

Minnesota Child Custody Hearing: 2:30PM 10/11/2023 – Brian:

Opening Statement:

“Your honor, I appear here *specialy* today in relation to the contract attempting to be formed here, not as a party to it, and I have a few procedural issues that need to be addressed by the Court prior to the hearing. May I be heard in that regard?”

Questions:

1. Your honor, who do you represent here today? Answer: State of *Confusion* and also as a member of the State’s Bar Association both, correct?!
2. And, are you bound by the Administrative Procedure Act (APA) in both of those capacities?

If Yes Answer –

“In that case your honor, it appears that we have a “**Conflict of Laws**” in this controversy.” (**How so, says the magistrate?**): “Well your honor, it’s really quite simple. This administrative tribunal is attempting to adjudicate both my person and property under public policy by way of the APA, foreign State codes and statutes, court rules, regulations, ordinances and private international law under the guise of devious Uniform Acts such as the UCC - **Instead of the Public Law** - and I’d just like to know where the State of *Minnesota* and its State Bar agents got their Authority to adjudicate my person and property by public policy instead of Public Law under the primary contract, also known as the supreme law of the land, your honor?”

If No Answer –

“So, if that’s the case, and federal law does not apply to you or the entity that you claim to represent, In the abundance of caution I must ask if you actually took an oath to support and defend the U.S. Constitution in order to be able to administer both the “person” and property of the people located **within your own special jurisdiction and operating from within the district?**” “And are you operating this tribunal from inside of the district or from outside the district here your honor?”

***Their own special jurisdiction is located inside of the district – not *outside of the district* - which is where **you** are always located! **District = District of Columbia.**

THE BOMB: Can the government create its own Conflict of Laws in a controversy with the people it has sworn to protect under the Public Law “*in pursuance thereof*”, and do so by writing its own public policy without the consent of the governed? In other words, “Does the government have the Authority to do that to the people of the union states, while using the lex of private international law to govern by the *Law Merchant State* statutes and codes within its own public policy?”

If YES: Can you cite me a reference in the Public Law, cause I can bring the primary contract with me, including the Public Law, that says that it absolutely does NOT have any such authority. Besides, it’s certainly not for the benefit or the protection of the People, now is it your honor?! See e.g., the 10th Amendment!!!

Possible Answers to this worthless argument by the ole’ impartial trier of fact:

Be sure to first say, “**OBJECTION YOUR HONOR**” every time before you respond with your answer(s):

1. Your argument is *nonsensical/ludicrous/without merit/Denied, etc.*

“Please clarify for me your use of the word *nonsensical/ludicrous/without merit/Denied, etc.* because I’m making no argument to the court here, I’m just stating a plain and unambiguous Fact of Public Law that’s undeniable on the government’s own certified record. Are you saying that the facts that I stated for the record are *nonsensical/ludicrous/without merit/Denied, etc.* because the supreme law of the land does not apply to the implied contract that is being formed and administered here today, or are you making a claim that the public policy in the form of private internal laws of the State of **Minnesota** supersedes the supremacy clause of the primary contract, and are you doing so of your own free will on the record today trustee?”

2. **I don't answer questions.**

“Well then I'm obviously in the wrong venue, because all of my public officials are also trustees of the American people according to U.S. vs. Holzer, 816 F. 2d 304, 307 (1987) – and all of my trustees answer questions without fail! It's called Honest Services fraud if you don't answer each and every one of my questions, isn't it your honor?! Now, who are you and why are you pretending to act like you are one of my public officials, yet **NOT** as one of my trustees?” *See 18 USC § 1346.

3. **The court takes (personal) jurisdiction over this matter.**

“I have absolutely no idea where you got the authority to do that either your honor, would you care to take a brief recess, to determine if I can even be tried by public policy without a contractual agreement on the record that requires both our consent to execute without a *Conflict of Law* appearing on the record?”

“With all due respect to this honorable court, how can you possibly deny or overrule anything without jurisdiction first appearing on the record?? Besides that fact of lawful jurisprudence, and again with all due respect to this legislative tribunal, **a court cannot confer its own jurisdiction**, which comes directly from Public Law your honor.” Edgar vs. MITE from the one supreme court in 1982 stipulates that State statutes are void whenever compliance with both federal and State laws is impossible, so where did that presumed authority come from to adjudicate any matter which involves my person or property under public policy instead of the supreme law of the land? Public policy is the government's will for the benefit of the people; I looked it up! The State's Internal Laws are also known as Private Law, which also includes private international law, so at minimum you two have some explaining to do!

Please cite that law for me your honor, if you make a claim that you individually have the jurisdiction to deny me my rights under a true **Conflict of Law**.” *5 USC 556(d) says that the proponent of a rule or order carries the burden of proof. **So keep the burden of proof squarely on them at all times!**

4. **The State or magistrate moves for a continuance.**

“Objection your honor, without jurisdiction established on the record, and I will be requiring a certified copy of the docket sheet after this hearing is concluded from your clerk of court, you do not have the jurisdiction or authority to grant a continuance while a **Conflict of Law** appears on the record!”

5. **I’m going to DEFAULT you because you failed to answer the complaint.**

“Objection, as I stated earlier, I’m here in relation to the contract – not as a party of it, and that particular contract, in the misleading form of an alleged Complaint, has public policy codes included within it, therefore I could not respond until **AFTER** the **Conflict of Law** it presented had been settled as a matter of Public Law.”

“Your honor, is the court familiar with the crime of *Judicial Entrapment with Intent to Defraud*, because if this court and its officers persist in forcing a unilateral contract against me without my consent - I decline to stand as surety for this matter until the Conflict of Law has been settled on the record to insure my right of appeal to all matters presented by this court and its conduct.”

“We have before us a **true conflict of law** under the **primary contract**, and we cannot even reach the merits of the controversy until the **Conflict of Law** has been settled on the record, with all parties in agreement to the **venue and Choice of Law**! Otherwise, the court would be forcing me and my property into a surety position without my consent, and without full disclosure of all the terms and conditions precedent. This is the very reason that you must have my consent in order to move forward.”

“**Will opposing counsel stipulate to me putting a National Archives Certified, self-authenticating copy of the organic U.S. Constitution of 1787, and the Bill of Rights of 1789 into Evidence as the law of the case without objection?**”

“Then, without good cause shown for not stipulating to the supreme law of the land, we now have a **true Conflict of Law** on the record, and this controversy needs to be dismissed *sua sponte*, with prejudice to the cause.”

A parting shot to the powers that be regarding the foreign tribunal:

By the way, what is the venue of this trial court??? (Maritime flag in the courtroom – Don't expect an answer to this one, ever!). Answer = statutory, which means admiralty/maritime law.

All Relevant Case law (opinion) info HERE:

In Edgar v. MITE Corp., 457 U.S. 624 (1982), the Supreme Court ruled: "A STATE statute is **void** to the extent that it actually **conflicts with** a valid Federal statute". In effect, this means that a State law will be found to violate the Supremacy Clause when either of the following two conditions (or both) exists:

1. **Compliance with both the Federal and State laws is impossible;**
 2. **State law stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress.**
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A "STATUTE" is NOT a law! *Flournoy v. First National Bank of Shreveport*, 197 LA 1057. 3 So.2d 244, 248.

A "CODE" is NOT a law! *In Re Self v. Rhay*, Wn 2d 261, in point of fact *in law*.

A concurrent or "joint resolution of legislature is NOT "Law". *Koenig v. Flynn*, 258 N.Y. 292, 179 N.E. 705, 707; *Ward v. State*, 176 OKL. 368, 56 P.2d 136, 137; *State ex rel. Todd v. Yelle*, 7 Wash. 2d 43, 110, P.2d 162, 165).

STATUTE. Black's Law Dictionary, 4th Edition. The written **will** of the legislature, solemnly expressed according to the forms prescribed in the constitution; an act of the legislature.

U.S. SUPREME COURT DECISION – The common law is the real law, the Supreme Law of the land, the codes, rules, regulations, policy and statutes are "not the law". *Self v. Rhay*, 61 Wn (2d) 261.

U.S. SUPREME COURT DECISION – ALL codes, rules, and regulations are for government authorities ONLY, not human/Creators in accordance with God's Laws. All codes, rules and regulations are unconstitutional and lacking due process..." *Rodriques v. Ray Donovan*, U.S. Department of Labor, 769 F.2d, 1344, 1348 (1985).

Supreme Court 1796- This decision has never been overturned:

United States Supreme Court Decision from 1796- [Cruden v. Neale, 2 N.C. 338 (1796) 2 S.E.] “There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent.”

“There are NO Judicial Courts in America and have not been since 1789. “Judges” do NOT enforce Statutes and Codes. Executive Administrators enforce Statutes and Codes. ” FRC v. GE, 281 U.S. 464 Keller v. Potomac Elec. Co., 261 U.S. 428 1 Stat. 138-178.

“There have NOT been any “Judges” in America since 1789. There have only been Administrators.” FRC v. GE, 281 U.S. 464 Keller v. Potomac Elec. Co., 261 U.S. 428 1 Stat. 138-178.

“The Supreme Court has warned, “Because of what appears to be Lawful commands [Statutory Rules, Regulations and -codes–ordinances- and Restrictions] on the surface, many citizens, because of their respect for what appears to be law, are cunningly coerced into waiving their rights, due to ignorance... [deceptive practices, constructive fraud, barratry, legal plunder, conversion, and malicious prosecution in inferior administrative State courts].” (United States v. Minker, 350 U.S. 179, 187, 76 S.Ct. 281, 100 L.Ed. 185 (1956);”

“The Common Law is the real law, the Supreme Law of the land. The codes, rules, regulations, policy and statutes are “not the law.” (Self v. Rhay, 61 Wn 2d 261), They are the law of government for internal regulation, not the law of man, in his separate but equal station and natural state, a sovereign foreign with respect to government generally.