



FOR THE RECORD, At Law



Notice From: **Frederick-John: Patterson**
Principal, living soul, Sui Juris
C/o any street
Grand Prairie, Texas
North America

Date: June ____ 2006 A. D. Via Registered Mail # _____

Notice to: Alberto R. Gonzales d /b/a ALBERTO R GONZALES, ATTORNEY GENERAL
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Regarding: Request For Criminal Investigation of Richard B. Roper d/b/a RICHARD B
ROPER UNITED STATES ATTORNEY, NORTHERN DISTRICT OF TEXAS
and agents, and Randy P. Ely, d/b/a RANDY P ELY, UNITED STATES
MARSHAL, NORTHERN DISTRICT OF TEXAS, and Barefoot Sanders d/b/a
BAREFOOT SANDERS, SENIOR JUDGE, UNITED STATES DISTRICT
COURT, NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION pursuant to
law.

Notice to principal is notice to agent; notice to agent is notice to principal.

You are hereby noticed of the facts regarding unlawful arrest and prosecution of **John-David family of Rogers (full name of living soul you are writing in behalf of)**, Principal, living soul, Sui Juris; and other living souls inhabiting the land of The Republic of Texas; and you are requested to investigate and eliminate these heinous crimes and civil rights violations being perpetrated and committed against **John-David family of Rogers** and other people of the Northern District of Texas.

This Notice requesting investigation of Richard B. Roper d/b/a RICHARD B ROPER UNITED STATES ATTORNEY, NORTHERN DISTRICT OF TEXAS and agents; and Randy P. Ely, d/b/a RANDY P ELY, UNITED STATES MARSHAL, NORTHERN DISTRICT OF TEXAS, and agents; and Barefoot Sanders d/b/a BAREFOOT SANDERS, SENIOR JUDGE, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION, is made under authority and in accordance with 28 USC sec. 535, "Investigation of crimes involving Government officers and employees by the Attorney General and the Federal Bureau of Investigation"; and 28 USC sec. 526, "Authority of Attorney General to investigate United States Attorneys, marshals, trustees, clerks of court, and others".

I. Complaint Against Richard B. Roper and agents.

The complaint against Richard B. Roper is - he and his agents are unlawfully filing criminal charges in THE UNITED STATES DISTRICT COURTS against living souls inhabiting The Republic of Texas in violation of the laws of the Republic of Texas and the Constitution For



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The United States. Criminal charges are being filed against living souls inhabiting lands within the outer territorial boundaries of Texas for violating United States Codes and Rules that only apply to people who are inhabitants domiciled on land that is within the *“Federal Zone” i. e. the District of Columbia, federal territories, and enclaves within States of the union*, that have been ceded by the States to the Federal Government. While authority for Richard B. Roper and agents, to file criminal charges against living souls inhabiting the “Federal Zone” is recognized, authority to do so without the “Federal Zone” and within the outer territorial boundaries of The Republic of Texas does not exist. Richard B. Roper and agents, when bringing charges against living souls inhabiting lands without the Federal Zone, are operating under **color of law and color of authority and are subject to prosecution** for their actions under 18 USC § 241 and § 242 and in the County and State Courts of The Republic of Texas.

The “Federal Zone” wherein Richard B. Roper and agents have authority – i. e. venue and jurisdiction, is established Constitutionally by the following authorities and no other exists -

1. Article I, Section 8, Clause 17 and 18 of The Constitution For The United States clearly establishes the authority of Congress - *“To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;--And To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.”*
2. And Article 4, Section 3, Clause 2 - *“The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.”*
3. And further Restrictions on the Federal Government among others of the Constitution are stated by Amendment X (1791) – *“The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.”*
4. Further the Constitution For The United States is written to establish a national Government for the union of States and as such only describes that Government and defines the limits of authority for that Government to assure the rights of the Sovereign People are preserved and are not infringed upon. The following is quoted from **YICK WO v. HOPKINS, 118 U.S. 356 (1886)** –

When we consider the nature and the theory of our institutions of government, the principles upon which they are supposed to rest, and review the history of their development, we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power. Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains



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with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power. It is, indeed, quite true that there must always be lodged somewhere, and in some person or body, the authority of final decision; and in many cases of mere administration, the responsibility is purely political, no appeal lying except to the ultimate tribunal of the public judgment, exercised either in the pressure of opinion, or by means of the suffrage. But the fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions, are secured by those maxims of constitutional law which are the monuments showing the victorious progress of the race in securing to men the blessings of civilization under the reign of just and equal laws, so that, in the famous language of the Massachusetts bill of rights, the government of the commonwealth 'may be a government of laws and not of men.' For the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself.

Based on the above Constitutional cites, Congress is actually given absolute control and authority over the territories that make up the Federal Zone and thus authority to enact legislation governing persons and living souls inhabiting those lands; again, the Federal Zone being clearly defined as Washington, D. C., and the federal territories and enclaves of the United States.

Based on the above Constitutional cites, no control or authority is granted whatsoever to Congress over any lands within the outer boundaries of the individual States of the union of States, i.e. The Republics of Texas, Idaho, California, etc.; thus no authority exists for Congress to enact any legislation affecting persons or living souls domiciled within the individual States and without the Federal Zone.

Since no Congressional authority exists over living souls, the United States Codes are not applicable to or binding upon the persons and living souls domiciled outside of the Federal Zone and within the individual States of the union of States.

Since no Congressional authority exists to establish Codes, Rules, and Regulations for persons and living souls not domiciled within the Federal Zone, Richard B. Roper and agents are wanting lawful authority to file any criminal charges whatsoever outside the Federal Zone and by filing criminal charges outside the Federal Zone they are committing fraud and barratry subject to prosecution.

In 1818, the Supreme Court stated that:

"The exclusive jurisdiction which the United States have in forts and dock-yards ceded to them, is derived from the express assent of the states by whom the cessions are made. It could be derived in no other manner; because without it, the authority of the state would be supreme and exclusive therein," 3 Wheat., at 350, 351.

[U.S. v. Bevans, 16 U.S. 336 (1818), reaff. 19 U.S.C.A., section 1401(h).]

When Congress is legislating for the Federal Zone, the resulting legislation is local or



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municipal in scope, rendering it "foreign" with respect to State laws, i.e. The United States government is a foreign corporation with respect to a State (19 C. J. S. sec 884). The U.S. Supreme Court explained the difference very clearly in 1894 when it analyzed a federal perjury statute with this distinction in mind:

This statute is one of universal application within the territorial limits of the United States*, and is not limited to those portions which are within the exclusive jurisdiction of the national government, such as the District of Columbia. Generally speaking, within any state of this Union the preservation of the peace and the protection of person and property are the functions of the state government, and are not part of the primary duty, at least, of the nation. **The laws of congress in respect to those matters do not extend into the territorial limits of the states, but have force only in the District of Columbia, and other places that are within the exclusive jurisdiction of the national government.**

[Caha v. United States, 152 U.S. 211, 215 (1894)] [emphasis added]

And In 1945, The Supreme Court stated that the Hooven case officially defined three separate and distinct meanings of the term “United States” and that the Hooven case was to be the last time the Court would address official definition of the term United States. The Court stated that:

The term "United States" may be used in any one of several senses. [1] It may be merely the name of a **sovereign*** occupying the position analogous to that of other sovereigns in the family of nations. [2] **It may designate the territory over which the sovereignty of the United States** extends**, or [3] it may be the collective name of the states*** which are united by and under the Constitution.

[Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)]
[brackets, numbers and emphasis added]

Also from the Hooven case -

“It is no longer doubted that the United States may acquire territory by conquest or by treaty, **and may govern it through the exercise of the power of Congress conferred by 3 of Article IV of the Constitution** 'to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.' (cites omitted). **In exercising this power, Congress is not subject to the same constitutional limitations, as when it is legislating for the United States.** (cites omitted). And in general the guaranties of the Constitution, save as they are limitations upon the exercise of executive and legislative power when exerted for or over our insular possessions, extend to them only as Congress, in the exercise of its legislative power over territory belonging to the United States, has made those guaranties applicable.

[Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)]
[brackets, numbers and emphasis added]

The detailed study reported in the publication “Jurisdiction over Federal Areas Within the



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States, 1946”, produced by a committee assembled by Herbert Brownell, Jr. Attorney General, at the request of President Dwight D. Eisenhower, cites a plethora of evidence in the myriad of cited court cases which **prove that Congress cannot exercise exclusive jurisdiction outside territories or land purchased from, or ceded by, any of the 50 States united.**

The above quotes clearly establish that the federal government i. e. Congress, Courts, United States Attorneys, United States Marshal, etc., only has jurisdictional authority within federal property, i.e. Washington D. C., and territories and enclaves within the states as established by Article I, Section 8, Clause 17 of the U.S. Constitution. On all other land masses, within the continental United States and the individual union States, the Federal government has no lawful legislative or judicial jurisdiction.

Richard B. Roper and agents claim authority to act under authority of Congress by applying the United States Codes. United States Codes are not law; they are codes and regulations pertaining to the UNITED STATES, a corporation established in 1868. United States Codes do not contain enacting clauses as required by the Constitution For The United States. The laws of the United States of America are not law unless they contain “an enactment clause” such as - “Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.” This enactment clause must precede each law from the Legislature in accordance with - 1 USC Sec. 101, TITLE 1 - GENERAL PROVISIONS, CHAPTER 2 - ACTS AND RESOLUTIONS; FORMALITIES OF ENACTMENT; REPEALS; SEALING OF INSTRUMENTS, Sec. 101.

Richard B. Roper, and agents, are unlawfully claiming congressional authority in bringing criminal charges against living souls inhabiting Texas lands by applying the United States Codes and Rules which are only applicable to the persons and people inhabiting the Federal Zone. Thus Richard B. Roper and agents are operating under color of law and color of authority and violating the civil rights of Citizens of Texas. By their unlawful actions Richard B. Roper and agents are committing fraud and barratry and committing civil rights crimes subject to prosecution according to 18 USC § 241 and § 242.

Additionally, Richard B. Roper, and agents, are limited by the Constitution and the United States Code to actions of Civil subject matter only as mandated in Article III, Section 2, of The Constitution For The United States and 28 USC § 1251, § 1253, § 1331, § 1332 and § 1391.

Richard B. Roper, and agents, in case #3:05-cr-119, have brought criminal charges with no constitutionally delegated or regulatory authority against **John-David family of Rogers**, a living soul, inhabitant of the State of Texas, in the UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS. And during the proceedings of case #3:05-cr-119 Richard B. Roper and agents committed multiple Fourth, Fifth, Sixth, Seventh and Eighth Amendment violations with impunity in THE UNITED STATES DISTRICT COURT,



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NORTHERN DISTRICT OF TEXAS as Barefoot Sanders, d/b/a BAREFOOT SANDERS, SENIOR JUDGE presided.

Richard B. Roper, and agents, have used Federal Rules of Criminal Procedure against **John-David family of Rogers**, which are not authorized by Congressional action or by the Supreme Court of the United States for use in the Continental United States by the UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS for prosecution of an offense committed in the Northern District of Texas; and when the Said Rules are adopted by said Court the Court is deprived of subject matter jurisdiction for want of a proceeding authorized by Rule 54(b), 18 USC § 3001.

II Complaint against Randy P. Ely d/b/a RANDY P ELY, UNITED STATES MARSHAL

Randy P. Ely, and agents, are – (1) arresting living souls within the exterior boundaries of The Republic Of Texas under color of law and color of authority in violation of the laws of the Republic of Texas and The Constitution For The United States. (2) Living souls are being arrested based on insufficient and unlawful indictments issued through The UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS due to the unlawful actions of Richard B. Roper and his agents. (3) Arresting living souls on property that is not within the jurisdiction of the UNITED STATES i.e. private property. Arrest warrants issuing from the UNITED STATES DISTRICT COURT, NORTHERN DISTRICT TEXAS may not be executed within the exterior boundaries of Texas on property not subject to the jurisdiction of the UNITED STATES and living souls may not be incarcerated under cognizance of Randy P. Ely within private property on The Republic of Texas. Multiple Due Process violations have been committed against **John-David family of Rogers** and are being committed upon other the people of The Republic of Texas also.

Agents of Randy P. Ely - Vicky Burge, Ralph A. Rocco and Robert Hernandez performed an unlawful arrest, committing assault and battery, criminal trespass, assault with a deadly weapon, and kidnapping of **John-David family of Rogers**, on September 21, 2005, within the ULTA Salon, at Burleson, Tarrant County, Texas, without an arrest warrant whatsoever and then incarcerated her in the Tarrant County Jail without taking her before a Magistrate, i.e. multiple Due Process violations. And **John-David family of Rogers** has been incarcerated under cognizance of Randy P. Ely, and agents, since September 21, 2005, to present date, without any lawful authority to do so whatsoever.

Randy P. Ely, and agents, are using the Mansfield Law Enforcement Center (Jail), 1601 Heritage Parkway, Mansfield, Texas, as a holding facility for living souls subjected to unlawful arrest in The Republic of Texas. The MLEC is a facility owned by the City of Mansfield, Texas.

Randy P. Ely, and agents are performing arrests on private property within the Republic Of Texas and in violation of Constitutional authority and civil rights of living souls involved. Randy P. Ely and agents have no delegated and/or regulatory authority to arrest any living soul on property other than that which is a part of the Federal Zone described above.



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Randy P. Ely, and agents are violating Federal Rules Of Criminal Procedure by arresting living souls within the Republic of Texas since Federal Rules of Criminal Procedure are not authorized by Congress or the Supreme Court for use in The Republic of Texas.

III. Complaint Against Barefoot Sanders d/b/a BAREFOOT SANDERS, SENIOR JUDGE, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION –

Barefoot Sanders acting in capacity as Judge of said Court is an administrative tribunal established under Articles 1 and IV of the Constitution and has no lawful Constitutional venue or jurisdiction outside of the Federal Zone described above. Said Court is nothing more than a territorial court as defined in **BALZAC v. PEOPLE OF PORTO RICO, 258 U.S. 298 (1922)**

The United States District Court is not a true United States court established under article 3 of the Constitution to administer the judicial power of the United States therein conveyed. It is created by virtue of the sovereign congressional faculty, granted under article 4, 3, of that instrument, of making all needful rules and regulations respecting the territory belonging to the United States. The resemblance of its jurisdiction to that of true United States courts, in offering an opportunity to nonresidents of resorting to a tribunal not subject to local influence, does not change its character as a mere territorial court.

And In **MOOKINI v. UNITED STATES, 303 U.S. 201 (1938)** the difference between District Courts of the United States and United States District Courts is clearly established -

The term 'District Courts of the United States,' as used in the rules, without an addition expressing a wider connotation, has its historic significance. It describes the constitutional courts created under article 3 of the Constitution. Courts of the Territories are legislative courts, properly speaking, and are not District Courts of the United States. We have often held that vesting a territorial court with jurisdiction similar to that vested in the District Courts of the United States does not make it a 'District Court of the United States.' (Cites Omitted). Not only did the promulgating order use the term District Courts of the United States in its historic and proper sense, but the omission of provision for the application of the rules to the territorial courts and other courts mentioned in the authorizing act clearly shows the limitation that was intended.

Additionally, even if the UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS, was a legitimate Article III Court it is limited by the Constitution and the United States Code, to venue and jurisdiction actions of **Civil subject matter only** as mandated in Article III, Section 2, of The Constitution For The United States and 28 USC § 1251, § 1253, § 1331, § 1332 and § 1391.

Barefoot Sanders has no constitutionally delegated or regulatory authority to try criminal charges against **John-David family of Rogers**, a living soul, or any other living soul, in the UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS; and in doing so is in collusion with Richard B. Roper and agents, in committing fraud and committing civil



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rights violations subject to prosecution according to 18 USC § 241 and § 242 and in County and State Courts.

Barefoot Sanders has no authority under Title 18 USC to impose a sentence of any nature on a living soul tried by jury when a verdict of guilt is returned thereby – absent consent of the convicted to be sentenced under Chapter 227. Fraud and presumption are used by Barefoot Sanders to contract living souls into sentences in collusion with Richard B. Roper and agents.

Conclusion

The Kings College London, World Prison Population List, Sixth Edition, reports that 2.09 million American people, as of 3-12-03, are in prisons within the UNITED STATES and that said nation has the largest per capita number of living souls in prisons. Note that this statistic is three years old. Isn't America supposed to be the land of the free and the home of the brave? Since Richard B. Roper and agents, are bringing so many Americans to trial on color of law and color of authority charges in the courts of no authority it is no wonder the prison population is huge and accelerating.

Affidavits substantiating the violations regarding unlawful actions against **John-David family of Rogers**, presented the date of the sentencing hearing, are attached as exhibits. These affidavits document most of the unlawful actions performed by Richard B. Roper, Randy P. Ely and Barefoot Sanders and their agents.

Your immediate attention is requested to perform the requested investigation and bring to trial those Federal personnel responsible for these crimes and civil rights violations.

Respectfully Submitted

Reserving ALL Natural God-Given Unalienable Birthrights, Waiving None, Ever,

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Signed on this the _____ day of the _____ month in the year of our Lord and Savior two thousand _____.

By: _____ Seal _____
By: **Me, Frederick-John: Patterson,**
Principal, Living Soul, Sui Juris



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Authentication

§ The United States of America, the perpetual
 § union of sovereign states combined
 § to form a constitutional republic
 SS. § on the soil of Texas, sovereign state
 § within the perpetual union of states
 § at the sovereign county of Tarrant

Having witnessed the signing and sealing of the foregoing document I place my hand and seal hereon as an authentic act by a Public Notary on this the ____ day of the _____ month in the year of our Lord, two-thousand, _____, at the county of Tarrant.

By: _____
Public Notary

Attachments: Affidavits as exhibits A, B, C, etc.

- CC: Richard B. Roper, 1100 Commerce Street, 3rd Floor, Dallas, Texas 75242
- Randy P. Ely, 1100 Commerce Street, Room 1657, Dallas, Texas 75242
- Barefoot Sanders, 1100 Commerce Street, 15th Floor, Dallas, Texas 75242
- Greg Abbott, Texas Atty General, 300 W. 15th Street, Austin, Texas 78701
- Lupe Valdez, Dallas County Sheriff, 133 N. Industrial Blvd LB-31, Dallas, Texas 75207
- Karen Mitchell, Clerk, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS, 1100 Commerce Street, Room 1452, Dallas, Texas 75242