

Unqualified Officers

by Charles Janosz

Whenever government officials tried intimidate or arrest Jesus, He usually asked “By what authority . . .” do you act? I don’t know if Jesus ever mounted a “jurisdictional challenge” (a favorite patriot strategy), but He did challenge the authority of the various government officials to act. Even in Christ’s time, government officials could not lawfully act without proper authority.

The following affidavit challenges the authority of various government officials in Lewisville, Texas to issue and prosecute traffic tickets. This challenge is based on the simple presumption that the Law is for everyone – even lawyers, judges, and police officers – and they may not lawfully exercise any authority to write tickets, hear cases, or issue orders unless they have first satisfied all of the legal requirements to hold appointed or elective office.

Whether you have a drivers license is not the first order of business at a traffic stop; the first order of business is whether the person who stopped you has met necessary legal requirements to exercise the police powers of government. If not, he is acting without lawful authority, arguably impersonating a police officer,

and legally required to let you go whether you have a drivers license or not. Without proper authority (meeting all the requirements established by law to hold a particular office), a man in a police car wearing a badge and a gun, has no more right to stop, ticket, or arrest you, than a high school freshman. Similarly, a judge or prosecutor who has not satisfied all the legal requirements to hold his office may not lawfully exercise the powers of that office. If he does, he is committing virtually the same kind of offense as a private citizen driving without a valid drivers license.

AFFIDAVIT

Texas Republic
Denton County
Subscribed, Sworn, Sealed.

Before me, the undersigned authority, appeared Charles J. Janosz, known by me, and having been duly sworn by me, did depose and give statement affirming the truth of the following:

MEMORANDUM OF FACT AND LAW ON THE UNCONSTITUTIONAL AND UNLAWFUL CONDITION OF THE GOVERNMENT OF LEWISVILLE, TEXAS

I, Charles Joseph Janosz, now come as a sovereign *sui juris* follower of Yahshua the Messiah and the laws of The Almighty Supreme Creator first and foremost, and the laws of man when they are not in conflict (*Leviticus* 18:3,4). Pursuant to *Matthew* 5:33-37 and *James* 5:12, let my yea be yea and my nay be nay. I have personal knowledge of the matters herein stated, and hereby asseverate understanding the liabilities presented in *Briscoe v. La Hue* 460 US 325. I come now at law, *in propria persona*, of my own free will and declare the following to be accurate to the best of my knowledge and belief as to why this Council must view this matter as urgent and act in such manner as is befitting of a person both rightly concerned and properly positioned to correct this matter in whatever way may be most responsible to and before the people who directly own this Lewisville Government, and before all mankind in general and our Creator, and against any wrongful and unlawful perpetration by various operatives of local government within Denton County, Texas Republic. This matter is further a flagrant violation of God-given unalienable Rights

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and Due Process of law concerning the owners of this government and all others who would fall victim of its scandalous wanton activities. It is repugnant to every Honorable Man, Woman, and Child, whether they be directly afflicted or not, it still stands as a vile and contemptuous matter of public disgrace that directly hampers the business of our government.

This document is brief in keeping with its intended use of being presented, in part, to the Council of Lewisville, Texas. It can and surely will be detailed and further clarified upon any request being made by any interested person, governmental or otherwise, even to the holding an expose' of this subject matter in full public view with any body willing to so disagree with a fact or law.

Item - 1

Ann E. Anderson, "Municipal Court Judge," Christopher Paul Wagnon, "Police Officer," Linda Steal, "Court Administer," specifically, (others may be named when they are identified) each individu-

ally is, and collectively are, guilty of being in direct violation of the Constitution of the Texas Republic in such manner as to preclude them from the Public Office that they do espouse holding within the government of Lewisville, Texas. They have therefore unlawfully removed tax-collected funds through an act tantamount to constructive fraud, whether individually, collectively, or in concert with others unnamed, and whether through any malicious or ignorant assent, and are hereby brought to the attention of this Council at Public Meeting for the purposes of being given a public notice to cease in all ways any improper removal of tax collected funds, and that an Administrative Hearing will be held to determine the extent of this and any other similar tax fund usage impropriety. A violation or other disregard of any law cannot be excused, and certainly not condoned, on the grounds that the person so acting at the time of their receiving tax collected funds is: in some way acting under "color of law"; carrying a gun; collecting, whether individually or in concert, more funds (in the form of fines, forfeitures or otherwise) than they are removing for their personal use; or, is an attorney.

Ann E. Anderson, has NOT been a judge as required by law, pursuant to the Texas Constitution, Article 16, sec. 1(c) (d) (f), and beginning on or about January, 1993.¹

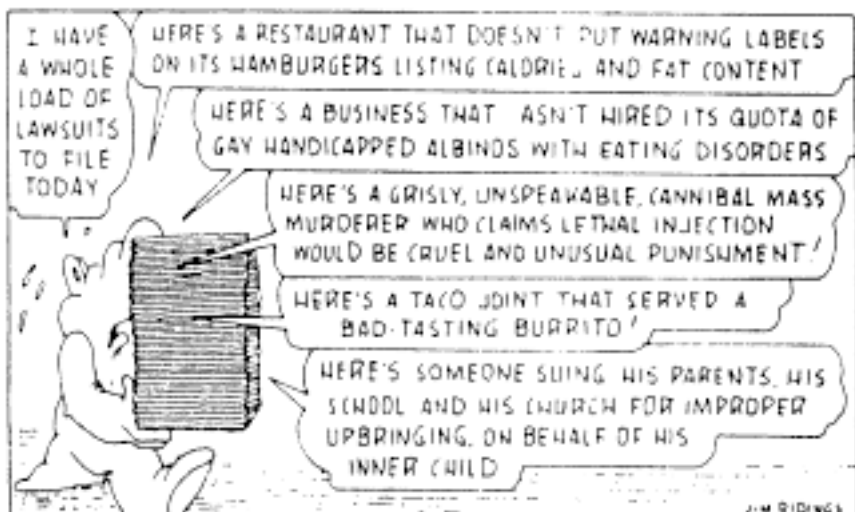
Christopher Paul Wagnon, has NOT been a Police Officer by law, pursuant to the Texas Constitution, Article 16, sec. 1(c) (d) (f), and beginning on or about July, 1990.¹

Linda Steal, has NOT been a Court Administrator as required by law, pursuant to the Texas Constitution, Article 16, sec. 1(c) (d) (f) and beginning on or about January, 1993.¹

Ann E. Anderson, is in violation of the Texas Constitution, Article 16, sec. 1(f), [proper filing of documents] by filing her Statement of Office more than two weeks *after* her Oath of Office was administered, from January 13, 1993, to January 28, 1993.

Christopher Paul Wagnon, is in violation of the Texas Constitution, Article 16, sec. 1(f), [proper filing of documents] by filing his Statement of Office more than *four years* after his Oath of Office was administered, from July 19, 1990, to October 18, 1994.¹

Linda Steal, is in violation of the Texas Constitution, Article 16,



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sec. 1(f), [proper filing of documents] by filing her Statement of Office *three days* after her Oath of Office was administered, from January 4, 1993, to January 7, 1993.¹

Item-2

Ann E. Anderson, “Municipal Court Judge,” Christopher Paul Wagnon, “Police Officer,” Linda Steal, “Court Administer,” have been informed that in the CIVIL STATUTES concerning traffic, specifically VTCS Article 6701f, *Speed signs*, it has been identified that the posted maximum lawful speed is for, “commercial motor vehicles, truck tractors, trailers and semi-trailers (trucks) and motor vehicles engaged in business of transporting passengers for hire (buses).”² [emph. add.]

When Ann E. Anderson, “Municipal Court Judge,” found out about the CIVIL STATUTE [concerning “Speed signs”] she started “yelling,” at me, according to one witness, that she, “Did not want to know” She then ordered the Bailiff to force me to leave the Court Room where she continued as, “Municipal Court Judge.”

When Christopher Paul Wagnon, “Police Officer,” found out about the CIVIL STATUTE and was requested to go to the Police Station “Fourteen times,” in order to look at the CIVIL STATUTE and derive from it in fact it

applied in any way to the instance for which he was involved with me. He refused to investigate the matter, and refused to allow me to go to the Police Station to prove it. Instead, he then called in an assistant and he arrested me for not showing a drivers license to a “Police Officer.”

When Linda Steal, “Court Administer,” found out about the CIVIL STATUTE, and was actually shown VTCS Article 6701(f), “Speed signs”, from the CIVIL STATUTES law book in the Lewisville Public Library, she said, “Well, I’ll have to think about this a little.” She at least was not abusive with the unlawfully assumed office she claimed as, “Court Administer.”

Summary of Memorandum

It would appear on the surface (Prima Facia) that at least three persons are improperly holding an office within the general limitations that describe the government of Lewisville, Texas, and those three have shown acute disinterest, or outright contempt, for the Process of Justice, Due Process of the law, the law in general and as provided in the Constitution (which they supposedly made an oath before their God to uphold) and various Texas Civil Statutes, and even the Rights provided to us by our Creator, God.

It is therefore respectfully de-

manded that there be an Administrative Investigation into this matter and all other similar matters, and that persons in violation of Texas Constitutional law and under oath to obey that Constitution be held to their Oath before their God, and required to provide proper restitution to the Tax Payers for all funds received in an Unconstitutional and Unlawful manner, and then if properly installed in those or any other public office, be properly trained so as to be able in the future to manage the constitutional and lawful duties as given in the form of a public trust, and that are not to be used as a *license* to escape from justice or as an opportunity to pervert the use of a public office into an instrument operating directly to their own personal benefit, or otherwise undue emolument.

All things are as herein provided by me altogether true, correct, and right, and in accordance with the full constraints upon members of government as provided by the Constitution of the United States, the Constitution of the Texas Republic, and laws of the legislature of the state of Texas pursuant to the said Constitutions. Further, I am not limited from making this affidavit in any way, and I realize that I can be found guilty of perjury for any deliberate shading of accuracy of a statement. Finally, Affiant saith, “I am responsible unto the God of all creation for my actions before mankind.”

This document is submitted unto the Honor and Glory of God Almighty, on this, the _____ day of _____, 1995.

ALL of My Rights Have Been Provided to Me by Natures Creator, are Fully Reserved and Eternal



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s/ Charles Joseph Janosz
Sovereign Charles Joseph Janosz, in Propria Persona

Before me, the undersigned authority, did appear Charles J. Janosz, in Propria Persona, and known by me to be the person whose name is subscribed to the foregoing affidavit, who this day being by me first duly sworn, upon oath did state that his statements contained therein are both true and correct Further the Affiant saith not.

SUBSCRIBED AND SWORN TO ME, THE UNDERSIGNED AUTHORITY, on this, the _____ day of _____, 1995.

s/ notary
Notary Public in and for the state of Texas

¹ **TEXAS CONSTITUTION ARTICLE 16, Sec. 1: OFFICIAL OATH -**

(a) Members of the legislature, and all other elected officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

“I _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.”

(b) Each member of the legislature and all other elected officers, *before* taking the Oath or Affirmation of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement

“I _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected so help me God.”

(c) The Secretary of State, and all other *appointed* officers, *before* entering upon the duties of their offices, shall take the following Oath or Affirmation:

“I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.”

(d) The Secretary of State, and all other appointed officers, *before* taking the Oath or Affirmation of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement

“I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, or promised to pay, contributed, or

promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward to secure my appointment or confirmation thereof, so help me God.”

(e) Members of the legislature and all other elected officers shall *file* the signed statement required by Subsection (b) of this section with the Secretary of State *before* taking the Oath or Affirmation of office prescribed by Subsection (a) of this section.

(f) The Secretary of State and all other *appointed* officers shall *file* the signed statement required by Subsection (d) of this section with the Secretary of State *before* taking the Oath or Affirmation of office prescribed by Subsection (c) of this section. (Amended Nov. 8, 1938, and Nov. 6, 1956; Subsecs. (a)-(c) amended and (d) - (f) added Nov. 7, 1989.) [emph. add.]

² **VERNON’S TEXAS STATUTES AND CODES ANNOTATED: CIV ST Art. 6701f, Speed signs [Copyright (c) West Publishing Co. 1994 No claim to original U.S. Govt. works.] — Page 124501 follows: . . . Title 116 - Roads, Bridges, and Ferries**

CHAPTER ONE A – TRAFFIC REGULATIONS

Art. 6701f. Speed signs
It shall be the duty of the State Highway Department and said Department is hereby directed to erect and maintain on the highways and roads of Texas appropriate signs showing the maximum lawful speed for commercial motor vehicles, truck tractors, trailers and semi-trailers (trucks) and motor vehicles engaged in the business of transporting passengers for compensation or hire (buses).

1977 Main Volume Credit(s), Acts 1951, 52nd leg., p.163, ch. 100, Sec. 1. 1977 Main Volume Library References: Automobiles k5 (4); Highways k165, 177; C.J.S. Highways Secs. 232, 242; C.J.S. Motor Vehicles Secs. 27, 29, 35.