Office of the United States Courts  
One Columbus Circle, NE  
Washington, DC 20544

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552 (2012 & Supp. V 2017). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison, Valerie Villanueva, for any further assistance and to discuss any aspect of your request at: Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001; telephone at 202-514-3642; or facsimile at 202-514-1009.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601

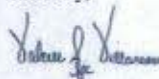


-2-

Adelphi Road, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal at <https://foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically submitted within ninety days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in dark ink, appearing to read "Douglas R. Hibbard".

Douglas R. Hibbard  
Chief, Initial Request Staff





U.S. Department of Justice  
Office of Information Policy  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

Telephone: (202) 514-3642

August 12, 2019

Louis Colon  
106 Craske St.  
Woodbridge, NJ 07095  
[Lcolon17@comcast.net](mailto:Lcolon17@comcast.net)

Re: DOJ-2019-005916  
DRH:VAV:MEC

Dear Luis Colon:

This responds to your Freedom of Information Act (FOIA) request received in this Office on July 16, 2019, in which you requested the Oath of Office and Appointment affidavit for United States Magistrate Judge Daniel J. Stewart.

Please be advised that the Office of Legal Policy (OLP), for which this Office processes FOIA requests, maintains records pertaining to all sitting federal judges, except magistrate, bankruptcy, Tax Court, Veterans Appeals Court, and military Court of Appeals judges. For your information, records relating to all federal judges, including Magistrate Judge Daniel J. Stewart, are maintained by the Administrative Office of the United States Courts (AOUSC). As the AOUSC is an entity within the judicial branch, it is not subject to the FOIA. Although the policy of the AOUSC is not to release documents to the public, should you wish to contact that entity its address follows:

Judges Compensation and Retirement Services Office  
Administrative Office of the United States Courts  
One Columbus Circle, NE  
Washington, DC 20544

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You may contact our FOIA Public Liaison, Valeree Villanueva, for any further assistance and to discuss any aspect of your request at: Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001; telephone at 202-514-3642; or facsimile at 202-514-1009.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601

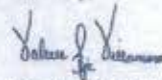


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Adelphi Road, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal at <https://foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically submitted within ninety days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Douglas R. Hibbard  
Chief, Initial Request Staff

Both suitors have been following up with the Administrative Office of the United States Courts and one reply has been received, and an identical reply is expected soon.





JAMES C. DUFF  
Director

LEE ANN BENNETT  
Deputy Director

ADMINISTRATIVE OFFICE OF THE  
UNITED STATES COURTS

WASHINGTON, D.C. 20544

JAMES R. BAUGHER  
Associate Director  
Department of Administrative Services

CYNTHIA A. ROTH  
Chief Human Resources Officer  
Human Resources Office

August 29, 2019

Mr. Luis Alberto Colón

Dear Mr. Colón:

This is in response to your request for a copy of the oath of office form for the Honorable Daniel J. Stewart. The Administrative Office of the United States Courts does not provide copies of a judge's signed oath of office. However, this letter will confirm that Daniel J. Stewart has been appointed as a judge of the Northern District of New York and took the oath of office prescribed by law as noted below. The text of the oath of office for judges may be found in the United States Code at 28 U.S.C. § 453 and 5 U.S.C. § 3331. Please also note that United States Judges are not issued bonds.

Name and Title

Daniel J. Stewart  
Magistrate Judge

Oath of Office Date

September 28, 2015

Thank you for your inquiry.

Sincerely,

A handwritten signature in black ink, appearing to read "Ciss", written over a horizontal line.

Judges Compensation and  
Retirement Division

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A TRADITION OF SERVICE TO THE FEDERAL JUDICIARY

This means that it is nearly impossible for people to actually read Daniel J. STEWART's oath for the deviant SO HELP ME GOD encryption. And since it was likely more trouble to be evasive the presumption that STEWART's fungible fidelity bond is bogus is a reasonable presumption. This is mentioned in support of this Doc as Certificate of Exigent Circumstances and that judicial review is impracticable - therefore the clerk of the appeals court shall issue garnishment and lien process ordering immediate collections of these claims, through the US



Treasury. We are fully prepared to enter the herein cited documentation for any E(4)(f) styled hearing.

Additionally Michael Paul, through affiant James Frank has additional damages and testimony to append to the claim already joindered into the Albany Remand.

Redeemed Lawful Money  
Pursuant to 12 USC 5411  
[www.law.cornell.edu/uscode/](http://www.law.cornell.edu/uscode/)

PENDRAGON

TERRITORY  
1861



STATE  
1876



notary



State of WA  
County Of King

I certify that I know or have satisfactory evidence that  
DAVID HERRILL is /are the person who  
appeared before me, and signed and sworn  
on SEP. 9, 2019 (date). October 1, 2021  
[Signature] Signature Notary Public Commission Expires

Additional process is signature bonding by Frank, Patrick's father who will send one original to the Appeals Court, and one original to Patrick Neill in jail, in Colorado.

[Signature]  
Frank MORENO

notary

[Signature] (POA)  
Francisco MORENO

State of Arizona  
County of Maricopa

The foregoing instrument was acknowledged before  
me on this 10 day of September 2019  
by Francisco Moreno  
who is personally known to me or has produced  
Drivers license as identification  
[Signature]  
Notary's Signature



Elizabeth Gibbs  
Notary Public  
Maricopa County, Arizona  
My Comm. Expires 08/12/21



...and the ...  
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STATE  
1881



MASSACHUSETTS  
1881

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WASHINGTON STATE DEPARTMENT OF  
LICENSING**Search**

BUSINESS &amp; PROFESSIONAL LICENSES

**License Details****License Information:**

**Name:** TORRES, ALDWIN P  
**License Type:** Notary Public  
**License Number:** 169220  
**License Status:** Active  
**First Issued Date:** Nov 26 2013  
**License Issued:** Oct 1 2017  
**Expiration Date:** Oct 1 2021

**Address:**

Renton WA 98057-5525

Information Current as of 09/09/2019 3:03AM Pacific Time

[New Search](#)

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Jail notary

Patrick Neill

Frank is to sign two original and identical Waiver documents with a notary, and to mail one to Patrick Neill in jail in Colorado. He will be mailing copies out as follows:

National Judicial Council  
16 Szalay utca, H-1055  
Pf. (PO Box) 24. H-1363  
Budapest, Hungary.

\$21 cash

International Mail

General Counsel - Administrative Office of the US Courts  
One Columbus Circle, NE; Room 5-300 Billing  
city of Washington, District of Columbia. 20544

Rectified Scottish Rite Freemasonry  
The Supreme Council, 33°, SJ, USA  
1733 16th St. NW  
Washington, DC 20009-3103

Registered Mail #

Hungarian Honorary Consulate in Liverpool, United Kingdom  
Attn: ZSIGMOND/HOGELAND  
43 Rodney Street  
Liverpool L1 9EW  
United Kingdom

International Mail

United Nations Secretary General Antonio GUTERRES  
1 United Nations Plaza  
New York, New York. 10017

Registered Mail #

Club de Paris - IMF

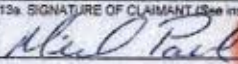
International Mail



139, rue de Bercy -  
75572 Paris Cedex 12, France



**Addendum:** Herein and fully integrated are the claims of Michael Paul, by and large through sworn "affiant" James Frank. The \$175 Claim published on PACER through this Albany Remand is already inserted above. This claim is appended:

<b>CLAIM FOR DAMAGE, INJURY, OR DEATH</b>		<b>INSTRUCTIONS:</b> Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		<b>FORM APPROVED</b> OMB NO. 1105-0008	
1. Submit to Appropriate Federal Agency:			2. Name, address of claimant, and claimant's personal representative if any. (See instructions on reverse). Number, Street, City, State and Zip code.  Michael Paul of the Marshall Family c/o PO Box 11814 Pueblo Colorado		
3. TYPE OF EMPLOYMENT <input type="checkbox"/> MILITARY <input checked="" type="checkbox"/> CIVILIAN	4. DATE OF BIRTH 1.	5. MARITAL STATUS Single	6. DATE AND DAY OF ACCIDENT 09-03-2014 13DR30116	7. TIME (A.M. OR P.M.)	
8. BASIS OF CLAIM (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary).  With fraud, perjury, hearsay, ex-parte communications, and many other unlawful actions by all BAR members and the petitioner, my Unalienable, Human and all other Rights have been trespassed on to deny me Custody and Care of my flesh and blood daughter Nevaeh Anne, of the Marshall family as well as both of our Rights to live unmolested by the BAR and local authorities, all without any due process of any kind. The BAR members involved include Thomas Bradford Fleisher, Kimberly Jo Kam, Jillian Suzanne Mattoon, Cobes E. Becker, Dawn M. Mann, Maclovio F. Gallegos and Joyce Vigil. The petitioner involved in this action is Courtney J. Williams					
9. <b>PROPERTY DAMAGE</b> NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, Street, City, State, and Zip Code):  BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED. (See instructions on reverse side).  My flesh and blood daughter has been kept from me, other than one hour supervised visits, once a week since summer of 2017 and for a couple of months with the same time restrictions in mid 2016. I have also been kept from attending any school functions by the petitioner.					
10. <b>PERSONAL INJURY/WRONGFUL DEATH</b> STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDENT.					
11. <b>WITNESSES</b>					
NAME		ADDRESS (Number, Street, City, State, and Zip Code)			
James Frank, of the Williams family		c/o PO Box 11814 Pueblo Colorado			
12. (See instructions on reverse). <b>AMOUNT OF CLAIM (in dollars)</b>					
12a. PROPERTY DAMAGE	12b. PERSONAL INJURY	12c. WRONGFUL DEATH	12d. TOTAL (Failure to specify may cause forfeiture of your rights).		
\$50,000 redeemed for lawful money	\$752,000 redeemed for lawful money		\$802,000 redeemed for lawful money		
I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side). 			13b. PHONE NUMBER OF PERSON SIGNING FORM (719) 415-5552	14. DATE OF SIGNATURE 12-16-2016	
<b>CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM</b>  The claimant is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the Government. (See 31 U.S.C. 3729).			<b>CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS</b>  Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001.)		

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95-109

NSN 7540-00-634-4046

STANDARD FORM 95 (REV. 2/2007)  
PRESCRIBED BY DEPT. OF JUSTICE  
28 CFR 14.2

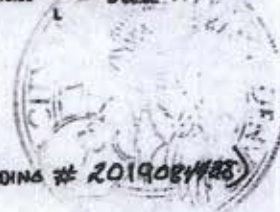


And following is a new affidavit and transcript testimony in the total amount of \$708,000.00. Totals for claims from Michael Paul are \$175K + \$802K + 708K = \$1,685,000.00.



2019084445  
Page: 1 of 1  
D \$0.00

District Court Pueblo County  
501 N. Elizabeth Street  
Pueblo, CO 81003



In Re: Publicly recorded Affidavit of James Frank: Williams (RECORDING # 2019084445)

Petitioner: COURTNEY WILLIAMS

And

Michael Paul, Marshall / Counter-Complainant

Case Number: 2013DR30116

(i), Michael Paul, Family of Marshall, an American National and Aggrieved Man comes Sui Juris as one of the people of Colorado State Republic, entering into the public record and the 10<sup>th</sup> Judicial District of Colorado, the affidavit of American National James Frank: Williams directly testifying to the events of January 14, 2015 at Kinross Day Care in Pueblo West Colorado. These events were fraudulently used on April 23, 2015 to trespass on my Unalienable Rights to Custody and Care of my flesh and Blood daughter and property, Nevaeh Anne, Family of Marshall. The trespass continues to this day.

Affirm under God the Creator that this Document is true and correct to the best of Knowledge.

By:

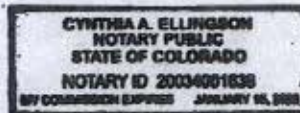
*[Signature]*  
Michael Paul, Family of Marshall  
Living Man and American National  
RFD - c/o PO Box 11814, Pueblo Colorado  
[81001]

Sole Foreign Beneficiary of the Custus Quo Vis Trust  
known as MICHAEL PAUL MARSHALL

Attached: Petitioner court filing: "VERIFIED EMERGENCY MOTION TO RESTRICT PARANTING TIME..." & "ORDER RESTRICTING RESPONDEENTS PARENTING TIME."

Notary Witness: *CYNTHIA A. ELLINGSON*  
Colorado State )  
Pueblo County ) ss.

Subscribed and sworn to before me this 30 Day of June,  
2019, by Michael Paul: Marshall  
*[Signature]*  
Cynthia A. Ellingson, Notary Public  
My Commission Expires: 1/15/2023



by *[Signature]*  
Deputy County Clerk  
Date: 07-11-2019  
Noemi Wirm







2019084438

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D \$0.00

AFF

**Affidavit of the American National, James Frank Williams, herein known as  
Affiant concerning the events of January 14, 2015**

On Wednesday January 14, 2015, this Affiant attended a Status Conference hearing in room 503 of Pueblo County District Court, concerning the custody of my Flesh and Blood granddaughter, Nevaeh Anne, Marshall. It was at the last hearing on this case (13DR30116) in division 503. This case was later transferred to division 403 of the Pueblo County District Court, 10<sup>th</sup> Judicial District of Colorado.

In rebuttal to a perjured affidavit filed by this Affiant's daughter Courtney Janelle Williams on April 9, 2015, the following is true:

After the status conference on January 14, 2015, this Affiant escorted Michael Paul: Marshall, the flesh and blood father of Nevaeh Anne, to the Kinderkirk Daycare in Pueblo West, Colorado to pick up Nevaeh Anne for his time of Custody and Care of Nevaeh Anne. Upon arriving, this Affiant followed Michael Paul into the daycare facility where Michael Paul had already proceeded to their office, in order to sign-out Nevaeh Anne. The director of Kinderkirk, Deborah Kathleen Rose was not in the office at that time, only a single female worker, later identified as Jennifer Rudnik was present. This Affiant heard Michael Paul quietly say hello to Ms. Rudnik as he proceeded in signing out Nevaeh Anne. I stepped into the doorway of the office, never actually entering the office and asked Ms. Rudnik if Mrs. Rose was at the facility, in which I was informed by Ms. Rudnik that Mrs. Rose was there but out in one of the classrooms. This Affiant then stepped back out of the doorway into the hall. As Michael Paul left the office, this Affiant asked him for his cell phone in order to use it to record any conversation that this Affiant might have with Mrs. Rose, should she return to the office, before Michael Paul and my granddaughter arrived to leave. Michael Paul gave this Affiant his phone without speaking and then left, proceeding down to the end of the hallway where Nevaeh Anne's room was located. This Affiant waited by myself in the hall for several minutes, when Mrs. Rose returned to the office. This Affiant has known Mrs. Rose for more than 30 years and knew that any conversation with her would need to be recorded in order to preserve the truth of that conversation. Mrs. Rose returned to the office, entering it and sat behind her desk. This Affiant calmly stepped into the doorway and asked her if this Affiant could speak to her, and she calmly replied "absolutely," as she came out into the hallway, where we joked about her not wearing any shoes at the time. We calmly spoke to each other for just a couple of minutes in the hall, when she asked me to go to a private conference room across the courtyard and into the church area, to continue our conversation, because she didn't want anyone to listen to our conversation. This Affiant agreed and we left the daycare part of the building, this Affiant following Mrs. Rose, exiting into the courtyard between the daycare facility and the adjoining church, then into the church hallway and into a conference room about ¾ of the way down the hall. We spoke in the conference room for about 10 minutes when Mrs. Rose became angry and got up and left the room, heading back to the daycare facility. This Affiant followed Mrs. Rose who stopped halfway down the hall, quickly turned and angrily pointed her finger in my face, calling this Affiant arrogant and condescending. She then continued down the hall, through the doors, back into the courtyard and then back through the doors into the daycare facility while this Affiant

document to be a full, true and correct copy of the original document recorded in my office.

Clerk of Recorder

by

Deputy County Clerk

Date 07-01-2015

Noemi Winn



followed the entire way. As soon as we entered the daycare facility, this Affiant's granddaughter, Nevaeh Anne was coming down the hall, so without ever speaking to Mrs. Rose again after she stopped in the hallway, this Affiant turned my attention to Nevaeh Anne as she ran up to this Affiant, hugging her and picking her up and speaking to her. Michael Paul was following behind Nevaeh Anne and Mrs. Rose immediately walked right up to and in front of Michael Paul and started talking to him causing him to stop and listen. Their conversation was short, and Mrs. Rose turned back around to say goodbye to Nevaeh while this Affiant was still holding her. I told Nevaeh to acknowledge Mrs. Rose and we exited the building. The following day, Thursday January 15, 2015, my daughter, Courtney purposely refused to take Nevaeh to her weekly gymnastics, because of the "shit" as she put it, that Michael Paul and this Affiant supposedly started at Kinderkirk the day before. On or around Friday, January 16, 2015, Mrs. Rose filed a temporary restraining order against this Affiant, because she suddenly "feared for her life," due to the conversation on January 14, 2015 between her and this Affiant at the Kinderkirk facility. Michael Paul was never present for one word of the conversation that took place between Mrs. Rose and this Affiant on January 14, 2015. Also, it was Mrs. Rose that immediately approached Michael Paul in the hallway when she and this Affiant entered back into the daycare facility.

MORE IMPORTANTLY, this Affiant's daughter, Courtney Janelle Williams, the Flesh and Blood mother of Nevaeh Anne: Marshall, was never at the Kinderkirk facility while Mrs. Rose and I had this conversation, or while Michael Paul and this Affiant were at Kinderkirk on that 14<sup>th</sup> day of January 2015. The statements made by Courtney Williams, in a court document (VERIFIED EMERGENCY MOTION TO RESTRICT PARENTING TIME...) submitted on her behalf by her attorney, on April 9, 2015 into the court custody case, number 13DR30116, that Ms. Williams verified and acknowledged as true by her witnessed signature on said document, was FIRST; complete hearsay and a falsehood on Courtney Williams' part, about Michael Paul's involvement in the conversation or his time while at the facility that day. SECOND; it became a crime of perjury when she signed her name to said court document, and THIRD; was a complete falsehood and fabrication of the actual facts of the conversation between Mrs. Rose and this Affiant or this Affiant's actions on said day. This perjured (affidavit) court document by Courtney Williams using falsehoods of the conversation between Mrs. Rose and this Affiant, was nothing more than a ruse by her to induce the court into taking the last of Michael Paul's Liberty Right's to custody, care and visitation with his flesh and blood daughter, Nevaeh Anne away, which took place in said court on April 22, 2015 via an "emergency hearing." Nevaeh Anne has not spent one minute since that day with her father Michael Paul, except in supervised situations.

Courtney Williams also tried to infer that Michael Paul was loud and confrontational that day at Kinderkirk, which is also a complete falsehood.

This Affiant continues to possess the actual recorded conversation with Mrs. Rose from this encounter, which will verify this affidavit and is available upon written request.

Available on request also, are the full set of transcripts from the hearing (case #2015C000027) for a permanent restraining order brought by Mrs. Rose against this Affiant on January 27, 2015 in PUEBLO COUNTY COURT, in regard to the conversation spoken of in this affidavit. The court transcripts clearly indicate that Michael Paul had absolutely nothing to do with said conversation on January 14, 2015







City & County of Denver

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COUNTY COURT, COUNTY OF PUEBLO, STATE OF COLORADO  
CASE NO. 2015 C 000027, DIV. 306

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REPORTER'S TRANSCRIPT (Permanent Restraining Order Hearing)

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IN THE MATTER OF  
DEBORAH ROSE et al.,  
Petitioner,  
v.  
JIM WILLIAMS,  
Respondent.

---

The above-entitled matter came on for hearing  
on Tuesday, January 27, 2015, at 8:54 a.m., before the  
HONORABLE VALERIE V. RAYNES, County Judge.

APPEARANCES:

FOR THE PETITIONER:	DEBORAH ROSE, pro se
FOR THE RESPONDENT:	CORY ROBERT TUCK
WITNESSES:	DEBORAH KATHLEEN ROSE JENNIFER RUDNIK



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1 PROCEEDINGS

2 THE COURT: In the matter of 15C27, Deborah Rose v.  
3 Jim Williams, Ms. Rose? You can come forward to my left.  
4 And Jim Williams? Mr. Williams, over here to my right.  
5 Counsel?

6 MR. TUCK: Cory Tuck on behalf of Jim Williams.

7 THE COURT: What's your last name?

8 MR. TUCK: Tuck, T-U-C-K.

9 THE COURT: William?

10 MR. TUCK: No. My name is Cory Tuck.

11 THE COURT: You're --

12 MR. TUCK: I represent --

13 THE COURT: -- Cory.

14 MR. TUCK: -- Jim Williams.

15 THE COURT: All right.

16 MR. TUCK: And my Bar Number's 39171.

17 THE COURT: All right, thank you, sir.

18 (Asides)

19 THE COURT: All right. Folks, we are here for a  
20 Permanent Restraining Order hearing. Ms. Rose, are you  
21 seeking the Temporary Restraining Order that was issued to  
22 you on or about January the 16th be made permanent against  
23 Mr. Williams?

24 MS. ROSE: Yes, ma'am.

25 THE COURT: Yes.



3

1 MS. ROSE: I also --  
2 THE COURT: Okay.  
3 MS. ROSE: -- brought somebody [indiscernible].  
4 THE COURT: And are you, and are you prepared for  
5 that hearing today?  
6 MS. ROSE: Yes, ma'am.  
7 THE COURT: All right, how many witnesses do you  
8 have?  
9 MS. ROSE: I have one.  
10 THE COURT: Plus yourself?  
11 MS. ROSE: Yes.  
12 THE COURT: Okay, and Counsel on behalf of  
13 Mr. Williams?  
14 MR. TUCK: Yes, ma'am. We would be contesting that  
15 Temporary Restraining Order becoming permanent.  
16 THE COURT: Okay.  
17 MR. TUCK: And as well, we have the Respondent and  
18 one potential witness, as well.  
19 THE COURT: Okay. All right, what's the name of  
20 your witness, Ms. Rose?  
21 MS. ROSE: Jennifer Rudnik [phonetic].  
22 THE COURT: And what's the name of Mr. Williams'  
23 witness?  
24 MR. TUCK: Mike Marshall [phonetic].  
25 THE COURT: All right, Jennifer and Mike, are you



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10

1 THE COURT: Okay.

2 THE WITNESS: I don't want my kids to be seeing  
3 this. I don't want my parents to be seeing this.

4 THE COURT: Okay.

5 THE WITNESS: If --

6 THE COURT: Anything else?

7 THE WITNESS: Yeah, one thing I do want to say is  
8 I'm told that Jim has a tape of --

9 MR. TUCK: Objection.

10 THE WITNESS: -- the whole --

11 MR. TUCK: Your Honor, she's -- to hearsay.

12 THE COURT: Okay. All right, you need to testify  
13 to what you know, ma'am.

14 THE WITNESS: Okay.

15 THE COURT: And it can't be what someone else told  
16 you, unless you're a firsthand observer.

17 THE WITNESS: Okay. I, I just want to make sure  
18 that you realize that Michael was not in the room.

19 THE COURT: Who's Michael?

20 THE WITNESS: M.M.'s dad.

21 THE COURT: All right.

22 THE WITNESS: And has nothing to do with this case  
23 and this particular situation.

24 THE COURT: Okay.

25 THE WITNESS: And my witness did witness the --



20

1 Q You didn't -- you waited until the next day to file  
2 this?

3 A I did.

4 Q You weren't concerned for your safety?

5 A I was.

6 Q You never yelled out help?

7 A I did call a Sheriff.

8 Q You never yelled out help?

9 A I did not. I don't want to get my --

10 MR. TUCK: Your Honor --

11 THE WITNESS: -- other staff involved.

12 MR. TUCK: -- Your Honor, I'm not asking a question  
13 here. But I -- I'm through. I didn't ask a question, but  
14 she started --

15 THE COURT: Okay.

16 MR. TUCK: -- to --

17 THE COURT: All right. Okay, ma'am. Do you want  
18 to call your witness?

19 THE WITNESS: Thank you.

20 THE COURT: What's her name again?

21 THE WITNESS: Jennifer Rudnik.

22 THE COURT: All right. You can call Jennifer into  
23 the courtroom.

24 (Asides)

25 THE COURT: All right, Ms. Rudnik. You can come



21

1 forward to my left, please. Oh, ma'am, you stay here at  
2 this --

3 THE WITNESS: I'm sorry.

4 THE COURT: -- table, okay? Um-hmm. Okay, ma'am,  
5 please raise your right hand. Do you solemnly swear, or  
6 affirm, under penalty of law, that the testimony you will  
7 give this Court shall be the truth, the whole truth, and  
8 nothing but the truth? Okay. Please speak directly into  
9 that microphone.

10 MS. RUDNIK: Yes, ma'am.

11 THE COURT: All right.

12 Whereupon,

13 JENNIFER RUDNIK

14 Was called as a witness, and after having been first duly  
15 sworn, was examined and testified as follows:

16 DIRECT EXAMINATION

17 THE COURT: Tell me your name.

18 THE WITNESS: Jennifer Rudnik.

19 THE COURT: Okay.

20 THE WITNESS: R-U-D-N-I-K.

21 THE COURT: How do you know Deborah Rose?

22 THE WITNESS: She is my boss.

23 THE COURT: So you work at Kinderkirk?

24 THE WITNESS: Yes, ma'am.

25 THE COURT: How long have you worked there?



25

1 which was empty. And I said, well, she's in a classroom.

2 And she said, well, is she busy?

3 And I said, if she's in a classroom, I can't  
4 interrupt her, because I didn't know if she was doing  
5 evaluations, or if she was the only adult in the classroom  
6 giving a break. And, and then, right as he backed out of the  
7 door, she came into the office.

8 And she came and sat down at her desk, which is  
9 next to my desk. And he asked if she could talk -- if he  
10 could talk to her for a minute. And she took him out into  
11 the hall, outside of my office. And we have a large window,

12 So I can see people coming in and out the front  
13 door. And she took him right about there, because I was  
14 still speaking with Mr. Marshall. And they were getting -- I  
15 couldn't hear exact words. But I knew that it was getting  
16 heated, because she took him out of the building and into the  
17 building --

18 MR. TUCK: Objection, Your Honor. This calls for  
19 speculation. She said she couldn't hear.

20 THE COURT: Well, overruled. You, you can tell me  
21 what you saw.

22 THE WITNESS: Okay.

23 THE COURT: Okay.

24 THE WITNESS: I saw that Debbie was taking him to  
25 the other room.



27

1 heard.

2 THE WITNESS: Can I tell you I heard the door to  
3 the next building over?

4 THE COURT: Yes.

5 THE WITNESS: Okay. So I -- they left my  
6 Kinderkirk building. And then you can hear the door open and  
7 close to the next building.

8 THE COURT: All right.

9 THE WITNESS: And then, I was still speaking with  
10 Mr. Marshall, and then he went -- he left my office to pick  
11 up his daughter. And I helped another parent. And then I  
12 heard the door from the next building over open and shut.  
13 And then she and Mr. --

14 THE COURT: Who's she?

15 THE WITNESS: Debbie, sorry, and Jim came back in,  
16 and were right in front of my window. And he was in her face  
17 with his finger yelling about subpoenas. And she said, I  
18 will do whatever I legally have to do.

19 THE COURT: Um-hmm.

20 THE WITNESS: And then she came into the office.  
21 And at that time, Michael had basically made it back to my  
22 office with N.M. And Jim picked up N.M. and said, just  
23 another woman who doesn't like to hear how it is, and stomped  
24 out of the building. And that was all that I know of that  
25 happened on that date.



District Court, Pueblo County, Colorado 501 N. Elizabeth Street Pueblo, CO 81003		DATE FILED: April 9, 2015 2:36 PM
In Re Parental Responsibilities of: NAVEAH MARSHALL		  <b>COURT USE ONLY</b>
Petitioner: COURTNEY WILLIAMS		
and		
Respondent: MICHAEL MARSHALL		Case Number: 13DR30116
Attorney for the Petitioner: COBEA E. BECKER #34984 BECKER & ERNST, LLC 401 N. GREENWOOD STREET SUITE H Pueblo, Colorado 81003 Phone: (719) 543-0700 Fax: (719) 218-7008 E-mail: cobeabecker@be-lawyers.com		Div: 403
<b>VERIFIED EMERGENCY MOTION TO RESTRICT PARENTING TIME PURSUANT TO C.R.C.P. 14-10-129(4)</b>		

The Petitioner states the following for the purpose of restricting parenting time and decision making:

1. The above captioned case is currently before the Court for Respondent's *Motion to Modify Parenting Time*. Child's Legal Representative, Dawn Mann, having been previously appointed, joins in this motion.
2. The child is in imminent physical or emotional danger due to the current parenting time or parental contact of a parent and the Petitioner requests the Court Order that:

A hearing shall be held on an emergency basis within fourteen days of the filing of this Motion and parenting time shall be supervised until the hearing by an unrelated third party deemed suitable by the Court or by a licensed mental health professional. The Court has set a hearing in this matter to be held on April 22, 2015 at 2:00 p.m.

**3. Information about Petitioner: COURTNEY WILLIAMS**

Date of Birth: 04/07/1986  
 Current Mailing Address: 2005 ZINNO BLVD  
 City, State & Zip Code: Pueblo, CO 81006  
 Phone #: (719) 778-8575

**4. Information about Respondent: MICHAEL MARSHALL**

Date of Birth: 12/12/1980  
 Current Mailing Address: 1735 COURTNER ROAD, PUEBLO, CO 81006  
 Phone: (719) 369-7504



5. The parties have one minor child:

Full Name of Child	Present Address	Sex	Date of Birth
NAVEAH MARSHALL	2005 ZINNO BLVD	F	07/22/2011

6. The Petitioner and Respondent now have parenting time with the minor children under the following parenting plan and under the following conditions:

Respondent has parenting time every other weekend and also a dinner night on the Wednesday of the week he does not have the weekend.

9. Required Notice of Prior Protection/Restraining Orders.

Have any Temporary or Permanent Protection/Restraining Orders to prevent domestic abuse or any Criminal Protection/Restraining Orders or Emergency Protection Orders been issued against either party by any Court within two years prior to the filing of this Motion?

NO

I request that this Court enter an order restricting the parenting time for the Respondent as described below.

10. a. I allege that the minor child is in imminent physical or emotional danger due to the current parenting time as follows:

Respondent appeared in this Court on April 9, 2015 and exhibited erratic behavior and refused to take any direction from the Court. Respondent was eventually removed from the Court room by law enforcement due to his lack of ability to control his behavior. At this hearing the Court heard testimony from the Child Legal Representative, Dawn Mann, regarding her opinions concerning the best interest of the child. Ms. Mann expressed her concern with the stability of Mr. Marshall and requested that the Respondent's parenting time be suspended until the previously ordered Psychological Evaluation was complete and the results filed with the Court.

Petitioner would like to also make the Court aware of a previous incident involving the Respondent. On January 14, 2015 after a Court appearance, Mr. Marshall along with the Petitioner's father, Jim Williams, went to the child's school, Kinderkirk, and confronted the child's teacher, the director of the center, who had previously served as a witness in this case, and proceeded to threaten her and her staff. Petitioner's Father went to the length that he prevented the director of the center, and her secretary, from leaving the office space, essentially, imprisoning them in the office. Respondent's escalated erratic behavior, and



despite the Court's specific direction to distance himself with Petitioner's father for the sake of the child. Mr. Marshall continues to not only associate with Petitioner's father, but allow him to influence his parenting abilities, as well as his behavior. Due to these things, Mr. Marshall is placing the child in emotional and possible physical danger.

b. I request that the parenting time plan be restricted as follows:

That any and all parenting time between the children and Respondent be supervised by a license therapist or mental health professional pursuant to C.R.S. 14-10-129(4). Further, it is requested that this suspension of parenting time remain until a full psychological evaluation is performed and submitted to the Court as previously ordered.

11. Under C.R.S. 14-10-129(4), upon filing of the motion, all parenting time should be restricted, effective immediately, and continue until the hearing, which is required to be held within fourteen days. See *In Re The Marriage of Slowinski*, 199 P.3d 48 (Col.Cl.App. 2006).

Done this 9<sup>th</sup> day of April, 2015

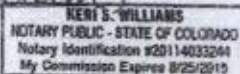
VERIFIED AND ACKNOWLEDGED BY:

Courtney Williams this 9<sup>th</sup> day of April, 2015 in Pueblo County, Colorado

*Courtney Williams*

*Keri S. Williams*

Notary Public



Respectfully submitted,

*COBEA E. BECKER*

COBEA E. BECKER, #34984  
Attorney for Petitioner

*Dawn Mann*

DAWN MANN, #27990  
Child Legal Representative



District Court Pueblo County, Colorado 501 N. Elizabeth Street Pueblo, CO. 81003	DATE FILED: April 9, 2015 5:56 PM
In re : The Parental Responsibilities Concerning: NAVEAH MARSHALL	* COURT USE ONLY *
Petitioner: COURTNEY WILLIAMS	
And	
Respondent: MICHAEL MARSHALL	Case Number: 13DR30116
	Division: 403
<b>ORDER RESTRICTING RESPONDENT'S PARENTING TIME</b>	

The Court has reviewed the Petitioner's Verified Emergency Motion to Restrict Parenting time pursuant to C.R.C.P. 14010-129(4), as well as the observations of the Court during today's court proceedings, and the statements of the CLR. The Court hereby ORDERS as follows:

1. The Court finds based on the verified motion there is a prima facie finding that the child, Naveah Marshall DOB 7/22/2011, is in imminent physical or emotional danger due to the parenting time and/or contact with the Respondent.
2. Pursuant to 14-10-129(4) all of Respondent's parenting time is restricted, effective immediately and this order continues until the hearing which is required to be set within 14 days.
3. Any parenting time of Respondent shall be supervised by an unrelated third party deemed suitable by the Court or by a licensed mental health professional as defined in section 14-10-127(1)(b).

**The Emergency Motion to Restrict Parenting Time is hereby GRANTED.** The Court has set this matter for hearing on April 22, 2015, at 2:00 pm for one hour.

**BY THE COURT:**

**KIMBERLY KARN**  
DISTRICT COURT JUDGE



**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, that I, Patrick Moreno, of Box 316, Fort Madison, Iowa, have made, constitute, and appointed and by these presents do make, constitute, and appoint Francisco G. Moreno, of 18105 W. Ivy Lane, Surprise Arizona, my true and lawful attorney for me and in my name, place and stead, to do (state here matters in which authority is granted): To discuss personal business matters; and educational needs with institutions; and lenders; the University of Northern Iowa, creditors and lenders pertaining to student loans; And, any and all personal and/or legal matters that require permissions and endorsements on behalf of Patrick. There are no matters that are excluded from this authority.

giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises as fully to all intents and purposes as I, the above named, might or could do if personally present, hereby ratifying and confirming all that my said attorney shall lawfully do or cause to be done by virtue hereof.

IN WITNESS WHEREOF I have hereunto set my hand and seal the 2nd day of April, 2014.

Signature: \_\_\_\_\_

Box 316  
Fort Madison, Iowa 52627

State of Iowa        }  
                              } SS  
County of Lee        }

On this 2nd day of April, 2014, before me Robert E. Schneider  
a Notary Public in and for the County of Lee in the State of Iowa, duly commissioned and sworn,  
personally came and appeared in person, to me personally known and  
known to me to be the same person described in and who executed the foregoing power of  
attorney and he acknowledged the within Power of Attorney to be his free act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my seal of office  
the day and year last above written.



\_\_\_\_\_  
Robert E. Schneider  
Notary Public





PNM LEGAL



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U.S. DISTRICT COURT  
JOHN M. DOMURAD, CLERK

SEP 13 2019

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