

EXAMPLE QUO WARRANTO  
“Notice And Demand For The Oath”

*“the natural liberty of man **to be free from any superior power on earth**, and not to be under the will or legislative authority of man, but only to have the law nature for is rule.”-Samuel Adams*

QUO WARRANTO: “In old English practice, a writ, in the nature of a writ of right for the king (being “We The People”), against him who claimed or usurped any office, franchise, or liberty, to inquire by what authority he supported his claim, in order to determine the right. It lay also in case of non-user, or long neglect of a franchise, or misuser or abuse of it, being a writ commanding the defendant to show by what warrant he exercises such a franchise, having never had any grant of it, or having forfeited it by neglect or abuse.”<sup>433</sup> “A franchise, as used by Blackstone in defining quo warranto<sup>434</sup> had reference to a royal privilege or branch of the king’s prerogative subsisting in the hands of the subject, and must arise from the king’s grant, or be held by prescription.”<sup>435</sup>

“The doctrine of Sovereign Immunity is one of the Common-Law immunities and defenses that are available to the Sovereign,”<sup>436</sup> “The sovereignty of the state does not reside in the persons who fill the different departments of its government, but in the People, from whom the government emanated; and they may change it at their discretion. Sovereignty, then in this country, abides with the constituency and not with the agent; in this remark is true, both in reference to the federal and state government.”<sup>437</sup> “Sovereignty means that the degree of sovereign makes law, and the foreign courts cannot condemn influences persuading sovereign to make the decree.”<sup>438</sup>

“Sovereignty itself is, of course, not subject to the 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 with the people, by whom and for whom all government exists and acts. And the law (*Constitution*) is the definition of limitation of power...”<sup>439</sup> The people of this state, as the successors of the former sovereign, are entitled to all the rights formally belonged to the King by his prerogative.”<sup>440</sup> “A consequence of this prerogative is the legal ubiquity of the king. His Majesty (The Son of God) in the eye of the law (God’s Word, the Bible!) Is always present in all His courts, though He cannot personally distribute justice.”<sup>441</sup> “His judges (grand and petit juries) are the mirror by which the King’s image is reflected.”<sup>442</sup>

Therefore, “the state cannot diminish rights of the people.”<sup>443</sup> “no authority can, on any pretense whatsoever be exercised over the citizens of the state, but such as is or shall be derived from the and granted by the people of this state.”<sup>444</sup> “the doctrine of Sovereign Immunity is one of the Common-Law immunities and defenses that are available to the sovereign.”<sup>445</sup>

<sup>433</sup> 3 Bl. Comm. 262

<sup>434</sup> 3 Corn. 262 [4<sup>th</sup> Am. Ed.] 322

<sup>435</sup> State v. Fernandez, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240

<sup>436</sup> Yick Wo v. Hopkins, 318 US 356, 371 and Terry v. Ohio, 392 US 1, 40

<sup>437</sup> Spooner versus McConnell, 22 F 939 @ 943

<sup>438</sup> Moscow Fire Insurance Co. of Moscow, Russia v. Bank of New York & Trust Co., 294 N.Y.S. 648, 662, 161 Misc. 903; American Banana Co. v. United Fruit Company 29 S.Ct. 511, 513, 213 US 347, 53 L.Ed. 826, 19 Ann.Cas, 1047

<sup>439</sup> Yick Wo v. Hopkins, 318 US 356, 370

<sup>440</sup> Lansing v. Smith 4 Wend, 9 (N.Y.) (1829), 21 Am. Dec. 89 10C Const. Law Sec. 298; 18 C EmDom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219 Nuls. Sec. 167; 48 C Wharves Sec. 3,7

<sup>441</sup> Fortesc.c.8 2Inst. 186

<sup>442</sup> 1 Blackstone's Commentaries, 270, Chapter 7, Section 379

<sup>443</sup> Hurtado v. People of the State of California, 110 U.S.536

<sup>444</sup> NEW YORK N.Y. CVR. LAW §2: NY Code - Section 2

<sup>445</sup> Yick Wo v. Hopkins, 318 US 356, 371 and Terry v. Ohio, 392 US 1, 40

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**YOUR STATE SUPREME COURT, YOUR COUNTY**

*Court Address, City, State, Zip*

john-henry: doe	Plaintiff
against	
Them	Defendants

Jurisdiction Court of Law<sup>446</sup>

MAGISTRATE Name

Case No.

Writ of Quo Warranto

Example Quo WARRANTO<sup>447</sup> “NOTICE AND DEMAND FOR OATH”

*Administrative Notice and Demand for Identification and Credentials*

**Pleadings “Want of Form”**

The *alleged* Plaintiff john-henry: doe wishes to point out to the Court that he is **NOT** an individual schooled in the law, but as an individual exercising his rights under law for the proper action of the Court from the **fraudulent** actions on the part of the *Defendants* in question. As such, the *Plaintiff* asks the court look to the **substance** of his pleadings **rather than** the form and asks the court to take **judicial notice** pursuant to **Section 32** of the **Judiciary Act of 1789 (1 Stat. 73)** which specifies that “*courts respectively shall proceed and give judgment according as the right of the cause and matter in law shall appear unto them, without regarding any imperfections, defects, or want of form.*” The *Plaintiff* further asks the court to take **judicial notice** pursuant to **Rule 201** of the **Federal Rules of Evidence** of the **enunciation of principles** stated in *King v. Knoll* (No. 04-04149-JAR), *Whitney v. State of New Mexico* (113 F.3d 1170), and *Haines v. Kerner* (404 U.S. 519), wherein the courts directed that those who are unschooled in law making complaints/pleadings shall have the court look to the **substance** of the complaint/pleadings **rather than** the form and hereby makes the following pleadings/notices in the above referenced matter **WITHOUT** waiver of any defenses.

Plaintiff john-henry: doe is in this case is without Superior Knowledge.

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**Quo WARRANTO “NOTICE AND DEMAND FOR OATH”**  
*Administrative Notice and Demand for Identification and Credentials*

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On and for the record this “good faith presentment” Pursuant to the 1st and the 9th Amendment, Petition For Redress of Grievance is presented by john-henry: doe: to Recipient, name of Judge and court officers, located at name and address of the above said court for purposes of obtaining full disclosure of identification under and determining under what authority, venue of office, and capacity of the Recipient appears to conduct public business in approaching the presenter.

The Administrative Notice, duly served on you, and deemed actual, constructive and sufficient notice, requires that you provide to the presenter within ten (10) business days from the time of the presentment, copies of the below listed documents, said copies to be certified under penalty of perjury and exemplified in accordance with 1 Stat. 122 and 2 Stat. 298 and FRCP rule 902, under Article VI of the Constitution of the United States for the United States of America.

- 1) Oath of Office (Article 7 Clause 3)
- 2) Official Surety Bond (Title 31 USC §2251)
- 3) Letter of Appointment from, if applicable
- 4) Registration Statement (Title 22 USC §611 & 612)
- 5) Delegation of Authority Affidavit
- 6) Loyalty and Security Clearance (Title 22 USC §272b)
- 7) Employee Affidavit, if applicable
- 8) Economic Statement of Interest

Your failure, refusal, and/or neglect to fully and timely comply will set, for the record, fact(s) that you have failed to qualify for the office and therefore acting without lawful authority, office and/or capacity as an officer, official, or agent for any original jurisdiction non-corporate Governmental State or Federal agency.

It is presumed and/or assumed that it is your sworn/affirmed duty and fiduciary obligation to provide the above information, in a timely and truthful manner. Please be aware of what the federal courts have held in *US v. Tweel* 530 F.2d 297, 299) (1977) Silence can only be equated with fraud where there is a legal or moral duty or where an inquiry left unanswered with the intent misleading.”

This Administrative Notice and Demand is not intended to hinder delay, obstruct, intimidate, or in any way threaten anyone, but is simply a means of invoking recipient’s duty to act pursuant to the above quoted statutes, which apply to the recipient in recipient’s official capacity, for lawful disclosure of vitally needed information. This demand is made consistent with the United States Supreme Court Decision of *Federal Crop Insurance Corporation v. Merrill*, 332 U.S. 380 F 384 (1947) and the inherent mandatory duty of honest services by a public servant of the People.

Should recipient not timely and fully comply in 10 days, it will be deemed, by your tacit procreation, your implied admission that you have failed to qualify for your office or employment pursuant to the principle of law embodied in the decision of Norton v. Lewis, 34 Cal. App. 621; 168 P. 388; 1917 Cal. App. LEXUS 27 (1970).

**Wherefore,** the aforesaid judicial officer is to place in the record of this court and mail the same to the plaintiff.

Respectfully submitted this----- day of 2023

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<sup>446</sup> Article 6 clause 2: 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, any thing in the Constitution or laws of any state to the contrary notwithstanding. COURT OF LAW: Black's 4th; a court proceeding according to the course of the common law and governed the by its rules and principles as contrasted with a "Court of equity."

<sup>447</sup> A writ or legal action requiring a person to show by what warrant an office or franchise is held, claimed, or exercised.