

CAUSE NO. 236-313994-19

glenn winningham; house of fearn	§	
a man, Demandant	§	IN THE DISTRICT COURT
vs.	§	<u>236th</u> JUDICIAL DISTRICT
Timothy C Graham, Euless Police	§	
Edgar L. Hurtado, Police Supervisor	§	TARRANT COUNTY, TEXAS
Michael R Hurtado, Euless Police	§	
Michael Brown, Euless Chief of Police	§	
Lacy Britton, Euless Magistrate	§	
Stacy White, Coward Prosecutor	§	
Echols-Kirksey, A, Euless Jailor	§	
V Nilson, Euless Jailor	§	
Linda Martin, Euless Mayor	§	
Ken Paxton, Texas Attorney	§	
with the rank of general	§	
Deer Park Cash Cow, LLC	§	
John Mc Bryde, (bought and paid for)	§	
Clerk masquerading as a Judge	§	
Erin Nealy Cox, US Attorney	§	
Tarrant County Sheriff's Office	§	
Sharen Wilson, Tarrant County DA	§	
GLENN WINNINGHAM FEARN,	§	
cestui que trust	§	
Wrongdoers	§	

Violating Rights and Immunities under Color of Law

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS

As a direct descendant of the founders of the Constitution for the United States of America and as one of "the Posterity" found in the preamble, by right of blood, I hereby declare;

I have reason to believe and do believe that Edgar Hurtado, Euless Police Sergeant #357 engaged in Violating my rights and immunities under the color of law in violation of title 18 United States Code § 242 Violating Rights under Color of law

"Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both;" 18 USC § 242 Violating Rights under Color of Law

by collecting military scrip / Federal Reserve Notes in the form of revenue for The City of Euless and their Police Court knowing that they are demanding Military Scrip / Federal Reserve Notes / Forced Loans, on their Warrant letters making threats of arrest on which they are demanding \$282.00 for the "FMFR" Failure to Maintain Financial Responsibility, and

\$220.00 for the "Registration (no plate)" and on each threat letter it says; "you may simply pay by credit card" which means it is Federal Reserve Notes / Military Scrip / Forced Loans,

and Hurtado is required to know the Constitution for the United States is the Supreme Law of the Land

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding. Article VI, Clause 2, Constitution for the United States of America

and Hurtado is required to know that Article 1, Section 10, Clause 1 of the Constitution for the United States of America

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

requires that ONLY gold or silver coin can be a tender in the payment of a debt and Hurtado is required to know that the Euless Military Police Court CANNOT ask for gold or silver coin because gold or silver coin NOT in general circulation and have not been since 1964, and the Euless Military Police Court may ONLY ask for Federal Reserve Notes because that is all that is in general circulation, and Hurtado is required to know that Britton and the City of Euless bonded this case under 17 Code of Federal Regulations § 240.15c2-12, for revenue and regulations are for Property of the United States under the Supreme Law of the Land

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. Article IV, Section 3, Clause 2, Constitution for the United States of America

which means the City of Euless is Property of the United States and Federal Reserve Notes are for use in the District of Columbia ONLY under the Gold Reserve Act of 1934

SEC. 15. As used in this Act the term "United States" means the Government of the United States; the term "the continental United States" means the States of the United States the District of Columbia, and the Territory of Alaska; the term "currency of the United States " means currency which is legal tender in the United States, and includes United States notes, Treasury notes of 1890, gold certificates, silver certificates, Federal Reserve notes, and circulating notes of Federal Reserve banks and national banking associations ; and the term " person " means any individual, partnership association, or corporation, including the Federal Reserve Board, Federal Reserve banks, and Federal Reserve agents . Wherever reference is made in this Act to equivalents as between dollars or currency of the United States and gold, one dollar or one dollar face amount of any currency of the United States equals such a number of grains of gold, nine tenths fine, as, at the time referred to, are contained in the standard unit of value, that is, so long as the President shall not have altered by proclamation the weight of the gold dollar under the authority of section 43, title III, of the Act approved May 12, 1933, as heretofore and by this Act amended, twenty-five and eight tenths grains of gold, nine tenths fine, and thereafter such a number of grains of gold, nine tenths fine, as the President shall have fixed under such authority. Gold Reserve Act of 1934, 48 Stat. 344

which means Hurtado is bringing District of Columbia codes (*not exceeding ten miles square*) on the land of Texas in violation of Article 1, Section 8, clause 17

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 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, dock-Yards, and other needful Buildings Article 1, Section 8, Clause 17, Constitution for the United States of America

and Hurtado is required to know that the Demandant has a common law right to travel with his private property on the public highway

"The right to travel is part of the liberty of which a citizen cannot be deprived without due process of law under the 5th Amendment. This Right was emerging as early as the Magna Carta." (1215 c.e.) Kent v Dules 357 US 116 (1958)

"Complete freedom of the highways is so old and well established a blessing that we have forgotten the days of the "Robber Barons" and toll roads,..." Robertson v. Department of Public Works, 180 Wn. 133

"The right to travel over a street or highway is a primary absolute right of everyone." Foster's, Inc. v. Boise City, 118 P.2d 721, 728.

"The use of the highway for the purpose of travel ... is not a mere privilege, but a common fundamental right of which the public ... cannot rightfully be deprived." Chicago Motor Coach v. Chicago, 169 NE 221.

"The right of a citizen to use the highways, including the streets of the city or town, for travel and to transport his goods, is an inherent right which cannot be taken from him." Florida Motor Lines v. Ward, 137 So. 163, 167; State v. Quigg, (Fla. - 1927), 114 So. 859, 862;

"Personal liberty largely consists of the Right of locomotion -- to go where and when one pleases -- only so far restrained as the Rights of others may make it necessary for the welfare of all other citizens. The Right of the Citizen to travel upon the public highways and to transport his property thereon, by horsedrawn carriage, wagon, or automobile, is not a mere privilege which may be permitted or prohibited at will, but the common Right which he has under his Right to life, liberty, and the pursuit of happiness. Under this Constitutional guarantee one may, therefore, under normal conditions, travel at his inclination along the public highways or in public places, and while conducting himself in an orderly and decent manner, neither interfering with nor disturbing another's Rights, he will be protected, not only in his person, but in his safe conduct." American Jurisprudence 1st Edition, Constitutional Law, Sect.329, p.1135.

"The Supreme Court has recognized that personal liberty includes 'the right of locomotion, the right to move from one place to another according to inclination.'" Davis v. City of Houston, (Tex. Civ. App., 1924), 264 S.W. 625, 629.

"The right of the citizen to travel upon the public highways and to transport his property thereon, either by carriage or by automobile, is not a mere privilege which a city may prohibit or permit at will, but a common law right which he has under the right to life, liberty, and the pursuit of happiness." Thompson v. Smith, 154 SE 579.

"No one may be required to obtain a license in order to speak. Thus, the State can no more license the Appellant's right to travel in his automobile than it could license his right to print or to speak, for they are all inalienable rights." Thomas v. Collins, (1944), 323 U.S. 516, 543,

"The right to operate a motor vehicle upon the public streets and highways is not a mere privilege, it is a right or liberty, the enjoyment of which is protected by the guarantees of the federal and state constitutions." Adams v City of Pocatello, 416 P.2d 46, 48.

and Hurtado is required to know that the Demandant has a right to use consumer goods instead of business equipment under their Private International Law that his District of Columbia court is using

"Goods are;

(1) "consumer goods" if they are used or bought for use primarily for personal, family or household purposes;

(2) "equipment" if they are used or bought for use primarily in business (including farming or a profession) or by a debtor who is a non-profit organization or a governmental subdivision or agency or if the goods are not included in the definitions of inventory, farm products or consumer goods;" Uniform Commercial Code 9-109 Classification of Goods: "Consumer Goods"; "Equipment"; "Farm Products"; "Inventory".

"Under UCC §9-109 there is a real distinction between goods purchased for personal use and those purchased for business use. The two are mutually exclusive and the principal use to which the property is put should be considered as determinative." James Talcott, Inc. v Gee, 5 UCC Rep Serv 1028; 266 Cal.App.2d 384, 72 Cal.Rptr. 168 (1968).

"The classification of goods in UCC §9-109 are mutually exclusive." McFadden v Mercantile-Safe Deposit & Trust Co., 8 UCC Rep Serv 766; 260 Md 601, 273 A.2d 198 (1971).

"Automobile purchased for the purpose of transporting buyer to and from his place of employment was "consumer goods" as defined in UCC §9-109." Mallicoat v Volunteer Finance & Loan Corp., 3 UCC Rep Serv 1035; 415 S.W.2d 347 (Tenn. App., 1966)

"The provisions of UCC §2-316 of the Maryland UCC do not apply to sales of consumer goods (a term which includes automobiles, whether new or used, that are bought primarily for personal, family, or household use)." Maryland Independent Automobile Dealers Assoc., Inc. v Administrator, Motor Vehicle Admin., 25 UCC Rep Serv 699; 394 A.2d 820, 41 Md App 7 (1978).

"A vehicle not used for commercial activity is a "consumer goods", . . . it is NOT a type of vehicle required to be registered and "use tax" paid of which the tab is evidence of receipt of the tax." Bank of Boston v. Jones, 4 UCC Rep. Serv. 1021, 236 A2d 484, UCC PP 9-109.14

"Thus self-driven vehicles are classified according to the use to which they are put rather than according to the means by which they are propelled." Ex Parte Hoffert, 148 NW 20

"The Supreme Court, in Arthur v. Morgan, 112 U.S. 495, 5 S.Ct. 241, 28 L.Ed. 825, held that carriages were properly classified as household effects, and we see no reason that automobiles should not be similarly disposed of." Hillhouse v United States, 152 F. 163, 164 (2nd Cir. 1907)

"A soldier's personal automobile is part of his "household goods[.]" U.S. v Bomar, C.A.5(Tex.), 8 F.3d 226, 235" 19A Words and Phrases - Permanent Edition (West) pocket part 94

"... [T]he exemptions provided for in section 1 of the Motor Vehicle Transportation License Act of 1925 (Stats. 1925, p. 833) in favor of those who solely transport their own property or employees, or both, and of those who transport no persons or property for hire or compensation, by motor vehicle, have been determined in the Bacon Service Corporation case to be lawful exemptions. --In re Schmolke (1926) 199 Cal. 42, 46

"Consumer goods – automobile for transportation to and from work. The use of a vehicle by its owner for purposes of travelling to and from his employment is a personal, as opposed to a business use, as that term is used in UCC 9-109(1) and the vehicle will be classified as consumer goods rather than equipment." In Re Barnes, 11 UCC Reporting Service 670

"In view of this rule a statutory provision that the supervising officials "may" exempt such persons when the transportation is not on a commercial basis means that they "must" exempt them." --State v. Johnson, 243 P. 1073; 60 C.J.S. section 94, page 581

and under the edicts under Martial Law called the Texas Constitution, consumer goods (household goods), like the Demandant's private conveyance, are not subject to taxation,

"(d) The Legislature by general law shall exempt from ad valorem taxation household goods not held or used for the production of income and personal effects not held or used for the production of income." Article 8, Sec. 1 (d) [emphasis added]

and Hurtado is required to know that the so-called Warrant issued by other city municipal courts is actually a capias and a capias is NOT a warrant

"A capias is NOT a "Warrant of Arrest,"" Knox v State, 586 S.W. 2d 504, 506 (Tex.Crim.App. 1979).

and a capias is a debt instrument

"CAPIAS AD SATISFACIENDUM (shortly termed a CA. SA.) A judicial writ of execution which issues out on the record of a Judgment, where there is a recovery in the courts..., of debt, damages, &c. And by this writ the sheriff is commanded to take the body of the defendant in execution, and him safely to keep, so that he have his body in court at the return of the writ, to satisfy the plaintiff his debt and damages. Vide 1 Litt Abr. 249." Tomlin's Law Dicitonary 1835 Edition

which means it is a civil matter, and Hurtado is required to know that the Ninth Circuit Court of Appeals (citing cases from the U.S. Supreme Court, Fifth, Seventh, Eighth and Ninth Circuits) held that "by definition, probable cause to arrest can only exist in relation to criminal conduct; civil disputes cannot give rise to probable cause; Paff v. Kaltenbach, 204 F.3d 425, 435 (3rd Cir. 2000)

and Hurtado is required to know that no city in Tarrant County is authorized to enforce the Texas Transportation Code, as evidenced by the email from the Tarrant County Sheriff Public Information Officer, therefore none of the Transportation Code warrants issued by other cities in Tarrant County are valid and all of them are color of law and the Demandant has a right to ignore anything that is color of law

Black's Law Dictionary, Fifth Edition, p. 241, color of law: The appearance or semblance, without the substance, of legal right. Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under "color of state law." Atkins v. Lanning, D.C.Okla., 415 F.Supp. 186, 188.

because Timothy Graham stopped the Demandant for having a Republic of Texas plate on his automobile, as evidenced in the Euless Police Department Narrative. The Demandant dialed 9-1-1 and demanded the Tarrant County Sheriff to the scene and the call went to the Euless switchboard and Hurtado's supervisors Sgt Hurtado #357, and Hurtado #626, came to scene as his accomplices, and as evidenced by the police narrative, and the Tarrant County Sheriff refused to come to the scene. The Demandant read to Hurtado, Hurtado, and Hurtado, parts of Texas Penal Code 39.03 telling them they were engaged in Official Oppression. They are all required to know that the Euless military Police are not authorized to enforce the Texas Transportation Code as evidenced by the email from the Tarrant County Sheriff Public Information Officer, a true

copies of the Police Narrative and the email from the Tarrant County Sheriff Public Information Officer are attached hereto, all of each of which are incorporated herein by reference in their entirety.

AGAINST THE PEACE AND DIGNITY OF THE STATE

VERIFICATION

I, glenn winningham; house of fearn, do affirm that all statements made herein are true and accurate, in all respects, to the best of my knowledge.

Date

L.S.
glenn winningham; house of fearn
with a Proper Mailing address (18 USC § 1342) of;
General Post Office, ZIP CODE EXEMPT
C/O 6340 Lake Worth Blvd., #437
Fort Worth, Texas [RR 76135]
Non-Domestic Mail, Without the United States, Inc.

As a Notary Public, I hereby certify that glenn winningham; house of fearn, who is known to me, appeared before me and after affirming, he executed the foregoing document on this the _____ day of February, in the year two thousand and twenty-two.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Notary Seal