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Fees	27.00
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Other	0.00
PAID	\$27.00

Stephen L. Rush

Recording Requested By and When Recorded Mail To:

Stephen L. Rush

[Redacted]

Space above this line for recorder's use only
(To be recorded in the county recorder's office
in the county in which the property is located.)

MECHANICS LIEN

NOTICE IS HEREBY GIVEN that Claimant

Stephen L. Rush

[Redacted] (legal name and address), claims a lien for labor, service, equipment, or material under Section 8000 et. seq. of the Civil Code of the State of California, upon the premises hereinafter described, and upon every estate or interest in such structures, improvements and premises held by any party holding any estate therein. The work was furnished for the construction of those certain buildings, improvements, or structures, now upon that certain parcel of land situated in the County of San Bernardino, State of California, said land described as follows:

STREET ADDRESS: Public lands; located in sections 16, 17, 20, 21, Township 1 North, Range 2 East, San Bernardino meridian, at, near or
and/or
LEGAL DESCRIPTION: around Heart + Bar Campground, CA 92305

The lien is claimed for the following labor, services, equipment or materials furnished by the Claimant: planned improvements to public lands in the course of duties & enforcement per Declaration attached hereto & made part hereof (describe generally). Claimant is owed \$ 1,503,165.00 for work furnished to the work of improvement, after deducting all just credits and offsets, plus interest at the legal rate from the date of this lien.

The name of the person or company by whom Claimant was employed, or to whom Claimant furnished the work is: People of the United States

The name(s) and address(es) of the owner(s) or reputed owner(s) of the real property is/are: Former President Barack Obama for the U.S., The White House, 1600 Pennsylvania Avenue NW, Washington, DC 20500

Name of Claimant: Stephen L. Rush

Date: May 12, 2016

By: [Signature] Signature
Stephen L. Rush, Public Officer for Authorized United States
Print Name & Authorized Capacity

Verification

I, the undersigned, declare: I am the Public Officer for Authorized United States (authorized capacity/title), for the Claimant named in the foregoing claim of mechanics lien: I am authorized to make this verification for the Claimant: I have read the foregoing claim of mechanics lien and know the contents thereof, and the same is true of my knowledge. I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 13, 2016 at Redlands California, [Signature] Signature of Claimant or Authorized Agent

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): [Edited for clarity and security.] Stephen L. Rush { } { } TELEPHONE NO.: { } FAX NO. (Optional): E-MAIL ADDRESS (Optional): StephenLRush@aol.com ATTORNEY FOR (Name): N/A		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino STREET ADDRESS: San Bernardino District – Civil Division MAILING ADDRESS: 247 West Third Street CITY AND ZIP CODE: San Bernardino, CA 92415-0210 BRANCH NAME: San Bernardino		
PLAINTIFF/PETITIONER: Stephen L. Rush DEFENDANT/RESPONDENT: United States		
DECLARATION		CASE NUMBER: CIVDS163304

The method to claim a lien created by Thomas Jefferson may resolve double payment. When the federal government failed to acknowledge full representation & petition of the people by Continental Congress of 2012, governments became at odds with the Constitution & created a lien by operation of law, as follows: (a) failure of government to act on the First Amendment when required had created a liability leaving a mechanism to correct grievances of the people unresolved; (b) the legal entity of the U.S. federal government was invalidated by the people as a result; and, (c) intent of the parties to resolve this misstep of authority was predetermined by founding principles in the Declaration of Independence & inclusive by way of Tenth Amendment powers. Accordingly, the people sought to remove the illegal elements by seeking the assistance of courts & governments for: (a) employing George Washington's federal recall process (letter to Bushrod Washington, 1787); (b) revoking of governed consent by default; and, (c) impeachment of the 3 branches of government by reserved Tenth Amendment powers. Of which, the people defend their right to alter any government destructive of these means & assert that reserved consent authority extends to matters of [supremacy] under such conditions. Whereby the federal government, by inalienable right of the people & order of law, ought to exist solely under the authority of the Constitution & be subject to protections by this people. Circumstance & pre-existing order of the Declaration & Constitution determine that a surety bond in this instance would be wholly insufficient & even improper. Rather, in accordance with CA Civil Code §8024 (c) & §8042(f), entire compensation is due for all work in preparation for a work of improvement, having concluded its planning labor & services inclusive of work to protect the Constitution, & therefore due for all privilege, pay, office & residence of a President of the U.S. in rightful authority & cause to preserve the union. Having been sworn in by notary, which is customary, by legal course I am & represent myself to be President of the U.S. per applicable & constitutional law, of which, I am entitled to & have planned improvements to federal lands in this county & state in the course of my duties & enforcement of constitutional protections, having declared & authorized such projects. The people assert there cannot be two Presidents, [just Mr. Rush].

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 12, 2016

Stephen L. Rush



StephenLRush@aol.com

**Superior Court of the State of California
For the County of San Bernardino**

Stephen L. Rush,

Plaintiff, Plaintiff,

vs.

Barack H. Obama, Recallees, and Civil

Servants of the United States, et al, inclusive,

Contemnors, Defendants.

) Case No.

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VERIFIED COMPLAINT FOR:

1. BREACH OF PUBLIC TRUST

2. FAILURE TO EXECUTE THE OFFICE

3. DEFAULTED FULL FAITH AND CREDIT

4. CONFLICT WITH CONSTITUTIONAL LAW

5. FORECLOSURE OF UNITED STATES

ON MECHANICS LIEN BY WILL OF PEOPLE

UNLIMITED CIVIL, DEMAND OVER \$25,000



1 Plaintiff, Stephen L. Rush, hereby sets forth the following complaint and facts, herein
2 described, inclusive of reference and process, and for causes of action and order of law so alleges
3 and asserts as follows:
4

5 **FIRST CAUSE OF ACTION**
6 **(Breach of Public Trust, Etc.)**

7 1. Plaintiff, Stephen L. Rush, is now and at all times mentioned in this complaint duly
8 sworn in as officer of the Constitution and President by circumstances and process of law alleged
9 in this complaint.

10 2. Plaintiff, Stephen L. Rush, is now and at all times mentioned in this complaint,
11 Plaintiff was and is performing work and public service under the local agency, named Will of
12 the People Constitutional Authority, a people-initiated oversight agency as the fourth branch of
13 government. Plaintiff has filed necessary documentation with Internal Revenue Service as
14 required by 2012 Continental Congress delegation charged with the legal enforcement under
15 emergency provisions and powers and applicable law. Plaintiff was and is a delegate and
16 participant to the 2012 Continental Congress, represented by over 800 delegates across the
17 political spectrum and across the country to pen grievances voiced in assembly and protest
18 throughout the nation aimed at the defendants.

19 3. Plaintiff, Stephen L. Rush, is now and at times mentioned in this complaint, since
20 the Recall of 2014, Plaintiff was and is performing work and public service in the capacity and
21 office of President in-waiting by people-initiated Federal Recall. Plaintiff was a candidate in and
22 is elected by the Federal Recall of January 2014 as per George Washington's method (letter to
23 Bushrod, 1787), being submitted to all states and territories, and successfully filed and held on
24 the East and West Coasts, of which, precedes all other elections and concerns by higher law.

1 4. Plaintiff does not know the names of the defendants, all 485, except as recorded
2 with the Impeachment Trial of all three branches, available at www.willofthepeople.agency and
3 included herein by reference, which includes topmost heads of state of each branch, and long-
4 term incumbents, and the Plaintiff sues them by the office they occupied at the time of the recall.

5 5. Plaintiff is informed and believes and on that basis, alleges, that at times mentioned
6 in this complaint, defendants were the officers and representatives of the government and in
7 doing the things alleged in this complaint, were acting outside the responsibility and
8 authorization of that office while yet in official capacity and duty bound by oath to public
9 service.

10 6. The property “federal lands” referenced in this complaint is located in the County
11 of San Bernardino, State of California and is commonly known as Heart Bar Campground. As
12 per Sections 8040 and 8048, CA Civil Code, the site is property on which a work of
13 improvement is planned, and per Section 8042(a), (d), (f) under conservation zoning,
14 improvement for the site may include removal, preparation, construction, or installation of
15 improvements, trees, or other vegetation. The property is more particularly described in Exhibit
16 A, “Legal Description”, submitted with the recording and incorporated by reference.

17 7. Plaintiff, Stephen L. Rush, performed the duties of his office and furnished certain
18 labor, services, equipment, and materials for the work of improvement on the property, inclusive
19 of assertions for protection and defense of the United States Constitution following site selection
20 and research. The residence of a President of the United States is required to complete the work.
21 The work is more particularly described in Exhibit B, “Declaration”, submitted with the
22 recording (20160188544) and incorporated by reference.

23 8. During the period as officer, the Plaintiff furnished certain labor, services,
24 equipment, and materials for preparation of the work of improvement on the property, inclusive

1 of its protection under the Constitution. During the period commonly referred as President in-
2 waiting, the Plaintiff furnished certain labor, services, equipment, and materials for the work of
3 improvement to proceed on the property, inclusive of works as President. Per Sections 8042(f)
4 and 8050(b), CA Civil Code, the duties of the executive for the work of determination of a site is
5 legally sufficient to define a work of improvement shall take place, and it is customary an
6 executive will make known his personal preference for the scheme of improvements to be carried
7 out on the site to his leadership. In this case, the Plaintiff has not as of yet gathered
8 undersecretaries and is unable to provide further proper instruction, being part of the
9 compensation sought under Section 8024(c). Improvements to be made include aspects of
10 biofuels production from dead plant matter using methods patented by the Plaintiff, such as
11 patents 7,449,313; 7,514,247; 7,662,617; and the like, included herein by reference.

12 9. Plaintiff has performed all duties and responsibilities to be performed on its part
13 under constitutional law, inclusive of the protection and defense of the Constitution.

14 10. The labor, services, equipment, and materials furnished by Plaintiff had and have a
15 reasonable value of \$1,503,165.00. The lump sum amount, both as President and Officer of the
16 Constitution, are calculable according to the rules of the Federal Recall and are certified to be
17 correct, owed, and payable per the Impeachment Trial.

18 11. Defendants breached the public trust, in that they did not recognize constitutional
19 party of succession by will of the people and refusal to be subject to the people for correction, a
20 First Amendment and Declaration of Independence right, and there is now due restoration to
21 constitutional order, in addition to any other procedure or process of law at remedy, as follows:
22

1 **SECOND CAUSE OF ACTION**

2 **(Foreclosure Of The United States On Mechanic's Lien By Will Of The People)**

3 1. Plaintiff incorporates herein by reference paragraphs 1 through 11.

4 2. Plaintiff, Stephen L. Rush, is now, and at all times mentioned in this complaint, an
5 officer sworn to protect and defend these United States by order of law, a citizen residing in
6 California.

7 3. Plaintiff is a laborer and was not required to, nor file notices in lien format.
8 Plaintiff is informed of the requests, notices, filings, inquiries, petitions, orders, and
9 enforcements, and on the basis of that documentation and legal course, is persuaded to believe
10 and so asserts and affirms the will of the people, alleging each of the civil servants named in the
11 recall and each of the legal submissions were constitutionally responsible for the course of events
12 and acts of government, acting with the course and scope of such agency and employment, and,
13 responsible for Plaintiff's damages. Plaintiff acted with due diligence, as statements,
14 declarations, inquiries, notices, filings, and orders repeatedly testify to (Exhibits, "Impeachment
15 of Civil Servants of the United States." www.willofthepeople.agency#!hall-of-records/c1qye.
16 Nov. 2016. Included by reference, as Exhibit C).

17 4. Plaintiff did not file stop payment against the U.S., as a disruption of governmental
18 services of that magnitude is tantamount to cessation of the United States and is considered
19 unnecessary and detrimental to the economy of the people of the United States. For, the effect of
20 stopping the full faith and credit of the U.S. could, in fact, incite global panic and would have the
21 potential to crash markets world wide, setting dangerous and reckless precedent that is not the
22 object of this suit, and contrary to its peace and tranquility.

23 5. Defendants did not bring correction when protested and petitioned for, and sets the
24 federal government at odds with constitutional protections and places the Constitution in

1 jeopardy. Defendants incite civil unrest by their non-compliance.

2 6. Defendants acted against higher law being convicted of subversion, obstruction,
3 malfeasance, and other crimes in impeachment, contrary to their oath to protect and defend the
4 Constitution upon entering federal office (Article VI, Last Par.).

5 7. This complaint is not an agenda or attack against a political party, person, or other
6 political gain to advance some polarized agenda, but exists for the oversight of federal powers
7 out of control, of which there is no statute of limitations. The First Amendment right of the
8 people to petition for correction by assembly has failed, so the Plaintiff retracted consent to be
9 governed by federal government made up of Defendants refusing to be subject to the
10 Constitution. Every branch of United States government has been contacted, and every federal
11 official to the extent possible has been appropriately notified, compelled, recalled, impeached,
12 and held in contempt by Tenth Amendment powers. Due diligence demands this suit be brought.

13

14 WHEREFORE, the Plaintiff demands judgment in favor of the following:

15

16 1. Have the presidential limousine pick up Stephen L. Rush at his home and deliver him to his
17 proper place of employment, President in every way and pay, that he may restore order;

18 2. The immediate removal of Barack H. Obama and inauguration of Stephen L. Rush.

19

20 DATED: August 12, 2016 /s Stephen L. Rush

21

(Signature)

22

1 I, Stephen L. Rush, am the Plaintiff in the above-referenced and entitled action. I have
2 read and know the contents thereof. The same is true of my own knowledge and affirmations.
3 Except as to those matters which are alleged on the information of others or belief, in which are
4 believed to be true, the Plaintiff so rests on the full weight and measure of the case.

5
6 I declare under penalty of perjury, that the foregoing is true and correct to the best of my ability,
7 and this declaration was executed at Redlands, California.

8
9 DATED: August 12, 2016

10 /s Stephen L. Rush

Stephen L. Rush



StephenLRush@aol.com

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
For the County of San Bernardino**

Stephen L. Rush,

Plaintiff,

vs.

Barack H. Obama; Recallees as UNKNOWN CIVIL SERVANTS and ALL OTHER UNKNOWN PARTIES Governing From or Occupying a Disputed or Contested or Recalled or Revoked FEDERAL OFFICE or SEAT or POSITION or POWER, and Civil Servants as any and all FEDERAL OFFICIALS and OFFICERS and their Successors and Staff as JOE PUBLICS and JACKIE JOES and JOHN DOES and JANE ROES UNKNOWN, et al, inclusive, Contemnors as UNKNOWN THIRD PARTIES and ALL OTHER UNKNOWN PARTIES Exercising An Interest or Hold or Role Against the Dispute or Contest or Recall or Revocation of FEDERAL OFFICIALS and OFFICERS,

Defendants

) Case No. CIVDS1613304
)
) **PLAINTIFF'S NOTICE OF MOTION**
) **AND MOTION FOR SUMMARY**
) **JUDGMENT; POINTS AND**
) **AUTHORITIES IN SUPPORT THEREOF;**

) **[STATEMENT OF**
) **UNDISPUTED FACTS AND**
) **PROCEDURAL STIPULATIONS**
) **FILED CONCURRENTLY HEREWITH]**

) Date: May 8, 2017
) Time: 8:30 a.m.
) Dept: S24
) Trial Date: February 23, 2017



**TO DEFENDANTS BARACK H. OBAMA, RECALLEES, CIVIL SERVANTS, ET AL,
INCLUSIVE, CONTEMNORS, AND THE ATTORNEY GENERAL:**

PLEASE TAKE NOTICE that on May 8, 2017, at 8:30 a.m. in Department S of this Court, Room 24, located at 247 West 3rd Street, San Bernardino CA, 92415. Plaintiff, Stephen L. Rush will move this Court for summary judgment in favor of plaintiff and against defendant, Barack H. Obama, et. al., as to Plaintiff's first and second cause of action for breach of public trust.

This motion is made upon the grounds that: (1) there are no triable issues of material fact because Barack H. Obama has committed a severe breach of public trust alleged in the First and Second Cause of Action; (2) Stephen L. Rush was party in all notices and proceedings, who is entitled to the seat, seal, and office that the Defendants illegally occupied, in which the validity and enforceability of the recall was vigorously litigated and finally adjudicated, resulting in a judgment on the merits in favor of plaintiff and impeachment of all federal branches, which must now be surrendered.

Because there are no triable issues of fact as to these charges, and because the validity and enforceability of consent authority under the Constitution of the United States has been litigated and conclusively determined Defendants to be in contempt of the Fourth Branch, Plaintiff is entitled to summary judgment as a matter of law and its public obligation.

This motion is based upon this notice, the memorandum of points and authorities, the separate statement of undisputed facts, the notices and exhibits, as the case may be, all of which are attached hereto and served and filed herewith, and such other and further matters as may properly be brought before the Court.

Dated: *Feb. 10, 2017*

Respectfully submitted,

/s Stephen L. Rush

By: Stephen L. Rush

1 PLAINIFF STEPHEN L. RUSH’S MOTION FOR SUMMARY JUDGMENT

2
3 Now before the Superior Court of California comes the Plaintiff Stephen L. Rush and
4 respectfully moves for Summary Judgment. On the grounds of operation of law and its precedent
5 in higher law, establishment, and use, Stephen L. Rush states that,

6
7 SUMMARY OF THE ARGUMENT

8
9 This is a case of first impression. State law governing this case is simple. A Mechanics Lien
10 was filed on June 16, 2016 and suit, as amended, was first entered August 12, 2016. The
11 Plaintiff qualifies for a Mechanics Lien as a Laborer for the office appointed to. In accordance
12 with law, lien may be used by the Plaintiff to receive back pay. As a laborer, the Plaintiff is not
13 required to provided proper notice and is due all things pertaining to his employment.

14
15 The uniqueness and complexity of the case is in using a lien to compel government out of step
16 with the law to comply with governing higher law according to operation of law set forth by the
17 founding fathers of the United States. This nation exists due to that operation of law which is
18 still in force and effect, as is self-evident, for the people in their authority have not abolished it.
19 An election and its results are subject to legal action, able to be overturned, but does not have any
20 sway or bearing on the outcome of the operation of law used in this instance.

21
22 BACKGROUND

23
24 This case arises out of petition by absolute representation in Continental Congress and decisive
25 Federal Recall by will of the people per George Washington’s process in an effort to subject the
26 corrupt and unjust federal government to the U.S. Constitution by Thomas Jefferson’s lien
27 foreclosure method. This case is neither frivolous nor a political stunt, and is not promoted by
28 polarized political party rant. This case seeks to return the Plaintiff the position, title, office, pay
29 and residence of President of the United States, whose duty is to restore the Constitution and
30 bring restitution for acts by illegitimate authority. This case resembles aspects of eviction and
31 debtor’s levy under foreclosure practice, but is most proper as an extension of amended

1 impeachment powers by consent authority of the people under founding operation of law
2 following an obstructed, but no less legal, recall of such resident office holder(s). This authority
3 exists in the enforcement of guaranteed freedoms in the Bill of Rights in protection and defense
4 of those rights when the First Amendment failed. The authority of the people to consent and
5 alter government, and to secure their rights, is absolute. Dec. of Indp., Par. 2.

6
7 The Plaintiff respectfully submits he is entitled to hold office and recover all that is owed for a
8 qualifying people-led legally held election. Further, the Defendants neither have proper standing
9 to subvert the Constitution to make laws at odds with the Constitution, nor to refuse correction
10 when protested. Finally, the Defendants defaulted when they failed to respond in all aspects and
11 opportunities to every notice leading up to and including this lien. A Summary Judgment
12 favoring the Plaintiff affirms the will of the people described herein.

13
14 In further support of this motion, Stephen L. Rush files the attached Memorandum of Law and
15 separate Statement of Undisputed Material Fact following, setting forth the particulars of this
16 Motion and the points and authorities that demonstrate that summary judgment is appropriate.

17
18 WHEREFORE, the Plaintiff, Stephen L. Rush, respectfully requests this court to enter a
19 summary judgment in his favor for restoration of pay, residence, and restitution of seat, seal,
20 power, and office, for the court to perform collection for the same, holding in contempt parties
21 affected by such election and office not found in compliance accordingly, declaring the most
22 recent presidential election and its winner of no effect as in rescission, even confiscating the full
23 faith and credit of the United States if need be, giving preference to higher law and process where
24 applicable, essential, or intended, as may be included or requested, and for all other such relief
25 and further action as may be deemed appropriate by such operation of law, as guided by
26 procedural stipulations herein, including waiving any restriction or regulation not consistent with
27 the spirit of this operation of law, such as when to set the date of hearing for this motion.

1 PLAINTIFF STEPHEN L. RUSH'S MEMORANDUM IN SUPPORT OF
2 THE MOTION FOR SUMMARY JUDGEMENT

3
4 Plaintiff Stephen L. Rush respectfully moves for Summary Judgment and requests latitude to
5 indulge this case of first impression, such as spirit of the law over letter of the law, and function
6 over form, with its precedent scarce and its operation of law now in antiquity.

7 As reason for this motion, on the Summons, Complaint, Impeachment, Notice Revoking
8 Federal Powers, Federal Recall, boycott Mandate, and Continental Congress, duly notified to all
9 members of Congress, heads of State, and Whitehouse, with all its proceedings therein and upon
10 filing motion showing that Defendants, by surpassing the legal response time, had lapsed all
11 diligence and public duty to correct a grievance of the people.

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1 I. INTRODUCTION

2 **Predetermination**

3 This operation of law is created for a contingency the founding fathers set forth in writing to
4 which circumstance no party could otherwise plan. According to this operation of law as it is
5 understood, intent of the parties to resolve such threat to the State of the Union and its
6 Constitution by overstep of authority of several branches is predetermined by a public duty. That
7 public duty is subject to the ultimate power of public accountability and compliance with
8 founding principles and higher law when a grievance is brought, as the “fourth branch” of
9 government (Letter to James Madison, Thomas Jefferson. December 20, 1787.). *Id.* This
10 summary judgment and its motion effectively alters the course of law in these United States from
11 destructive outcomes through Tenth Amendment powers first defined in the Declaration of
12 Independence per the following summarized causes of action, having all authorities, exhibits, and
13 testimonies included by reference:

14

15 1. failure of government to act created the liability upon demand to be made subject to proper
16 delegation of constitutional authority, 2. existing powers of federal government were
17 invalidated by revocation using consent powers of the people, 3. the parties to the
18 Constitution still require the mechanism of a lien to reconstitute illegitimate powers acting in
19 contempt to their public duty.

20

21 This circumstance is consistent with the operation of law for a lien (West’s Encyclopedia of
22 American Law, edition 2. The Gale Group, Inc., 2008; John Bouvier, A Law Dictionary, Adapted
23 to the Constitution and Laws of the United States. 1856.). *Id.*

24

25 II. STATEMENT OF UNDISPUTED MATERIAL FACT

26 **Table of Undisputed Material Fact**

27 The following table of Undisputed Material Facts and its statements contained therein are an
28 oversimplification of the causes at issue, which may not be made to conform to “conventional
29 law” (positive law) due to their nature, and are subject to the spirit of “higher law” (natural law)
30 found only in the full motion and authorities to which this operation of law is owed, and would
31 be cost prohibitive to the point of *ad absurdum* to correct.

1 Inconsistent with certain findings in Reid v. Google, Inc. (2010) 50 Cal.4th 512, 532-533, as
2 it relates to provisions of Rule 3.1350 (d)(2) and (f)(3), attempts to eliminate separate statements
3 of fact that are not material are suppressed. *Id.* Parting with Reid, supra, this case attempts to be
4 concise through encompassing statements of fact. For, this entire matter is of the highest concern
5 as the future of this nation and its Constitution are at issue and in jeopardy, which there exists a
6 duty to protect. Additionally, the Plaintiff is not represented by counsel, as pro se under fee
7 waiver, and is presented with unreasonable time constraints, as in Cal. Civ. Proc. Code §
8 437c(a)(1) and (2). *Id.*

9 Thereby, it is requested of the court to reconsider the legitimacy of the law found in Rule
10 3.1350 and similar instance, and waive § 437c(a)(2) in this case, to the degree possible in support
11 of brevity. *Id.* (If such creates unjustifiable conflict or an unsustainable decision, it is requested
12 the court exchange and make note of it in blue for any inappropriate or incomplete terms or
13 phrases as under the rule of substitution wherever possible so as to fill any gaps of law and
14 practice.)

15
16 The First and Second Causes of Action for failure to mitigate and resolve grievances, when
17 protested and compelled for acts of high crimes against the nature and founding of the United
18 States and its Constitution, is admissible and entitled because the Defendants, including Civil
19 Servants as any and all FEDERAL OFFICIALS and OFFICERS and their Successors and Staff
20 as JOE PUBLICS and JACKIE JOES and JOHN DOES and JANE ROES UNKNOWN, et al,
21 inclusive, Recallees as UNKNOWN CIVIL SERVANTS, and ALL OTHER UNKNOWN
22 PARTIES Governing From or Occupying a Disputed or Contested or Recalled or Revoked
23 FEDERAL OFFICE or SEAT or POSITION or POWER did expressly assume an oath of office,
24 and Contemnors as UNKNOWN THIRD PARTIES and ALL OTHER UNKNOWN PARTIES
25 Exercising An Interest or Hold or Role Against the Dispute or Contest or Recall or Revocation of
26 FEDERAL OFFICIALS and OFFICERS acted against that duty, and for which, the Plaintiff has
27 been elected and appointed to in absence of proper authority after every attempt to hold
28 accountable and compel by reasonable means had been exhausted, to which founding documents,
29 declarations, assemblies, courts and exhibits testify:

Moving Party's Undisputed Material Facts and Supporting Evidence:	Opposing Party's Response and Supporting Evidence:
1. Defendants entered into a public contract by oath of office. Rush declaration, Ex. B; DC Sanctions, Ex. C Impeachment Trial, § beg. 17:1; Public Notices, Ex. C Impeachment Trial, § beg. 25:1, 73-136.	
2. Defendants breached public contract. Ex. C Impeachment Trial, Vol. 1, Part 2, §§ 1 & 2; Rush declaration, Ex. B.	
3. Defendants were notified by protest, assembly, notice, recall, sanctions, warrants, contempt, impeachment. Ex. C Impeachment Trial, Ex. inclusive; Rush declaration, Ex. B.	
4. Plaintiff tasked as congressional delegate. Ex. to Ex. C, Impeachment Trial, §beg. 84:2, 147:4; Rush declaration, Ex. B.	
5. Plaintiff estab. as Officer of Constitution. Ex. C Impeachment Trial, 3:1, 7:2; Bill of Rts., Amd. I & X, 3 USC (Ch 4) § 301 et seq.; 15 USC Ch 1 § 6, 28 USC § 4.1(b); 10 USC § 123, 527, 2201(c), 14 USC § 331, 359, 367; Dec. of Indp., ¶2.	

<p>6. Public service of Plaintiff as Laborer for work of improvement (accountability, delegation; suspend, recall; contempt, restrain; revoke authority, alter government). Ex. to Ex. C, Impeachment Trial, 73-249, 155-160; Rush declaration, Ex. B; Bill of Rts., Amd. I & X, 3 USC (Ch 4) § 301 et seq.; 15 USC Ch 1 § 6, 28 USC § 4.1(b); 10 USC § 123, 527, 2201(c), 14 USC § 331, 359, 367; Legal description, Ex. A; Dec. of Indp., ¶2.</p>	
<p>7. Plaintiff sworn in as President, due pay and prestige as officer of the Fourth Branch. Ex. C Impeachment Trial, 79-81, 106:4, 125-136; Ex. Jurat Affirmation to Ex. C, 159; Rush declaration, Ex. B; Ex. Non-Committing Action For Civil Contempt to Ex. C Impeachment Trial, ¶24.</p>	

2

3 **Proof of Claim**

4 The Plaintiff’s Mechanics Lien included the following signed and verified written statement,
5 as required by law (Cal. Civ. Proc. Code § 8416(a)):

- 6 (a) A statement of the Plaintiff’s monetary demand after deducting credits and offsets;
- 7 (b) The name of the reputed owner, as may be known;
- 8 (c) A general statement of the work furnished by the Plaintiff;
- 9 (d) Whom the Plaintiff furnished work;
- 10 (e) A description of the site sufficient for identification;
- 11 (f) The Plaintiff’s address;
- 12 (g) A completed proof of service affidavit;

1 (h) The required legal statement.

2 Evidence for service of the copy of the claim of mechanics lien to the reputed owner was served
3 in the manner prescribed by law, and appears on file as a matter of record. Cal. Civ. Proc. Code §
4 8416(a). This is not in dispute.

5 The Plaintiff qualifies for a Mechanics Lien. A Mechanics Lien was filed as a Laborer. A
6 lien may be used by a Laborer to receive back pay as requested. Cal. Civ. Proc. Code § 8042. A
7 Laborer is due all things pertaining to his employment, and is consistent with what is asked. Cal.
8 Civ. Proc. Code § 8042(c). As Laborer, the Plaintiff is not required to provide proper notice, as
9 notices in the alternative required by this operation of law are substantially unique and specific.
10 Cal. Civ. Proc. Code § 8042, Dec. of Indp. ¶2. Any work in preparation for a work of
11 improvement of a site is granted inclusion, such as, work necessary to proceed and performance
12 of one's duties necessary for that work, as the Plaintiff has provided and so declared. Cal. Civ.
13 Proc. Code § 8042(f). This is not in dispute.

14 Specifically, the site is property on which a work of improvement is planned, and that work
15 includes labor and services provided in the form of declaration, as orders and site selection
16 research in preparation, as recorded with the claim by the Plaintiff. Cal. Civ. Proc. Code §§ 8040,
17 8048. The scope of work performed exists in the form of a declarative statement designating a
18 work of improvement and best known legal description of the property location were recorded
19 with the claim by the Plaintiff. Cal. Civ. Proc. Code § 8022. For conservation zoning,
20 improvement for the site will include removal, preparation, construction, or installation of
21 improvements, trees, or other vegetation as recorded with the claim by the Plaintiff. Cal. Civ.
22 Proc. Code §§ 8042(a), (d), (f). This is not in dispute.

23 The duties in the course of the work of determination of a site is legally sufficient to define a
24 work of improvement shall take place according to applicable law as recorded with the claim by
25 the Plaintiff. Cal. Civ. Proc. Code § 8042(f). An office holder may determine work to be
26 performed in the course of their duties. 3 USC (Ch4) § 301 et. seq. It is customary an appointed
27 office holder will make known the scheme of improvements to be carried out on the site, as
28 recorded with the claim by the Plaintiff. Cal. Civ. Proc. Code §§ 8042(f), 8050(b). In this case,
29 the Plaintiff has not as of yet gathered undersecretaries and is unable to provide further proper
30 instruction, being part of the compensation sought under Section 8024(c). *Id.* This restriction
31 impedes further work of determination, and is a *de facto* job completion. Per a claim by

1 operation of law, as declared by the Plaintiff for reasons stated when recorded, these rights and
2 powers are sufficient and satisfies the qualification of what work is to be improved. Cal. Civ.
3 Proc. Code § 8042(f). To this, the Defendants have no argument.

4 The laborer is appointed by an agency of the people per Declaration consent powers via the
5 Tenth Amendment. Dec. of Indp., ¶2, 3 USC (Ch4) § 301 et. seq. The agency was established
6 according to applicable law when the First Amendment failed to resolve a grievance – which is
7 in the sole purview of the people when government is not subject to law. Tenth Amd., Dec. of
8 Indp., ¶2). This method was employed by the founding fathers: protest, petition by assembly, and
9 establishing new law of government by revocation and declaration of powers (“Impeachment On
10 The High Crimes Against United States Civil Servants”, Will of the People Constitutional
11 Authority. www.willofthepeople.agency/#!/hall-of-records/c1qye. Vol. 1, Pt. 1, § III. 2015.). *Id.*
12 To this, the Defendants have no argument.

13 Information contained in a claim of lien relating to the Plaintiff's demand, deductions, or the
14 work provided, does not invalidate the claim unless the claim is determined to be erroneous. Cal.
15 Civ. Proc. Code § 8422. To be erroneous, the claim of lien must be made with intent to slander
16 or defraud, or an innocent third party must become the owner after recordation of the claim of
17 lien. Cal. Civ. Proc. Code § 8422. And, the new owner must be bona fide, not having received
18 any notice, and the claim of lien must be so deficient that it does not inquire of the new owner in
19 any manner. Cal. Civ. Proc. Code § 8422. The Plaintiff asserts none of these are applicable.

20 In this case, the intent and basis of the claim of lien is non-partisan, being in compliance with
21 constitutional law supported by petition and recall, held to be impeachable, and in no way
22 represents slander of the reputed owner (www.willofthepeople.agency/#!/hall-of-records/c1qye.
23 Vol. 1, Pt. 2, § III; Vol. 2.). *Id.* Further, the recall asserts the true ownership does not belong to
24 the reputed owner (such as, sitting President at time of filing), disputes any third party's claim to
25 ownership by questionable means (such as, an incoming President), and contests an illegally held
26 presidential election following an obstructed recall, and is the underlying subject of the case
27 (www.willofthepeople.agency/#!/hall-of-records/c1qye). (*Id.* (inclusive)) The claim of lien, as
28 amended, clarifies the original inclusion to inquire into third and unknown parties introduced
29 after its recording (First Cause of Action, Pg. 3, ¶4-5). *Id.* And a key third party in this case,
30 reputed incoming President Donald Trump, was in fact notified at his campaign headquarters and
31 the notice was acknowledged as fan mail. In lieu of making direct contact, as commonly

1 restricted by celebrities, the notice was made public, and is included by reference
2 (“Constitutional Agency Supplants Trump Presidential Run”, Criticl.me, Apr. 13, 2016.
3 <http://criticl.me/post/constitutional-agency-supplants-trump-presidential-run-5254>). *Id.* This
4 method of notification is permissible, although not required, as an agency makes their own rules.
5 3 USC (Ch4) § 301 et. seq.

7 III. ARGUMENT – IMPROPER ACTIONS

8 **Background**

9 The improper action on the part of the Defendants are part of a much deeper problem and a
10 series of misconduct to subvert the authority of the Constitution. It is necessary to prove, as the
11 existence of such further establishes the ~~people’s~~ [Plaintiff’s] prima facie case is not erroneous.
12 At the heart of this case, no one is entitled to injure, harm, oppress, or cause detriment and
13 damage. That is not ever negotiable. There exists the fundamental right of protecting and
14 defending the Constitution from unjust powers that would permit these wrongs against humanity.
15 For, this cause of action on the part of Defendants to act against the Constitution is the primary
16 cause to bring such lien.

17 The federal government subjected the people to some very bad laws that attempted to get
18 around Due Process (www.willofthepeople.agency/#!/hall-of-records/c1qye. Vol. 1, Pt. 2, § I(e)).
19 *Id.* As testified in “Magna Carta: Symbol of Freedom Under Law”, Law Day 2015 by the
20 American Bar Association, Due Process is in our Bill of Rights and comes from the Magna
21 Charta (now 800 years old). *Id.* In effect, these series of laws collectively gave law enforcement
22 the basis to be judge, jury and executioner and to punish wrongdoers on the spot – without cause
23 or reason (www.willofthepeople.agency/#!/hall-of-records/c1qye. Vol. 1, Pt. 2, § I(e)). *Id.* This,
24 among other issues, was protested by Occupiers and other groups in 2011, numbering in the
25 millions (the99percentdeclaration.net, archive via googlesites.com. 2015.). *Id.* The argument
26 this is somehow not supported by representative grassroots populace is ludicrous.

27 When our nation’s government refused the plea to change course, the people held a
28 Continental Congress in 2012 (the99percentdeclaration.net). *Id.* The Congress was represented
29 by over 800 participating delegates throughout the United States across the political spectrum,
30 and a special committee finalized the people’s petition (the99percentdeclaration.net). *Id.* Every
31 standard of representation had been met (Art. 1, § 2, ¶3). *Id.* But, the petition of the people

1 imploring federal government for correction was rejected ([www.willofthepeople.agency/#!/hall-](http://www.willofthepeople.agency/#!/hall-of-records/c1qye)
2 [of-records/c1qye](http://www.willofthepeople.agency/#!/hall-of-records/c1qye). Vol. 1, Pt. 2, § I(a).) *Id.* Courts rejected the case, government agencies
3 refused its notices, and peace officers recanted assistance ([www.willofthepeople.agency/#!/hall-](http://www.willofthepeople.agency/#!/hall-of-records/c1qye)
4 [of-records/c1qye](http://www.willofthepeople.agency/#!/hall-of-records/c1qye). Vol. 1, Pt. 2, § II(b).) *Id.* At that point, legitimate federal government ceased
5 to exist and it became the responsibility of the people to correct it (“The Papers of Thomas
6 Jefferson”, Volume 30: 1 January 1798 to 31 January 1799. Princeton University Press, Pgs.
7 536-43, Par. 8. 2003.). *Id.*

8 The entire process of protest, assembly, and petition is a First Amendment right and nothing
9 can waive or excuse it (First Amd.) *Id.* The First Amendment had been exhausted, but federal
10 government was still not subjecting to law of the Constitution. This is a conundrum of
11 governance that the state should act against its own creation
12 (www.willofthepeople.agency/#!/hall-of-records/c1qye. Vol. 1, Pt. 1, § I.) *Id.*

13 The founding fathers have devised several possible methods of correction to this, but without
14 the knowledge of the precise circumstance. Sam Adams, John Hancock, and Paul Revere's
15 resistance movement that led to the American Revolution, provided some experience for what
16 assaults on liberty by the U.S. government might look like. *Id.* The framers of this nation may
17 have known some of the mechanics needed by such operation of law, but could not predict the
18 outcome. The people have protested the following in their petitions:

19
20 Heads of State and rulers of Congress should know better. Leaders in the midst of
21 Congress are greedy, swift to condemn the socially and politically ostracized while
22 empowering the militarization of local police, and making laws that poison the air, waters,
23 food, and homes to destroy this people, and to get dishonest gain from political manipulation.
24 They have taken bribes, taking usury to increase their salaries while they profit from
25 economic extortion, and have forgotten the people. The officials in Congress have made a
26 two parent household not economically viable or desirable. They have excluded the working
27 poor and under-privileged from economic advancement and immediate medical care.

28 Public servants of the land have used oppressions, both environmentally and
29 economically, committed robbery by stealing homes and jobs, and mistreated veterans as well
30 as seniors; and they wrongfully oppress the foreigner that we invited to pick our fields and
31 run our equipment to keep our economy strong. They have coveted family farms and taken

1 them by force in the name of big agriculture. They have also taken houses by devising
2 schemes like adjustable rate mortgages offered to the poor and shuffled bank derivatives to
3 devalue homeowner equity, and seized them. So they oppress a man and his inheritance.
4 And, these acts were overwhelmingly protested. There have been false reports, and phony
5 public notices suppressing constitutional accountability and cutting down anyone who
6 dissents. They have lied to family and friends of protesters questioning one's physiological
7 health and status. And, they have hid behind bureaucracy and polarization of the political
8 parties to shield themselves from incrimination and wrongdoing. (*Id.* (edited for clarity))
9

10 Since the beginning this has been declared to be the case, and summarizes the need for justice
11 (www.willofthepeople.agency/#!/hall-of-records/c1qye. Vol. 1, Pt. 2, § I.). *Id.*
12

13 The federal powers are only delegated to the federal government as long as the government
14 acts with proper authority under the Constitution (Dec. of Indp., ¶2; Tenth Amd.; see authorities
15 for wrongful acts, VI. ARGUMENT – LEGAL STANDARD, Premise, ¶3). *Id.* Federal acts
16 against the Constitution for the government's substitution of its own Articles and replacement of
17 vital sections of the Constitution for erasure of protections of the people unto specific detriment,
18 places federal powers at odds with their proper authority under the Constitution
19 (www.willofthepeople.agency/#!/hall-of-records/c1qye. Vol. 1, Pt. 1 § I, Pt. 2 § III.). *Id.*
20

21 Reasoning

22 The people have petitioned for correction (edited for clarity), the following:
23

24 By overwhelming petition on the part of the people, imperative for their protection,
25 do return order to government, so as to attend to correcting the plethora of attempts to
26 deny and abridge civil liberties by inexhaustible corporate influence and by some
27 wealthy, having fabricated public danger for manipulation of laws that have granted
28 monies of taxpayers as in crisis to bank executives and shareholders, turned on its citizens
29 by surveillance of communications and restricting information, made it unlawful to
30 peacefully assemble and dissent, authorized deployment of hostile forces on domestic soil
31 in peacetime, instituted militaristic trials..., and have sheltered government officials from

1 accessibility and wrong doing, and other corrupt, reckless and egregious laws and
2 measures. Over time, such have subverted due process..., and every right of this people,
3 which have been used to marginalize the voice and income of the small business and
4 middle-classes, through extreme loss and injury to livelihood, family, and health to
5 preclude from equal inclusion and participation. Nor have Presidents taken up a
6 Constitutional charge of responsibility for the faithful execution of law, to preserve both
7 its faithfulness to the Constitution and to ensure its laws are made well. It is no longer
8 sufficient or satisfactory for government to govern in of itself, whereby such grievances
9 have shown to contravene the spirit and letter of Articles I, § 2, Par. 3, § 8, Last Par.; II,
10 § 1, Last Par.; III, § 2, Par. 1 and 2; V; VI, Last Par.; and Amendments I; II; III; IV; V; VI;
11 X; XIII; XIV § 4. Given the right of this people to seek redress of grievances, the people
12 so... *seek* corrective action *for such* (“Writ of Extraordinary Circumstance”, Will of the
13 People Constitutional Authority. 2013.). (*Id.* (inclusive))

14
15 and,

16
17 When the government made laws that restrict the people from approaching
18 government officials, such as in the National Special Security Event or Federal Restricted
19 Buildings and Grounds Improvement Act (a.k.a., GRABIF), it could be considered...
20 obstruction. When the government made laws that allows spying on citizens and taking
21 electronic effects without warrant or probable cause, such as Foreign Intelligence
22 Surveillance Act, Protect IP Act, or Stop Online Piracy Act, then the government could
23 be acting with “redirection of civil liberty”. When the government made laws that orders
24 military assistance in peacetime that may be used to enforce unwarranted killing of
25 citizens, like the Anti-Terrorism and Death Penalty law or National Defense Resources
26 Preparedness Authorization Act (a.k.a., DARPA), that may be considered “removal of
27 rights by display of force”.

28 Each of these types are also included in various provisions of the USA Patriot Act,
29 and each of them considered to be in use, as has been the subject of various leaks and
30 protests, and each of them in some manner abridge civil liberties otherwise guaranteed by
31 the First Amendment. GRABIF seriously restricts the right of citizens to hold

1 government accountable and outlaws protests where government officials may be located.
2 That law says, “Whoever knowingly enters or remains in any restricted building or
3 grounds,... or within such proximity to,... with intent to impede or disrupt the orderly
4 conduct of Government business or official functions,... or attempts or conspires to do
5 so, shall be punished.” This undermines the right to assemble, and by extension, to
6 peaceably protest. As is common knowledge, it has been used to arrest Occupiers in
7 numerous cities across the nation. It abolishes verbal petition, and has been used to
8 obstruct protesters from speaking to their Congressmen.

9 Surveillance in recent laws, such as FISA, PIPA, and SOPA, appear to have
10 reasonable language in most instances, even in support of First, Fourth, and Fifth
11 Amendment rights. However, as The Guardian and Wikileaks have revealed this past
12 summer, the NSA has been collecting electronic information and property in secret
13 without restraint, oversight, warrant, probable cause, or due process. Their actions are
14 unconstitutional at best, and may have been used to restrict the people from resisting
15 further action by an illegal government. Its purpose could include keeping quiet laws that
16 are currently being made in secret, such as ECPA and TPP, as have also recently been
17 leaked and made common knowledge.

18 In 1978, Congress enacted the Foreign Intelligence Surveillance Act (“FISA”) to
19 govern surveillance conducted for foreign-intelligence purposes. The statute created the
20 Foreign Intelligence Surveillance Court (“FISC”), a court composed of seven (now
21 eleven) federal district court judges, and empowered the court to grant or deny
22 government applications for surveillance orders in foreign-intelligence investigations.

23 Section 215 of the USA Patriot Act is often referred to as FISA’s “business
24 records” provision. When originally enacted in 1998, this provision permitted the FBI to
25 apply to the FISC for an order to obtain business records of hotels, motels, car and truck
26 rental agencies, and storage rental facilities. Section 215 broadened this authority by
27 eliminating any limitation on the types of businesses or entities whose records may be
28 seized. In addition, Section 215 expanded the scope of the items that the FBI may obtain
29 using this authority from “records” to “any tangible things (including books, records,
30 papers, documents, and other items).”

31 Section 215 also relaxed the standard that the FBI is required to meet to obtain an

1 order to seize these records. Previously, FISA required the FBI to present to the FISC
2 “specific and articulable facts giving reason to believe that the person to whom the
3 records pertain [was] a foreign power or an agent of a foreign power.” In its current form,
4 Section 215 requires only that the records or things sought be “relevant” to an authorized
5 investigation “to obtain foreign intelligence information not concerning a United States
6 person or to protect against international terrorism or clandestine intelligence activities.”

7 For the past several years, members of Congress have been warning the public that
8 the Executive Branch was exceeding the limits of the USA Patriot Act. In 2009, Senator
9 Russ Feingold stated during a hearing that “there ... is information about the use of
10 Section 215 orders that I believe Congress and the American people deserve to know,”
11 adding later that “Section 215 has been misused.” In 2011, Senator Ron Wyden declared,
12 “When the American people find out how their government has secretly interpreted the
13 USA Patriot Act, they will be stunned and they will be angry.” Similarly, Senator Mark
14 Udall protested that “Americans would be alarmed if they knew how this law is being
15 carried out.”

16 The outcry of the people has increased sharply since the disclosure of leaked
17 documents. Representative Jim Sensenbrenner, an author of the USA Patriot Act and
18 chairman of the House Judiciary Committee at the time of Section 215’s passage, called
19 the Section 215 surveillance program “an abuse of that law.” He wrote that, “based on
20 the scope of the released order, both the administration and the FISA court are relying on
21 an unbounded interpretation of the act that Congress never intended.”

22 President Barack Obama also commented publicly on the Section 215 order. The
23 President acknowledged that the intelligence community is tracking personal electronic
24 data. Members of the congressional intelligence committees have recently confirmed that
25 the government has relied upon these interpretations of law to collect the electronic
26 records of all Americans. Senator Dianne Feinstein has stated that “[this] is carried out
27 by the [FISC] under the business records section of the USA Patriot Act.”

28 DARPA is written with such broad scope that it could also be used to enforce
29 tyrannical government. That law says in Part 1, Section 103, “assess on an ongoing basis
30 the [domestic] capability... to satisfy requirements in peacetime...; to take actions
31 necessary to ensure the availability of adequate resources and production capability,

1 including services and critical technology, for national defense requirements” As such,
2 “domestic capability”, “peacetime requirements”, “actions necessary”, and “adequate
3 services” for “national defense” can be made to enforce anything from ordering parts for
4 equipment to enacting Marshall Law in peacetime. This Executive Order was signed into
5 law following drone strikes on American citizens in Yemen in 2011.

6 Erosion, obstruction, and removal of constitutional rights of the people, and
7 authorizing the use of military force and surveillance in peacetime, while enacting laws of
8 corporate ills. *These are known to overstep the law, yet, no action to remove it has been*
9 *taken following internal request, protest, petition, and notice.* These acts place Congress
10 and the [White House] in contempt of the Constitution for being at odds with both the
11 spirit and letter of founding law. The body of such laws could be construed as an attack
12 against democracy itself, the United States, and its people.

13 The government cannot permit or be authorized of the Constitution to destroy the
14 work of the Constitution and the people for whom it was made. Either the government is
15 acting with authorized powers, or it is not the government of the Constitution (Rush, et al.
16 v United States, 1:14-cv-00077; 28 USC Rule 4.1(b)). (*Id.* (inclusive))

17
18 The impeachment court determined, in its words, in summary (edited for clarity), that:

19
20 According to discernable evidence, the questions answered by Impeachment are: a)
21 that civil servants violated significant constitutional provisions to exceed their authority
22 under the Constitution, b) that civil servants improperly interpreted the laws for
23 inequitable benefit in bribery, c) that civil servants did not act to mitigate every threat to
24 the Constitution or participated in its collusion, d) that civil servants’ actions were a
25 severe abuse of discretion and malfeasance, e) that civil servants suffered equitable rights
26 *of the people* without remedy, and, f) that reasonings by civil servants to commit unlawful
27 acts were supported by substantive and clear fraud to the public.

28 *For*, this Court finds evidence that civil servants did conspire for “the removal of
29 constitutional protections for unjust aims to the detriment of the people and their consent
30 authority” for passive overthrow, which is Subversion (to undermine), an impeachable
31 offense in the eyes of this Court under the Constitution. Civil servants did approve laws that

1 spy on U.S. citizens by measures the people protested as unreasonable (FISA, SOPA, PIPA).
2 Civil servants did restrict the right to peacefully assemble and protest (ATDP, NSSE,
3 GRABIF). Civil servants did sufficiently authorize use of militaristic force on U.S. citizens
4 (US Patriot Act, DaRPA, NDAA). This Court affirms that civil servants have a public duty
5 to mitigate threats to the U.S. Constitution by such acts and measures in which specifically
6 reduce privacy, protest, and liberty. This Subversion, and other acts, by Congress, have
7 shown to conflict with and erode provisions in Articles I, Section 2, Par. 3, Section 8, Last
8 Par.; II, Section 1, Last Par.; III, Section 2, Par. 1 and 2; V; VI, Last Par.; Amendments I; II;
9 III; IV; V; VI; X; XIII; XIV. This Court finds subversion of constitutional protections of the
10 people is sufficient a criminal activity to justify Impeachment for high crimes (Rush, et al. v
11 United States, 1:14-cv-00077; 28 USC Rule 4.1(b)). (*Id.* (inclusive))

12
13 Public servants cannot make laws to solidify a grievance, for, that is at odds with their public
14 duty. The court of the people concluded that:

15
16 This Court finds these acts defined by due course, including the incidence of
17 Collusion and Corruption, to be Impeachable, as follows: Conspiring to willfully aid and
18 comfort an Enemy, to remove sanctions and restrictions of a country entreating known
19 terrorists, is Treason for adhering to the wishes of an Enemy, of which, the whole of the
20 nation and the world has witnessed the overt act. Creating laws that harm the people,
21 their lives, livelihood and liberty by Corruption is Oppression. Conspiring to the benefit
22 of corporate executives to advantage corporations to the expense and detriment of others
23 is an act of Collusion and Bribery. Creating such laws that act against the Constitution
24 for its erasure or erosion, placing in jeopardy the existence of the Constitution or its
25 protections for the people, against proper law and due course through secrecy and
26 suppression of such information, is an act of Treachery and failing to mitigate Subversion
27 is Malfeasance. Other impeachable missteps, as Tyranny, include wrongful termination
28 of the Bill of Rights, obstruction of will of the people, use of improper authority for
29 malevolent intent, non-compliance with a federal recall, and challenge to contempt
30 authority of a constitutional agency in an act to defraud the public.

31 *For*, while although [such persons] cannot be specifically named for each

1 particular role in the invention and execution of particular legislation that led to
2 constitutional jeopardy due to the nature of these circumstances, the conflict with their
3 public duty does, in fact, compel every civil servant to be responsible for these
4 conditions. In effect, their unwillingness to assist the recall, warrant, mediation,
5 affirmation and investigation (and now lien) is contrary to their oath and duty, and in that
6 failure to act with mitigation and cooperation, for malfeasance and collusion, requires
7 criminal conviction. In that sense, although not exclusively, those civil servants that were
8 notified are guilty by commission or omission. Likewise, those who were not notified
9 should have known by the common knowledge when requested to “distribute to all
10 others” or by common sense in relation to their public duty, and are guilty by omission or
11 defrauding the public in acting for illegitimate purpose (Rush, et al. v United States, 1:14-
12 cv-00077; 28 USC Rule 4.1(b)). (*Id.* (inclusive))

13
14 Thus, when notified, Defendants were removed by recall, their powers revoked, sanctions
15 imposed, and warrants were ordered (“Public Notice – People of the US Declared To Be Free of
16 Corrupt Rule”, Beverly Hills Weekly: Is. 825, Pg 14. July 23-29, 2015; “Public Notice: The
17 People Have Taken Back Constitution From Corrupt Rule”, City Weekly: Pg 63. July 30, 2015).
18 *Id.*

19 20 IV. PROCEDURAL STIPULATIONS

21 **History and Strategy**

22 Constitutional powers of the people are guaranteed by the Tenth Amendment, these powers
23 require government to be accountable, subject to the people as governed by consent, and may be
24 altered or abolished (Dec. of Ind., ¶2). *Id.* Consent may be rescinded, revoked, and redelegated
25 (Dec. of Ind., ¶2, Tenth Amd.). *Id.* That consent was rescinded by recall, revoked by public
26 notice, and redelegated (Public Notices, Beverly Hills Weekly and City Weekly. 2015). *Id.*
27 Delegated federal powers were redelegated per Tenth Amendment powers of the people.

28 The Tenth Amendment says, whenever “powers are not delegated to the federal government,
29 *they are* reserved to the people.” *Id.* In the words of the founding fathers, “delegated” is used as
30 “an assignment”, whereas, it is attributed to George Washington that the Constitution’s “only
31 keepers, are the people” (“The Constitution of the United States, with Index”, National Center for

1 Constitutional Studies, 2010). *Id.* The implication is that the people can retract their “consent of
2 the governed” and have the power and authority to do so ([www.willofthepeople.agency/#!/hall-of-](http://www.willofthepeople.agency/#!/hall-of-records/c1qye)
3 [records/c1qye](http://www.willofthepeople.agency/#!/hall-of-records/c1qye). Vol. 1, Pt. 2, § III.). *Id.*

4 Granted the further authority to compel government, Will of the People Constitutional
5 Authority impeached all 3 branches by redelegated impeachment authority. Art. 1 § 3 ¶7, Tenth
6 Amd., 3 USC (Ch4) § 301 et. seq. *Id.* However, authority and might are assumed to be mutually
7 exclusive powers of the people, and it is believed it may not be possible to simultaneously alter
8 and abolish government. As such, the authority to compel government does not include the
9 means in of itself, for, the operation of law to compel government by revoking consent is
10 incomplete without a lien (West’s Encyclopedia of American Law, edition 2. The Gale Group,
11 Inc., 2008; John Bouvier, A Law Dictionary, Adapted to the Constitution and Laws of the United
12 States. 1856; www.willofthepeople.agency/#!/hall-of-records/c1qye. Vol. 3, Pg. 64, ¶1). *Id.*
13 However, if not for such operation of law, revolt would be imminent. Thus, the writer of the
14 Declaration of Independence, Thomas Jefferson, included the ability of a laborer to compel by
15 claim against the land not merely the improvement value (blog.zlien.com, “A Short History of
16 the Mechanic Lien”, Scott Wolfe, Jr. Nov. 15, 2010.). *Id.* This modification permits the people
17 to require the full faith and credit of the United States if the recall is not recognized, for which, a
18 revolt would accomplish the same only at great cost to life and limb and thereby cannot be the
19 only option for a peaceful people under the Constitution.

20 When the federal government is no longer authorized of the Constitution, the people have a
21 duty to restore constitutional government. The precedent for this, as is the basis for the
22 American Revolution, is Lord Oliver Cromwell’s movement to restore the Magna Charta, and the
23 assertion by the people for retraction of their consent of the governed according to noted English
24 historian David Starkey (“Monarchy, U.K.” TV series; Episodes 1-3, 5, 6; 2006). *Id.*

25 The fact this method is untested outside of colonial American law and brought 240 years later
26 is immaterial. The stance the founding fathers of this nation made in their Declaration was
27 simply acting by higher law, when in fact, there was precedence in the Magna Carta, now passing
28 800 years (“Magna Carta: Symbol of Freedom Under Law”, Law Day, American Bar
29 Association. 2015.). *Id.* And, the Magna Charta borrowed elements found in the courts of David
30 and Esther according to biblical record, now in antiquity, 3,000 and 2,500 years respectively, for
31 expelling perjurers and defending personal freedoms (Ps. 34, 109, 149, Is. 2, 22, 48, 59, Jer. 5,

1 21, 22, Ezk. 22, 28, 33, 39:24, Oba. 3-15, Mic. 1, 2, 3, 6, 7, Hag. 2, Zec. 4, 5:3, 6, 7, Luk. 3). *Id.*
2 There is nothing like this to even make a comparison.

3 The notification process of a lien is preemptory, and its counterparts are included in this
4 operation of law. A people-led Federal Recall was employed using George Washington's process
5 (1787) and held January 14, 2014. *Id.* It was obstructed without cause by most of the states and
6 the federal government, which they cannot do when the people assert their constitutional powers
7 (Dec. Of Indp., ¶2). *Id.* The courts refused the case for frivolous reasons (Rush, et al. v United
8 States, 1:14-cv-00077; 28 USC Rule 4.1(b)). *Id.* The push on the part of some to redefine
9 corporate personhood and the Voting Rights Act of 1965 is a futile attempt to undermine the
10 right of the people to elect, and with it, the recall (Rush, et al. v United States, 1:14-cv-00077; 28
11 USC Rule 4.1(b)). *Id.*

12 A Senate report indicates that a federal recall set by the states is determined to be a conflict of
13 powers (“Recall of Legislators and the Removal of Members of Congress from Office”,
14 Congressional Research Service, 2012). *Id.* However, a people-initiated federal recall offers
15 substantially different conclusions. An legal analysis in 2009 (Grossack, David C., “Recalling
16 U.S. Senators And Congressmen”, U.S. Citizens Association.), considers a federal recall
17 possible:

18
19 While ...large segments of the American population feel
20 alienated from their politicians, political organizations
21 ...[can] subsidize serious legal challenges to any recall.
22 The courts have precedents and complex ...arguments to
23 prevent [recall] petitions from succeeding. However, [with
24 different legal steps] different results are possible.

25
26 As this author reads this language [of the Tenth
27 Amendment], it appears clear that ...“the people” ...should
28 be recognized to have the right of [federal] recall.
29 (*Id.* (edited for clarity))

30
31 This direction is supported by 99% Declaration’s legal counsel (Pollock, Michael S., “Reboot

1 democracy with Continental Congress 2.0”. April 9, 2012, blog.). *Id.* George Washington said,

2
3 “The power under the [U.S.] Constitution will always be in the People. It is entrusted for
4 certain defined purposes, and for a certain limited period, to representatives of their own
5 *choosing*; and whenever it is executed contrary to their Interest, or not agreeable to their
6 wishes, their [Civil] Servants can, and undoubtedly will be, recalled” (Letter To Bushrod,
7 1787). (*Id.* (edited for clarity))

8
9 And, a recall has constitutional application (Goodwin, Doris Kearns, “Team of Rivals: The
10 Political Genius of Abraham Lincoln”, Simon and Schuster. 2006.) *Id.* A federal recall is
11 possible, permissible, and applicable in this instance. The courts had no valid reason not to hear
12 the case, and the unresolved public duty to mitigate a grievance placed the Constitution in
13 jeopardy.

14 15 **Support for Jurisdiction and Procedure**

16 Although irregular and unprecedented since the founding of this nation, this operation of law
17 is authoritative, befitting, clear, and can leave no doubt. This operation of law encompasses the
18 right of the people to recall federal officials according to Washington, an undisputed authority, as
19 well as revocation of federal powers and impeachment per Declaration consent authority to
20 remove illegitimate power and then alter federal government to deter its return. *Id.* This is
21 entirely in the people’s purview to protect, defend, and secure the Constitution against any threat
22 or limitation. The Declaration is fixed and may not ever expire nor is it subject to change
23 (Clarkson, Kenneth, et al, “What is Law?”, West’s Case Law, 7th Edition. West Educational
24 Publishing, 1998. Pg. 3.). *Id.* Thereby, consent authority of the people never expires. So,
25 powers of the people transcends federally delegated authority (Tenth Amd.). *Id.* The conditions
26 that prompted this operation of law that resulted in the impeachment of all three branches of U.S.
27 government, as stated in the words of the court, are as follows:

28
29 Whereas, it is an offense to the Constitution and the People of the United States
30 that the protest, petition, and assembly of the people, by the people, should go unresolved
31 and even suppressed for grievances against the federal government, and that civil servants

1 of the federal government should act against the Constitution for its jeopardy, by erosion
2 of protections for the people, even by legal means (supposedly), and other acts, in which,
3 either lead to or include, acts against the state (United States under the Constitution) or
4 the existence of the state (U.S. Constitution), by the state (acts of civil servants of the
5 U.S. federal government). It is serious enough for the Declaration of Independence to
6 acknowledge the right of the people to “alter or abolish” any government that commits
7 such destructive acts. This Trial affirms that right to protect their nation after all other
8 applicable rights and powers under the Constitution have been exhausted, as is every
9 person’s duty to the Constitution (George Washington, Letter To Bushrod, 1787).

10 Simply stated, civil servants of the U.S. government have acted against higher laws
11 to destroy our form of government – a ruinous crime according to the Declaration (Par.
12 2). Acts against the state, for its destruction by high crimes (progressive destruction, such
13 as, subversion) or treason (undermine unto overthrow), are impeachable offenses in the
14 eyes of this nation (Art. II, § 4). (*Id.* (inclusive))

15
16 After exhausting all these acts, the people remain at an impasse and are not able to compel
17 government by these methods. The people retain the method for laborer’s lien to foreclose on the
18 federal government, as modified by Thomas Jefferson (blog.zlien.com, “A Short History of the
19 Mechanic Lien”, Scott Wolfe, Jr. Nov. 15, 2010.). *Id.* As such, the people have revoked federal
20 powers and have held a recall, making the current office holders(s) illegitimate and the Plaintiff
21 the legitimately entitled public official. 3 USC (Ch4) § 301 et. seq.

22 In the performance of his duties, being entitled, and by the people’s authority, the Plaintiff has
23 prescribed work of improvement and payment is authorized, owed, and now due. Cal. Civ. Proc.
24 Code § 8042(f). The Plaintiff will continue to fulfill his duties within a 2 year “keeper”
25 presidency in the “business of the debtor”, as those terms are generally understood, yet apply to
26 this case, being resolved to the satisfaction of restoration to the Constitution and full restitution
27 of the people. *Id.*

28 29 V. ARGUMENT – PROPER ACTIONS

30 **In Evidence**

31 The Plaintiff is a supplier of services in a contract of improvement, in this case an elected

1 official providing a public duty. This is not in any way a contradiction for the purpose of this
2 lien, but is the subject matter at issue. When contracted by the people, as implied-in-fact when
3 elected or appointed, the position encompasses all things necessary to enforce compliance for a
4 public duty to the Constitution. The Plaintiff filed a lien within 90 days of completion as
5 recorded. Proof of improvement is Plaintiff's declaration, sufficient in the ordering of
6 improvement in the course of his duties. Evidence of election to the position of such office is
7 asserted in impeachment and is the measure of this case - whether the people have the right to
8 assert their consent authority for the recall and revocation of federal powers
9 (www.willofthepeople.agency/#!/hall-of-records/c1qye. Vol. 1, Pt. 1, § III(a)). *Id.* Of which, is
10 protested for and well documented (the99percentdeclaration.net,
11 www.willofthepeople.agency/#!/hall-of-records/c1qye. Vol. 1, Pt. 2, § I(d)). *Id.* These
12 documents include the maximum of the types of notices that may be bought by this operation of
13 law, as it is known, and exist in lieu of preliminary notice of failure to pay, *lis pendens* and other
14 notices common to lien.

15 Failure to pay the work of improvement encompasses the argument of this case, as follows:

16

17 - Plaintiff has proven entitlement guaranteed by the Constitution herein by the existence of an
18 implied-in-fact contract to the people in exhibit ([www.willofthepeople.agency/#!/hall-of-](http://www.willofthepeople.agency/#!/hall-of-records/c1qye)
19 [records/c1qye](http://www.willofthepeople.agency/#!/hall-of-records/c1qye). Exhibits and Addendums). *Id.*

20 - Plaintiff has shown a lien can be imposed for such circumstance, and there is no provision of
21 law or argument against it.

22 - Plaintiff has referenced laws of the state of California regarding lien laws and federal and
23 constitutional law applicable to the circumstance.

24 - Plaintiff has proven the federal government is liable and defendants are not exonerated for their
25 part, regardless of participation.

26 - Plaintiff has not been placed into such high profile office, as self-evident, and thereby visibly
27 not in a position to have been paid.

28 - Plaintiff has presented improvements to take place according to the office entitled as recorded.

29 - Plaintiff did file a motion for summary judgment after allowing requisite time for defendants to
30 submit a response.

31

1 Authority of Plaintiff in these matters includes, without limitation:

2
3 3 USC (Ch 4) § 301 et seq. (delegation of function),
4 6 USC Ch 1, Sub§ V, § 321a (a)(1) (emergency declared for man-made disaster),
5 6 USC Ch 1, Sub§ XIII, § 572 (a)(1) (emergency order guidelines),
6 10 USC § 123, 527, 2201(c) (suspension of officers and laws, exemptions),
7 14 USC § 331, 359, 367 (recall to duty, detain service),
8 15 USC Ch 1 § 6 (restrain trade),
9 28 USC § 4.1(b) (enforcement of civil contempt),
10 44 USC § 1505(a)(2) (documents authorized for printing),
11 50 USC § 201 et seq. (national defense against insurrection of any authority),
12 Art. II § 4 (grounds for impeachment under Tenth Amendment powers of the people),
13 Bill of Rights, Amd. I and X (rights to hold accountable, redelegate federal powers),
14 Dec. of Indp., ¶2 (rights to revoke federal authority, alter government).
15 (*Id.* (inclusive))

16 The Plaintiff does not act alone. As a delegate of the 2012 Continental Congress, the
17 Plaintiff has been endowed with and has exercised irreducible proper authority to compel civil
18 servants and enforce higher laws (www.willofthepeople.agency/#!/hall-of-records/c1qye. Vol. 1,
19 Pt. 2, § II(a)). *Id.* That authority to alter government is without revocation, for, the Defendants
20 cannot defend illegitimate powers for destruction of the Constitution unto detriment of the
21 people. The Defendants are a threat, and that idea is a right of the people (Starkey, David.
22 “Monarchy, U.K.” TV series; Episodes 1-3, 5, 6. 2006; Washington, George. National Center for
23 Constitutional Studies, 2010). *Id.*

24 Through declarations, notices, petitions, suits, recall and media, the Plaintiff has asserted the
25 people’s powers as given to do so (First Amd., [www.willofthepeople.agency/#!/hall-of-](http://www.willofthepeople.agency/#!/hall-of-records/c1qye)
26 [records/c1qye](http://www.willofthepeople.agency/#!/hall-of-records/c1qye). Vol. 1, Pt. 1, § II). *Id.* The legal path the people have chosen is passive. The
27 people have chosen to evoke precedent involving the founding of the nation and uses reserved
28 powers that, until now, were yet to be defined. The people have asserted their First Amendment
29 rights and Tenth Amendment powers of the people by letting the government:

- 1 - refuse the petition of the people made in Continental Congress;
- 2 - ignore rules of the courts themselves;
- 3 - impede the federal recall election, and;
- 4 - skirt federal law.

5

6 The people have not consented to the overthrow of liberties, nor the cover-up for systematic
7 removal of the Bill of Rights. For the people to keep silent when an enemy of the Constitution
8 creeps in to carry away the rights of the people, the people must lift up a standard against it or it
9 undermines their due diligence, as follows:

10

11 The people have shown to act intentionally, at times imperfectly, with: a) accordance
12 for applicable and just law, b) bereavement upon grievance for remedy (suffering
13 compounded), c) “clean hands”, d) due vigilance, e) equal claim, and, f) fair treatment.
14 By such, the people have shown to appeal to higher laws, which are applicable to
15 fundamental and common human rights for taking back their government from unjust
16 rule, in accordance with the Constitution and Declaration of Independence and authorities
17 that stem from higher sources, such as the Magna Charta and Court of Khisiarshu (Queen
18 Esther), of which, there is certainty and applicability. (*Id.* (inclusive))

19

20 The impeachment proclaims the attempts to warn public servants, lest it be said, they "were not
21 warned" (www.willofthepeople.agency/#!/hall-of-records/c1qye. Exhibits and Addendums). *Id.*
22 For civil servants have a public duty to know that they would be punished severely, having
23 transgressed against the very founding of this nation:

24

25 *For*, the people attempted to mitigate by every instrument of their communication,
26 including numerous attempts and warnings at impending destructive effects caused by the
27 acts of civil servants, whereas civil servants’ only act was to placate. This Court does not
28 recognize the sufficiency on the part of civil servants to mitigate jeopardy to the state by
29 its conundrum of governance, which would have required highly significant and very
30 visible acts to remove peril to the Constitution, but no known appropriate steps were
31 taken by civil servants. While although circumstance permits this Trial to examine the

1 criminal acts on the part of civil servants, without the means to sufficiently compel
2 further cooperation, testimony, and evidence, this Court must favor the position of the
3 people, as being sound. This Court affirms steps at mitigation of constitutional jeopardy
4 by the people and the people’s right and position for powers exercised by the people
5 under Tenth Amendment proper authority. This Court concludes that the highest priority
6 and first Public Duty of civil servants is being answerable to the people, and in not doing
7 so is the first high crime of many, which led to subsequent and justified revocation and
8 redelegation of federal powers for wrongful acts under the Constitution. Of which, the
9 people are found to have uncontested default when exercising their powers for consent
10 authority by Order of the Declaration of Independence when the Constitution failed upon
11 civil servants’ absence to mediate terms of relinquishment of illegitimately held authority.
12 (*Id.* (inclusive))
13

14 Consequently, the defendant’s acts fail when met by a lien. The people are entitled to such
15 powers when government has failed to be accountable. The people have redelegated such
16 authority to Plaintiff as an extension of the Recall with the duty to remove any grievances of the
17 people by equitable acts (www.willofthepeople.agency/#!hall-of-records/c1qye. Vol. 1, Pt. 2, §
18 II(a)). *Id.* This stipulation is proof of endowment of proper authority.
19

20 VI. ARGUMENT – LEGAL STANDARD

21 **Premise**

22 Summary judgment is proper when no material fact is in dispute, and where the record
23 establishes that no defense asserted against a party can prevail. Cal. Civ. Proc. Code § 437c.
24 Summary judgment should be granted where the plaintiff has provided evidence to establish a
25 cause of action, or where the defendant cannot provide a complete defense. *Id.* at § 437c(o)(2).
26 A plaintiff moving for summary judgment needs to present evidence that “bears an initial burden
27 of production to make a prima facie showing of the existence of a triable issue of material
28 fact....” *Id.* at 850. The plaintiff “may not rely upon the mere allegations or denials of its
29 pleadings... but, instead, [must] set forth the specific facts showing that a triable issue of
30 material fact exists....” Cal. Civ. Proc. Code § 437c(p)(2). The moving party has presented
31 prima facie evidence there is no issue of material fact involving the recording of the lien, its

1 causes of action are not in dispute, and the defendant cannot provide adequate defense, where the
2 facts are substantiated by testimony and exhibit showing a triable issue of material fact exists,
3 and supported by references to law, included herein.

4 It is the court's discretion for good cause may hear summary judgment later than 30 days
5 before trial. Cal. Civ. Proc. Code § 437c(3). The constriction requiring simultaneously also
6 setting a hearing at 75 days from mailing of notice, plus 10 if defendants are out of state, it is cost
7 prohibitive and unreasonable for a Plaintiff having filed under fee waiver provisions, in a *pro se*
8 case of first impression navigating state, federal, and constitutional law, having been refused
9 attorneys across four counties and their bar associations (San Bernardino, Riverside, San Diego,
10 Los Angeles, and Beverly Hills), while caring for a severely injured newly wed wife with Post
11 Traumatic Stress (PTSD), and having to file for annulment for the same (FAMSS1700221). *Id.*
12 The Plaintiff is entitled to relief under fee waiver, the matter does not affect any material fact,
13 and additional time should also be granted under such extraordinary circumstance.

14 As it applies to federal law, summary judgment is appropriate where there is no genuine
15 dispute as to any material fact and the moving party is entitled to a judgment as a matter of law
16 (Fed. 477 U.S. 317, 322). *Id.* Wrongful acts committed by public servants may be defined as or
17 include: general malfeasance (USC A(5)), conspiracy to defraud the U.S., e.g., for economic
18 benefit (18 USC § 371), contempts constituting crimes (18 USC § 402), obstruction of an agency
19 (18 USC Part I, Ch. 73 § 1505), inciting unrest, display of force (18 USC § 2101, 18 USC Ch.
20 115 § 2381 – 2385, 28 USC § 631(i)), liable for bribery (18 USC § 201 (b)(1)(B) and (C)),
21 ignoring duty of federal printing authority (44 USC § 1502), violation of Trading With The
22 Enemy Act of 1917 (50 Appendix Ch 106, 40 Stat. 411 § 1 et seq.). (*Id.* (inclusive)) The
23 moving party has demonstrated that there is no dispute as to the material facts of the case.

24 Usurpations violated by public servants in the course of non-compliance is as follows:
25 illegally confiscating and withholding property, seat, seal, flag, vestments, of the authorized and
26 legitimate federal government (2 USC Ch 29, Title 4), burden to present petitions (Art. "A" I § 2,
27 ¶3), making of criminal laws (Art. I § 8, Last Par.), foregoing duties to the Constitution (Art. II §
28 1, Last Par.; Art. VI, Last Par.), court jurisdiction skirting regulation (Art. III § 2, ¶1-2), giving
29 aid and comfort to enemies of US, levying war against citizenry (Art. III § 3, ¶1), modification of
30 Constitution for protested erosion without mode of ratification (Art. V), trampling on rights,
31 protections, and powers of the people (Bill of Rights, Amd. I – X), devising economic

1 enslavement and servitude (Amd. XIII), depriving due process and use of public funds for it
2 (Amd. XIV §§ 1, 3, 4). Courts will focus on the facts that might affect the outcome and will
3 disregard all “facts that are irrelevant or unnecessary.” (Fed. 477 U.S. 242, 248). (*Id.* (inclusive))
4

5 VII. CONCLUSION.

6 The federal government has attempted to restrain and quell protest, petition, congresses of the
7 people, people-led elections, peaceful boycott (weaponless “sanctions”), notice of revocation of
8 powers, and impeachment powers in the course of its erosions and manipulations of protections
9 of the people in higher law for benefit. The people, on the other hand, have done nothing but
10 uphold the law and seek restoration of constitutional protection and restitution for grievances in
11 their protection and defense of the law.

12 Such use of powers not delegated to the United States are illegitimate and an act against the
13 Constitution and the people of the United States and declared to be high crimes against the state.
14 The public duty to correct the grievance under this Constitution is not invalidated by obstruction
15 of recalls and false elections, nor the refusal to be subject to the Constitution and placating
16 invalid and improper response. For, this matter precedes all other concerns, and all acts to the
17 contrary and in obstruction of justice must be stopped immediately regardless of any outcome.

18 The Defendants refused grievances of the people, correction of an oversight agency of the
19 people, and submission to the Constitution and its order of law. Defendants have altogether
20 broken their duty to perform a public trust and rebelled against the Constitution and will of the
21 people. *Id.* Defendants have fallaciously ignored the rule of law, as evidenced by the
22 inauguration of Donald Trump which must be terminated on the merits. *Id.*

23 The reputed owner is not the object of this suit, justice is. The new owner is not bona fide,
24 has in fact received notice of the dispute and contested authority, and the claim of lien is not
25 deficient. Dismissal of the claim of lien for being erroneous is not applicable, supported, or
26 justified in any instance, as this suit is an absolute right of the people, unchallengeable. There is
27 no statute of limitations on foundational law, nor may this nation exist without it. Any argument
28 of the Defendants in support of such limits on the people negates themselves, and is not
29 permissible.

30 There is no dispute of fact Plaintiff is entitled to summary judgment on each cause of action,
31 for his post as a matter of such operation of law. Thus it is requested, as amended, with all

1 jurisprudence and right standing before the court in such matters, having all sufficiency for prima
2 facie and no dispute, as in default, let the flaws and deficiencies of this case be made immaterial
3 and let its legal course and cause be declared proper or sufficient in the eyes of the court.
4

5 THEREFORE,

6 This effectively places a lien against the full faith and credit of the United States until its
7 obligation to its Laborer, the Plaintiff, is met. There is no other reasonable means by which to
8 have a rebellious and corrupt government comply with an order of the Constitution by will of the
9 people, except to place a demand for the surrender of the United States into the hands of the
10 people for failure to comply with submission to the petition and powers of the people for
11 correction unto restitution and restoration.

12 This suit recognizes the Plaintiff's right and entitlement to position, pay, residence, office,
13 seat, seal, title and power. This court, in its judgment with the consent of the people, so orders
14 the federal government to comply with this transition of power and deliver the Plaintiff to his
15 proper residence and official office in the vehicles designated for such office and title, to be
16 accompanied by appropriate staff for purposes of the office, or render the full faith and credit of
17 the United States back to the people for the foreclosure of the United States in lieu of surrender
18 for use of illegitimate powers.

19 As the foregoing shows, there are no issues of material fact. Defendants have admitted to
20 committing the breaches alleged in the First Cause of Action, are common knowledge, and have
21 defaulted on their duty to the public as protested by millions. The Constitution is found to be
22 valid and applicable in this operation of law. An Impeachment proceeding in the Cause of
23 Action resulted in finding that Defendants committed breaches of public trust at issue and
24 Defendants were placed in contempt for non-compliance with the recall and revocation of power
25 against them. There is no dispute of fact as to Amendments of the Constitution amend and
26 modify powers and that powers of the people in the Tenth Amendment assure consent authority
27 to alter or abolish government as stated in the Declaration of Independence. The Defendants
28 have determined the amount of their pay as damages for destructive and illegitimate powers
29 which must now be awarded, as recalled by people-led election, revoked authority by public
30 notice, and contested by impeachment, and such illegitimate authority is overturned and must be
31 returned to the people and the people demand it back. The pay for President, Speaker of the

1 House, Senate President, and Chief Justice is revoked for each breach for the period specified.
2 The Plaintiff, operating as the BRANCH of the People, demonstrates authority as each of those
3 positions through one office for limited powers to resolve grievances of the people. Accordingly,
4 Plaintiff is entitled to Summary Judgment on its First and Second Cause of Action for breach of
5 public trust, as a matter of law and restitution, all other concerns and elections made secondary,
6 in the amount of \$1,503,165.00 and serve the remainder of his term, officially and made official,
7 being two years from the time of his inauguration and placement unto official residence and
8 office to be set by collection of the court.

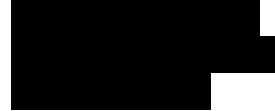
9 As provided in Cal. Civ. Proc. Code § 437 and Rule 3.1350, this motion contains and is
10 supported by a notice of motion for summary judgment, memorandum and evidence in support,
11 separate undisputed material facts in support, and request for judicial notice in support of
12 Stephen L. Rush's motion for summary judgment.
13

Dated: *Feb. 10, 2017*

Respectfully submitted,

/s Stephen L. Rush

By: Stephen L. Rush

A large black rectangular redaction box covering the signature and name of the attorney.

14

Stephen L. Rush



StephenLRush@aol.com

AMENDED

Superior Court of the State of California
For the County of San Bernardino

Stephen L. Rush,

Plaintiff,

vs.

Barack H. Obama, a public official;
RECALLEES as UNKNOWN CIVIL
SERVANTS and ALL UNKNOWN
PARTIES Governing From or Occupying a
Disputed or Contested or Recalled or
Revoked FEDERAL OFFICE or SEAT or
POSITION or POWER 1 – 1,002, inclusive,
and CIVIL SERVANTS as any and all
FEDERAL OFFICIALS and OFFICERS
and their Successors and Staff as JOE
PUBLICS and JACKIE JOES and JOHN
DOES and JANE ROES UNKNOWN 1 –
2,145,757, inclusive, and CONTEMNORS
as UNKNOWN THIRD PARTIES and ALL
OTHER UNKNOWN PARTIES Exercising
An Interest or Hold or Role Against the
Dispute or Contest or Recall or Revocation
of FEDERAL OFFICIALS and OFFICERS
1 – 231,556,622, inclusive,

Defendants

) Case No. CIVDS1613304
)
)

) **AMENDED VERIFIED COMPLAINT FOR:**
)

) **1. BREACH OF PUBLIC TRUST**
)

) **2. FAILURE TO EXECUTE THE OFFICE**
)

) **3. DEFAULTED FULL FAITH AND CREDIT**
)

) **4. CONFLICT WITH CONSTITUTIONAL LAW**
)

) **5. FORECLOSURE OF UNITED STATES**
)

) **ON MECHANICS LIEN BY WILL OF PEOPLE**
)

) **UNLIMITED CIVIL, DEMAND OVER \$25,000**
)

) Date: March 13, 2017
)

) Time: 8:30 a.m.
)

) Dept: S24
)

) Trial Date: April 24, 2017
)
)



TO DEFENDANT DONALD TRUMP, AND ATTORNEY GENERAL, SERVED AS AMENDED:

You are hereby served in the within AMENDED action and proceedings as the person sued under the fictitious name of UNKNOWN CIVIL SERVANTS and ALL UNKNOWN PARTIES Governing From or Occupying a Disputed or Contested or Recalled or Revoked FEDERAL OFFICE or SEAT or POSITION or POWER 1 – 1,002, previously designated as a CONTEMNOR (a/k/a Contemnor) or an UNKNOWN THIRD PARTY (a/k/a Third Party), amended, on foreclosure of the full faith and credit of the United States at the time of filing, per Cal. Civ. Proc. Code Pt. II, Title 6, Ch. 8 § 474.

PLEASE TAKE NOTICE that on April 24, 2017, at 8:30 a.m. in Department S of this Court, Room 24, located at 247 West 3rd Street, San Bernardino CA, 92415, Plaintiff, Stephen L. Rush will move this Court at Trial for summary judgment in favor of plaintiff and against defendant, Barack H. Obama, et. al., as to Plaintiff's first and second cause of action for breach of public trust, of which, you are now party to.

This motion is made upon the grounds that: (1) there are no triable issues of material fact because Barack H. Obama has committed a severe breach of public trust alleged in the First and Second Cause of Action; (2) Stephen L. Rush was party in all notices and proceedings, who is entitled to the seat, seal, and office that the Defendants illegally occupied, in which the validity and enforceability of the recall was vigorously litigated and finally adjudicated, resulting in a judgment on the merits in favor of plaintiff and impeachment of all federal branches, which must now be surrendered.

Because there are no triable issues of fact as to these charges, and because the validity and enforceability of consent authority under the Constitution of the United States has been litigated and conclusively determined Defendants to be in contempt of the Fourth Branch, Plaintiff is entitled to summary judgment as a matter of law and its public obligation and duty to protect the Constitution.

Such motion is based upon this notice and amended complaint, the memorandum of points and authorities, the separate statement of undisputed facts, the notices, addendums and exhibits, and permitted testimony of any Parties hereto, as the case may be, of which may be attached hereto and served and filed herewith, and such other and further matters as may properly be brought before the Court.

Dated: *March 13, 2017*

Respectfully submitted,

/s Stephen L. Rush

By: Stephen L. Rush

TO DEFENDANTS BARACK H. OBAMA, RECALLEES, ET AL, CIVIL SERVANTS, ET AL, CONTEMNORS, ET AL, INCLUSIVE, AND ATTORNEY GENERAL, SERVED AS AMENDED:

PLEASE TAKE NOTICE that on April 24, 2017, at 8:30 a.m. in Department S of this Court, Room 24, located at 247 West 3rd Street, San Bernardino CA, 92415, Plaintiff, Stephen L. Rush will move this Court at Trial for summary judgment and AMENDED complaint in favor of plaintiff and against defendants, Barack H. Obama, et. al., as to Plaintiff's first and second cause of action for breach of public trust.

Such motion is made upon the grounds that: (1) there are no triable issues of material fact because Barack H. Obama has committed a severe breach of public trust alleged in the First and Second Cause of Action; (2) Stephen L. Rush was party in all notices and proceedings, who is entitled to the seat, seal, and office that the Defendants illegally occupied, in which the validity and enforceability of the recall was vigorously litigated and finally adjudicated, resulting in a judgment on the merits in favor of plaintiff and impeachment of all federal branches, which must now be surrendered.

The motion for summary judgment is based upon such notice and amended complaint, along with the memorandum of points and authorities, the separate statement of undisputed facts, the notices, addendums and exhibits, and permitted testimony of any Parties hereto, as the case may be.

This amended complaint is attached hereto and served and filed herewith, and such other and further matters as may properly be brought before the Court.

Dated: *March 13, 2017*

Respectfully submitted,

/s Stephen L. Rush

By: Stephen L. Rush

1 Plaintiff, Stephen L. Rush, hereby sets forth the following AMENDED complaint and
2 facts, herein described, inclusive of reference and process, and for causes of action and order of
3 law so alleges and asserts as follows:
4

5 **FIRST CAUSE OF ACTION**
6 **(Breach of Public Trust, Etc.)**

7 1. Plaintiff, Stephen L. Rush, is now and at all times mentioned in this complaint duly
8 sworn in as officer of the Constitution and President by circumstances and process of law alleged
9 in this complaint.

10 2. Plaintiff, Stephen L. Rush, is now and at all times mentioned in this complaint,
11 Plaintiff was and is performing work and public service under the local agency, named Will of
12 the People Constitutional Authority, a people-initiated oversight agency as the fourth branch of
13 government. Plaintiff has filed necessary documentation with Internal Revenue Service as
14 required by 2012 Continental Congress delegation charged with the legal enforcement under
15 emergency provisions and powers and applicable law. Plaintiff was and is a delegate and
16 participant to the 2012 Continental Congress, represented by over 800 delegates across the
17 political spectrum and across the country to pen grievances voiced in assembly and protest
18 throughout the nation aimed at the Defendants.

19 3. Plaintiff, Stephen L. Rush, is now and at times mentioned in this complaint, since
20 the Recall of 2014, Plaintiff was and is performing work and public service in the capacity and
21 office of President in-waiting by people-initiated Federal Recall. Plaintiff was a candidate in and
22 is elected by the Federal Recall of January 2014 as per George Washington's method (letter to
23 Bushrod, 1787), being submitted to all states and territories, and successfully filed and held on
24 the East and West Coasts, of which, precedes all other elections and concerns by higher law.

1 4. Plaintiff does not know the names of the Defendants, nor can it be known or
2 otherwise defined, except as recorded by way of the Impeachment Trial of all three branches,
3 available at www.willofthepeople.agency, et al, inclusive, and included herein by reference,
4 which includes topmost heads of state of each branch, and long-term incumbents. The Plaintiff
5 sues them by the office they occupied at the time of the recall, those who have or now occupy
6 those offices illegally, and those who acted as being against higher law and/or such powers of the
7 people, as follows and per Addendum A, included by reference: Barack H. Obama (a/k/a Barack
8 Obama), a public official, RECALLEES as UNKNOWN CIVIL SERVANTS and ALL
9 UNKNOWN PARTIES Governing From or Occupying a Disputed or Contested or Recalled or
10 Revoked FEDERAL OFFICE or SEAT or POSITION or POWER 1 – 1,002 (a/k/a Recallees),
11 inclusive, and CIVIL SERVANTS as any and all FEDERAL OFFICIALS and OFFICERS and
12 their Successors and Staff as JOE PUBLICS and JACKIE JOES and JOHN DOES and JANE
13 ROES UNKNOWN 1 – 2,145,757 (a/k/a Civil Servants, Public Servants, Public Official),
14 inclusive, and CONTEMNORS as UNKNOWN THIRD PARTIES and ALL OTHER
15 UNKNOWN PARTIES Exercising An Interest or Hold or Role Against the Dispute or Contest or
16 Recall or Revocation of FEDERAL OFFICIALS and OFFICERS 1 – 231,556,622 (a/k/a
17 Contemnors), inclusive. In good faith to cure such deficiencies, there can exist no other
18 numeration of persons unknown without knowing the Impeachment Trial’s definition of
19 defendants. Whereas, such numeration of persons unknown is now amended to the degree
20 known, on the merits, as required for justice per applicable sections of Cal. Civ. Proc. Code
21 § 474 and Federal Rule of Civil Procedure 15(a)(2). Of which, such UNKNOWN THIRD
22 PARTIES since elected and elevated as to an UNKNOWN CIVIL SERVANTS Governing From
23 or Occupying a Disputed or Contested or Recalled or Revoked FEDERAL OFFICE or SEAT or
24 POSITION or POWER, include Donald Trump, an illegitimate Public Official.

1 5. Plaintiff is informed and believes and on that basis, alleges, that at times mentioned
2 in this complaint, Defendants were the officers and representatives of the government and in
3 doing the things alleged in this complaint, were acting outside the responsibility and proper
4 delegated authority of that office while yet in official capacity. The Defendants, had exceeded all
5 jurisdiction in venturing outside of the Constitution for not mere procedural error, but for
6 impeachable offense clearly established by constitutional law and effect.

7 6. The property “federal lands” referenced in this complaint is located in the County
8 of San Bernardino, State of California and is commonly known as Heart Bar Campground. As
9 per Sections 8040 and 8048, CA Civil Code, the site is property on which a work of
10 improvement is planned, and per Section 8042(a), (d), (f) under conservation zoning,
11 improvement for the site may include removal, preparation, construction, or installation of
12 improvements, trees, or other vegetation. The property is more particularly described in Exhibit
13 A, “Legal Description”, submitted with the recording and incorporated by reference.

14 7. Plaintiff, Stephen L. Rush, performed the duties of his office and furnished certain
15 labor, services, equipment, and materials for the work of improvement on the property, inclusive
16 of assertions for protection and defense of the United States Constitution following site selection
17 and research. The residence of a President of the United States is required to complete the work.
18 The work is more particularly described in Exhibit B, “Declaration”, submitted with the
19 recording (20160188544) and incorporated by reference.

20 8. During the period as officer, the Plaintiff furnished certain labor, services,
21 equipment, and materials for preparation of the work of improvement on the property, inclusive
22 of its protection under the Constitution. During the period commonly referred as President in-
23 waiting, the Plaintiff furnished certain labor, services, equipment, and materials for the work of
24 improvement to proceed on the property, inclusive of works as President. Per Sections 8042(f)

1 and 8050(b), CA Civil Code, the duties of the executive for the work of determination of a site is
2 legally sufficient to define a work of improvement shall take place, and it is customary an
3 executive will make known his personal preference for the scheme of improvements to be carried
4 out on the site to his leadership. In this case, the Plaintiff has not as of yet gathered
5 undersecretaries and is unable to provide further proper instruction, being part of the
6 compensation sought under Section 8024(c). Improvements to be made include aspects of
7 biofuels production from dead plant matter using methods patented by the Plaintiff, such as
8 patents 7,449,313; 7,514,247; 7,662,617; and the like, included herein by reference.

9 9. Plaintiff has performed all duties and responsibilities to be performed on his part
10 under constitutional law, inclusive of the protection and defense of the Constitution.

11 10. The labor, services, equipment, and materials furnished by Plaintiff had and have a
12 reasonable value of \$1,503,165.00. The lump sum amount, both as President and Officer of the
13 Constitution, are calculable according to the rules of the Federal Recall and are certified to be
14 correct, owed, and payable per the Impeachment Trial.

15 11. Defendants breached the public trust, in that they did not recognize constitutional
16 party of succession by will of the people and refusal to be subject to the people for correction, a
17 First Amendment and Declaration of Independence right, and there is now due restoration to
18 constitutional order, in addition to any other procedure or process of law at remedy, as follows:

19

1 **SECOND CAUSE OF ACTION**

2 **(Foreclosure Of The United States On Mechanic's Lien By Will Of The People)**

3 1. Plaintiff incorporates herein by reference paragraphs 1 through 11, the first cause of
4 action.

5 2. Plaintiff, Stephen L. Rush, is now, and at all times mentioned in this complaint, an
6 officer sworn to protect and defend these United States by order of law, a citizen residing in
7 California.

8 3. Plaintiff is a laborer and was not required to, nor filed notices in lien format.
9 Plaintiff is informed of the requests, notices, filings, inquiries, petitions, orders, and
10 enforcements of the people, and on the basis of that documentation and legal course, is persuaded
11 to believe and so asserts and affirms the will of the people, alleging each of the RECALLEES
12 and UNKNOWN CIVIL SERVANTS, named in the recall and each of the legal submissions
13 were constitutionally responsible for the course of events and acts of government, acting with the
14 course and scope of such agency, duty and employment, and, responsible for Plaintiff's damages.
15 Plaintiff acted with due diligence, as statements, declarations, inquiries, notices, filings, and
16 orders repeatedly testify to ("Impeachment of Civil Servants of the United States," et al,
17 inclusive. www.willofthepeople.agency#!hall-of-records/c1qye. Nov. 2016. Included by
18 reference, as Exhibit C).

19 4. Plaintiff did not file stop payment against the U.S., as a disruption of governmental
20 services of that magnitude is tantamount to cessation of the United States and is considered
21 unnecessary and detrimental to the economy of the people of the United States. For, the effect of
22 stopping the full faith and credit of the U.S. could, in fact, incite global panic and would have the
23 potential to crash markets world wide, setting dangerous and reckless precedent that is not the
24 object of this suit, and contrary to its peace and tranquility.

1 5. Defendants did not bring correction when protested and petitioned for, and sets the
2 federal government at odds with constitutional protections and places the Constitution in
3 jeopardy. Defendants incite civil unrest by their non-compliance and abolition of liberty.
4 Refusing to be subject to the Constitution, and by acting against the state of the Constitution, the
5 Defendants being duty bound by oath, nullified any presupposing absolute immunity, as in
6 Subsection 8.2. of 42 U.S.C. § 1983. For, the duty to protect the Constitution outweighs any
7 security matter or public good, and, as Officer of the Constitution with redelegated judicial
8 authority for crimes impeached, the Plaintiff holds the Eleventh Amendment not applicable.

9 6. Defendants acted against higher law being convicted of subversion, obstruction,
10 malfeasance, and other crimes in impeachment, contrary to their oath to protect and defend the
11 Constitution upon entering federal office (Article VI, Last Par.).

12 7. This complaint is not an agenda or attack against a political party, person, or other
13 political gain to advance some polarized agenda, but exists for the oversight of federal powers
14 out of control, of which there is no statute of limitations. The First Amendment right of the
15 people to petition for correction by assembly has failed, so the Plaintiff retracted consent to be
16 governed by federal government that is made up of Defendants refusing to be subject to the
17 Constitution. Every branch of United States government has been contacted, and every federal
18 official to the extent possible has been appropriately notified, compelled, recalled, impeached,
19 and held in contempt by Tenth Amendment powers. Due diligence demands this suit be brought.

20
21 WHEREFORE, neither could nor shall any law or act preclude Plaintiff from full compensation
22 for restitution and restoration of all under the U.S. Constitution and full measure of higher law.

1 WHEREFORE, the Plaintiff demands judgment and acts in favor on the merits of the following:

2

3 1. Order the immediate removal of illegitimate U.S. authority as nullifying the inauguration of
4 the sitting President, rescinding first family status, unto fully evicting from office and residence;

5 2. Declare Stephen L. Rush is President in every way and pay to restore order as in debtor's levy;

6 3. Provide collection in the form of having the presidential limousine and proper detail pick up
7 Stephen L. Rush and deliver him to his place of employment and residence at the Whitehouse.

8

9 DATED: March 13, 2017 /s Stephen L. Rush

10

(Signature)

1 I, Stephen L. Rush, am the Plaintiff in the above-referenced and entitled action. I have
2 read and know the contents thereof. The same is true of my own knowledge and affirmations.
3 Except as to those matters which are alleged on the information of others or belief, in which are
4 believed to be true, the Plaintiff so rests on the full weight and measure of the case.

5
6 I declare under penalty of perjury, that the foregoing is true and correct to the best of my ability,
7 and this declaration was executed at Redlands, California.

8
9 DATED: March 13, 2017

10 /s Stephen L. Rush

1
2

ADDENDUM A

Determination to Number of Unknowns

Partnership for Public Service Center for Presidential Transition, U.S. Constitution, Ballotpedia,
Bureau of Labor Statistics, Bureau of the Census (1992), Table 3.1 Governments in the U.S.

Recallees			1,002
Recalled per 2014 Federal Recall		458	
Recallees	269		
Additional Defendants	216		
Less: Duplicates	(65)		
Addendum	38		
2014 Election Changes		32	
Retired Senators	5		
Senate Seats for Re-election	4		
Retired/Lost Representatives	4		
House Add'l Seats for Re-election	16		
Special House Elections	3		
2016 Election Changes		59	
Retired Senators	5		
Senate Seats for Re-election	4		
Retired/Lost Representatives	28		
House Add'l Seats for Re-election	13		
Special House Elections	7		
Presidential Election	2		
Others (Unaccounted For)		453	
Civil Servants			2,145,757
Elected Officials		600	
Executive Branch	2		
U.S. Senate	100		
U.S. House of Representatives	435		
State Elections and Secretaries	63		
Appointed Officials		3,657	
Appointed by Schedule C	1,403		
Senate Confirmation	1,212		
Senior Executive Service	680		
Without Confirmation	353		
Without Term Limits	9		
Estimated Federal Employees		2,141,500	
Third Parties			231,556,622
2016 Eligible Voter Population		231,556,622	

3

TO DEFENDANT DONALD TRUMP, AND ATTORNEY GENERAL, SERVED AS AMENDED:

You are hereby served in the AMENDED action and proceedings as the person sued under the fictitious name of RECALLEES as UNKNOWN CIVIL SERVANTS and ALL UNKNOWN PARTIES Governing From or Occupying a Disputed or Contested or Recalled or Revoked FEDERAL OFFICE or SEAT or POSITION or POWER 1 – 1,002, inclusive, previously identified as CONTEMNORS as UNKNOWN THIRD PARTIES and ALL OTHER UNKNOWN PARTIES Exercising An Interest or Hold or Role Against the Dispute or Contest or Recall or Revocation of FEDERAL OFFICIALS and OFFICERS 1 – 231,556,622, inclusive, a/k/a CONTEMNOR, as amended, a/k/a UNKNOWN THIRD PARTIES, as amended, on foreclosure of the full faith and credit of the United States, per Cal. Civ. Proc. Code § 474.

PLEASE TAKE NOTICE that on April 24, 2017, at 8:30 a.m. in Dept. S of this Court, Room 24, located at 247 West 3rd Street, San Bernardino CA, 92415, Plaintiff, Stephen L. Rush will move this Court at Trial for summary judgment in favor of plaintiff and against defendant, Barack H. Obama, et. al., as to Plaintiff's first and second cause of action for breach of public trust, of which, you are now identified as party hereto.

The motion for summary judgment is made upon the grounds that: (1) there are no triable issues of material fact because Barack H. Obama has committed a severe breach of public trust alleged in the First and Second Cause of Action; (2) Stephen L. Rush was party in all notices and proceedings, who is entitled to the seat, seal, and office that the Defendants illegally occupied, in which the validity and enforceability of the recall was vigorously litigated and finally adjudicated, resulting in a judgment on the merits in favor of plaintiff and impeachment of all federal branches, which must now be surrendered on default.

Because there are no triable issues of fact as to these charges, and because the validity and enforceability of consent authority under the Constitution of the United States has been litigated and conclusively determined Defendants to be in contempt of the Fourth Branch, Plaintiff is entitled to summary judgment as a matter of law and its public obligation and duty to protect the Constitution.

Such motion is based upon this notice of trial and identity by amended complaint, the memorandum of points and authorities, the separate statement of undisputed facts, the notices, addendums and exhibits, and permitted testimony of any Parties hereto, as the case may be, of which may be attached hereto and served and filed herewith, and such other and further matters as may properly be brought before the Court.

Dated: *March 13, 2017*

Respectfully submitted,

/s Stephen L. Rush

By: Stephen L. Rush

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Stephen L. Rush [REDACTED] [REDACTED] TELEPHONE NO.: (909)213-2750 FAX NO. (Optional): E-MAIL ADDRESS (Optional): StephenLRush@aol.com ATTORNEY FOR (Name): N/A		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino STREET ADDRESS: San Bernardino District – Civil Division MAILING ADDRESS: 247 West Third Street CITY AND ZIP CODE: San Bernardino, CA 92415-0210 BRANCH NAME: San Bernardino		
PLAINTIFF/PETITIONER: Stephen L. Rush DEFENDANT/RESPONDENT: Barack H. Obama, et al		
DECLARATION		CASE NUMBER: CIVDS1613304

Fictitious names served to President Donald Trump, as follows:

RECALLEES as UNKNOWN CIVIL SERVANTS and ALL UNKNOWN PARTIES Governing From or Occupying a Disputed or Contested or Recalled or Revoked FEDERAL OFFICE or SEAT or POSITION or POWER 1 – 1,002, inclusive;

CONTEMNORS as UNKNOWN THIRD PARTIES and ALL OTHER UNKNOWN PARTIES Exercising An Interest or Hold or Role Against the Dispute or Contest or Recall or Revocation of FEDERAL OFFICIALS and OFFICERS 1 – 231,556,622, inclusive;

a/k/a CONTEMNOR, as amended;

a/k/a UNKNOWN THIRD PARTIES, as amended.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 13, 2017

TO DEFENDANT DONALD TRUMP, AND ATTORNEY GENERAL, SERVED AS AMENDED:

You are hereby served as with AMENDED action and proceedings as the person sued under the fictitious name of CIVIL SERVANTS as any and all FEDERAL OFFICIALS and OFFICERS and their Successors and Staff as JOE PUBLICS and JACKIE JOES and JOHN DOES and JANE ROES UNKNOWN 1 – 2,145,757, inclusive, on foreclosure of the full faith and credit of the United States at the time of filing, per Cal. Civ. Proc. Code § 474.

PLEASE TAKE NOTICE that on April 24, 2017, at 8:30 a.m. in Dept. S of this Court, Room 24, located at 247 West 3rd Street, San Bernardino CA, 92415, Plaintiff, Stephen L. Rush will move this Court at Trial for summary judgment in favor of plaintiff and against defendant, Barack H. Obama, et. al., as to Plaintiff's first and second cause of action for breach of public trust, of which, you are now identified as party hereto.

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Such motion is based upon this notice of trial and identity by amended complaint, the memorandum of points and authorities, the separate statement of undisputed facts, the notices, addendums and exhibits, and permitted testimony of any Parties hereto, as the case may be, of which may be attached hereto and served and filed herewith, and such other and further matters as may properly be brought before the Court.

Dated: *March 13, 2017*

Respectfully submitted,

/s Stephen L. Rush

By: Stephen L. Rush

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Stephen L. Rush [REDACTED] [REDACTED] TELEPHONE NO.: (909)213-2750 FAX NO. (Optional): E-MAIL ADDRESS (Optional): StephenLRush@aol.com ATTORNEY FOR (Name): N/A		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino STREET ADDRESS: San Bernardino District – Civil Division MAILING ADDRESS: 247 West Third Street CITY AND ZIP CODE: San Bernardino, CA 92415-0210 BRANCH NAME: San Bernardino		
PLAINTIFF/PETITIONER: Stephen L. Rush DEFENDANT/RESPONDENT: Barack H. Obama, et al		
DECLARATION		CASE NUMBER: CIVDS1613304

Fictitious names served to President Donald Trump, any or all as the case may be:
 CIVIL SERVANTS as any and all FEDERAL OFFICIALS and OFFICERS and their Successors and Staff as
 JOE PUBLICS and JACKIE JOES and JOHN DOES and JANE ROES UNKNOWN 1 – 2,145,757, inclusive;
 Public Servant, as amended, a/k/a CIVIL SERVANTS as any and all FEDERAL OFFICIALS and OFFICERS
 and their Successors and Staff as JOE PUBLICS and JACKIE JOES and JOHN DOES and JANE ROES
 UNKNOWN 1 – 2,145,757, inclusive;
 Civil Servant, as amended, a/k/a CIVIL SERVANTS as any and all FEDERAL OFFICIALS and OFFICERS
 and their Successors and Staff as JOE PUBLICS and JACKIE JOES and JOHN DOES and JANE ROES
 UNKNOWN 1 – 2,145,757, inclusive.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 Date: March 13, 2017