

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Jeffrey T. Maehr, Plaintiff)	
)	
)	
v.)	7018 0360 0001 6058 7530
)	
United States, Defendant.)	Case# (Not applicable)
)	

**MOTION FOR SUMMONS OF GRAND JURY &
MEMORANDUMS OF LAW IN SUPPORT**

Plaintiff comes before this court with this Motion for Summons of one or more independent Citizen’s Grand Juries (hereafter GJ) under *United States v. John H. Williams, Jr.*, FRCP, Rule 6⁽¹⁾ and subsequent to President Trump’s December 21, 2017 National Emergency Executive Order (EO) titled “Executive Order Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption” and EO titled “2018 Amendments to the Manual for Courts-Martial, United States,” to investigate the obstruction of justice⁽²⁾, all the evidence

¹ Federal Rules of Criminal Procedure, Rule 6 - Grand Jury. (1) In General. When the public interest so requires, the court must order that one or more grand juries be summoned.

² 18 U.S. Code Chapter 73 - OBSTRUCTION OF JUSTICE - Obstruction of justice in the federal courts is governed by a series of criminal statutes (18 U.S.C.A. §§ 1501–1517). Two types of cases arise under the Omnibus Clause involving Obstruction of Justice: The concealment, alteration, or destruction of documents; and the encouraging or rendering of false testimony. Actual obstruction is not needed as an element of proof to sustain a conviction. The Defendant's endeavor to obstruct justice is sufficient. "Endeavor" has been defined by the courts as an effort to accomplish the purpose the statute was enacted to prevent. **The courts have consistently held that "endeavor" constitutes a lesser threshold of purposeful activity than a criminal "attempt."** Federal obstruction of justice statutes have been used to prosecute government officials who have **sought to prevent the disclosure of damaging information.** (Emphasis added throughout case cites).

thus far suppressed by conspiracy, collusion and treason⁽³⁾ and fraud on the court⁽⁴⁾ by factions within the various branches of government, and previous lower courts, and even factions within the media, regarding the enforcement of the frivolous "income" tax collection on "wages, salary or compensation for services" of the private working American, and other frivolous claims made by the IRS which effect millions of Americans.

NOTICE: Under 18 U.S.C., any judge made aware of alleged criminal activities is not required to judge the matter, or to render opinion, but is required to proceed to disclosing the information to a Grand Jury foreman or other jury member for investigation, or be held by 18 U.S.C.'s penalty for failure to act.

This Motion for a Grand Jury falls outside the rules regarding service of process to parties subject to any private grand jury inquiry. These said parties (and others to be named) have not been served with this motion, and need not be.

Due to inattention by the American people, and the deliberate dumbing down of students in the government controlled public school system on the issues, Americans, and the courts, have

³ 18 U.S. Code § 2382 - Misprision of treason - Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both.

⁴ "Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication." *Kenner v. C.I.R.*, 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512, ¶ 60.23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final."

lost touch with the constitution and rule of law... something grade school children in our earlier years were well versed in, and they have been set it all aside as distractions in what appears to be a deliberate evasion of law and constitutional restraints as originally intended.

The basic IRS issues requiring Grand Jury investigations are as follows:

1. The IRS is taxing private American's wages, salary and compensation for services as "income" when it is not lawful income, and taxing same outside constitutional parameters according to the U.S. Supreme Court stare decisis original rulings on this topic, which have never been overturned or rebutted by government. This means that 100 million working Americans are being taxed unconstitutionally and illegally under *color of law*.
2. The IRS is fraudulently assessing untold numbers of Americans on bank or other assets which do not qualify as lawful "income" subject to such a tax, even if it could be proven that wages of private Americans is lawfully defined as "income" which has never been done with any evidence in fact.
3. The IRS is falsely claiming that the 16th Amendment authorizes the "income" tax, and authorizes American's wages to be classified as "income" when it was never intended to be according to evidence of record. There is no evidence of record save for U.S. Supreme Court stare decisis original rulings on this topic that the 16th Amendment did not create any new tax on Americans. There is no standing law which authorizes a direct unapportioned tax on wages, salary or compensation for services.
4. The IRS attempted levy against this Disabled Veteran's Disability Compensation outside standing law and court precedent, and was assisted by Wells Fargo Bank without due diligence into laws and rights. Such attempt was shut down by the case of *Porter v. Aetna Cas. & Sur. Co.*, 370 U.S. 159 (1962), in which any levy was not authorized against disabled veteran's benefits, yet both entities named above, attempted this and continued defending it for over 2 years. This deals directly with any and all disabled veterans and their compensation in these united States.
5. The IRS claims the 16th Amendment authorized its taxation scheme on private American's wages, but the Supreme Court states differently. The lawful "income" tax predates the 1913 16th Amendment as far back as 1863, and never included private American's wages until WWII, and this for just 2 years as a "Victory" tax, which was repealed, but never disclosed to Americans.

Specifics as to IRS fraud and collusion with the judicial branch of government!

The IRS has refused to bring criminal charges against plaintiff despite repeated challenges to do so and to place this in front of a jury where it lawfully belongs, but the IRS has so far refused. If there is any actual law plaintiff has violated in refusing to file a 1040 self-assessment form for alleged taxes owed on his wages, then let it be brought forth and revealed to the American public, and end the ongoing claims of millions of Americans as to the lawfulness of the tax on wages, or hold the IRS accountable and have them cease and desist in its violation of law in this regard and restore the constitutional and statutory intent of Congress for lawful taxes on corporate profits.

These court records support the allegations of violation of due process of law, obstruction of justice, and other criminal activities within elements of the U.S. government and courts, *NONE* of which adjudicated the actual supporting evidence of record, denying due process, and supports this Motion for Summons of a Grand Jury to investigate the facts:

Maehr v. U.S., No. 18-02948-GPG - U.S. District Court, Colorado (pending)
Maehr v. U.S., No. 18-02273-PAB-NRN - U.S. District Court, Colorado (pending)
Maehr v. U.S., No. 18-2286 - U.S. Court of Appeals for the Federal Circuit (pending)
Maehr v. U.S., No. 17-1000 - U.S. Court of Federal Claims (dismissed)
Maehr v. U.S., No. 16-8625 - U.S. Supreme Court (dismissed)
Maehr v. U.S., No. 12-6169 - U.S. Supreme Court (dismissed)
Maehr v. Commissioner, No. CV15-mc-OOI27-JLK-MEH, 2015; (dismissed)
Maehr v. United States, No. 8:08-CV-190, 2009; (dismissed)
Maehr v. United States, No. CIV. 08-cv-02274-LTB-KLM, 2009; (dismissed)
Maehr v. United States, No A-09-CA-097, 2009; (dismissed)
Maehr v. United States, No. C 08-80218, 2009; (dismissed)
Maehr v. United States, No. MC 08-00018-BB, 2008; (dismissed)
Maehr v. United States, No. 3:08-MC3-HEH, 2008; (dismissed)
Maehr v. United States, No. 3:08-MC-00067-W, 2008. (dismissed)

Further questionable documentation against the IRS includes...

Treasury Order 150-02 - Organization and Functions of the Internal Revenue Service
CANCELLATION DATE: May 02, 2006.

Treasury Order 150-06 - **SUBJECT:** Designation as Internal Revenue Service
CANCELLATION DATE: August 22, 2005.

Diversified Metal Products, Inc., v T-Bow Company Trust, Internal Revenue Service and Steve Morgan, 93-405E-EJL; “4. **Denies that the Internal Revenue Service is an agency of the United States Government.**”

Plaintiff contends that under Supreme Court standing precedent, and based on 18 U.S.C. §4⁽⁵⁾, 42 U.S.C. §242 & §245⁽⁶⁾, 18 U.S. Code § 3331, and the Tucker Act: 28 U.S. Code §

⁵ 18 U.S.C. § 4 - Misprision of felony: Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

⁶ 42 U.S.C. § 242. Deprivation of rights under color of law: Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in 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, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

18 USC §245 Whoever, whether or not acting under color of law, intimidates or interferes with...[1] any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—
[B] participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States; [E] participating in or enjoying the benefits of any program or activity receiving Federal financial assistance; shall be fined under this title, or imprisoned not more than one year, or both.

1491, an independent motion for one, or preferably more, GJ's or special GJ⁽⁷⁾ can be made where clear evidence is available and presented to any judge of an ongoing criminal enterprise within the U.S. Government affecting millions of Americans in these united States.

Surely there has been sufficient enough extraneous information lately in the media and Congressional enquires regarding various agencies of the U.S. government, such as the DOJ, the FBI, the CIA, the State Department, and the IRS, involving criminal allegations, and now over sixty thousand sealed criminal indictments, and mounting, to suggest it is long overdue for several GJ's to investigate specifically the IRS and its tax claims against millions of Americans, and hold it accountable, and bring government back within the confines of the rule of law, the Constitution, their oaths of office, and their hired public servant duties.

Elements which provide more convincing and persuasive evidence that a self-serving and protecting "racket" is taking place by government factions are as follows;

1. The U.S. Government cannot be sued, in most cases, without its permission according to statutes created BY the U.S. servant government.
2. Where the U.S. Government can be sued, it cannot be sued for "punitive" damages where they have limited waiver of immunity. (11 U.S. Code § 106 (3). This removes any pressure or force to protect the American population from recidivism, and hold government agencies and officials personally accountable for their actions in their governmental or personal capacities.

42 U.S.C. § 1983. Civil action for deprivation of rights: Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress...

⁷ 18 U.S.C. § 3331(a), the U.S. District Court in every judicial district having more than four million inhabitants must impanel a special grand jury when requested by a designated official of the Justice Department.

3. No U.S. government employee is required to be bonded to protect both government and the People against criminal or civil violations of law or the constitution, unlike all other government employees in the 50 states. On top of this, the government cannot be sued if any damages would come from the taxpayer/treasury, leaving almost no room for redress of grievances for tort or criminal actions against the government officials (unless they are acting in their personal capacities) as the 1st Amendment guarantees. (It should be noted here that there is significant evidence according to Newsweek that the taxpayers/treasury are paying for settling sexual abuse claims... <http://www.newsweek.com/why-are-congressmen-using-taxpayer-funds-buy-sex-abuse-claims-725958>, showing the double standard against Americans.
4. The U.S. government claims “Sovereign Immunity” from most claims and charges against it or its employees, but evidence of record disproves this “sovereignty” which is which is actually in The People who created government, and the government is not sovereign over the People. (See Exhibit A, “Sovereignty of the People above Governments”).
5. The three branches of government... Executive, Legislative and Judicial, are to be co-equal branches in our system of governance. However, they have long protected themselves using statutes and other means to thwart the People’s rights... i.e the Judicial branch/Department of Justice/private BAR membership defends the Executive branch in suits or claims, and elevates itself above the other two branches in authority and power.
6. The IRS/DOJ/courts have all colluded together to resist due process of law on clear violations of law and the constitution, and the court records for decades prove this. The mere fact that the courts are interfering with the President’s attempts to follow existing statutes regarding illegal immigration, and protecting this Republic from terrorist immigration from rogue nations suggests a system far outside constitutional parameters.
7. The IRS has never brought criminal charges against plaintiff (and many others) despite claims that he has violated taxing laws which is a criminal offense. This is prima facie evidence of cover-up of the fraud and preventing a jury from hearing the evidence, and depending on defacto *color of law* administrative actions to achieve what it couldn’t by dejure law.

Society's right to seek redress for criminal conduct stands firm in the Constitution.⁽⁸⁾

When the government refuses to respond to such redress, despite repeated attempts, the Grand Jury of The People is the next resort, short of instituting the constitutional right to

⁸ “Congress shall make no law... abridging... the right of the people... to petition the Government for a redress of grievances.” 1st Amendment

“alter or abolish”⁽⁹⁾ said government.

“Unfounded criminal prosecutions” (*Calandra & Branzburg*, *infra*) for taxation issues on private American’s wages take place routinely against The People due to *color of law* activities which have no lawful foundation or basis. The IRS uses inferior court rulings as alleged “evidence” of their position that all above arguments against IRS actions are “frivolous,” but no evidence of rebuttal has ever been provided to counter the U.S. Supreme Court cases and Congressional testimony in any court since the Supreme Court, which disprove IRS claims invalid, and which cases bind all lower courts, but these courts are criminally ignoring.

Plaintiff provides the memorandum of law below to prove that The People should have direct access to the Grand Jury via some mechanism, without ANY interference or obstruction from any of the three branches of government, and this Motion for Summons of a Grand Jury is adequate barring any lawful or constitutional objections or evidence of record.

⁹ “We hold these Truths to be self-evident, that all Men are ... endowed by their Creator with certain unalienable Rights.... That to secure these Rights, Governments are instituted among Men.... That whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness. ... Mankind are more disposed to suffer, while Evils are sufferable, than to right themselves by abolishing the Forms to which they are accustomed. But when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future security.” Declaration of Independence (1776).

**MEMORANDUM OF LAW IN SUPPORT OF FREE ACCESS
BY THE PEOPLE TO THE GRAND JURY**

In *United States v. John H. Williams, Jr.*, 504 U.S. 36 (112 S.Ct. 1735, 118 L.Ed.2d 352), the U.S. Supreme Court stated:

"Rooted in long centuries of Anglo-American history," *Hannah v. Larche*, 363 U.S. 420, 490, 80 S.Ct. 1502, 1544, 4 L.Ed.2d 1307 (1960) (Frankfurter, J., concurring in result), the GJ is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three Articles. It... **"is a constitutional fixture in its own right."** *United States v. Chanen*, 549 F.2d 1306, 1312 (CA9 1977) (quoting *Nixon v. Sirica*, 159 U.S.App.D.C. 58, 70, n. 54, 487 F.2d 700, 712, n. 54 (1973)), cert. denied, 434 U.S. 825, 98 S.Ct. 72, 54 L.Ed.2d 83 (1977). In fact the whole theory of its function is that it **belongs to no branch of the institutional government**, serving as a kind of **buffer or referee between the Government and the people**. See *Stirone v. United States*, 361 U.S. 212, 218, 80 S.Ct. 270, 273, 4 L.Ed.2d 252 (1960); *Hale v. Henkel*, 201 U.S. 43, 61, 26 S.Ct. 370, 373, 50 L.Ed. 652 (1906); G. Edwards, *The Grand Jury* 28-32 (1906)."

Continuing *Williams*, supra, case site...

"Although the grand jury normally operates, of course, in the courthouse and under judicial auspices, **its institutional relationship with the judicial branch has traditionally been, so to speak, at arm's length**. Judges' direct involvement in the functioning of the grand jury has generally been confined to the constitutive one of calling the grand jurors together and administering their oaths of office." See *United States v. Calandra*, 414 U.S. 338, 343, 94 S.Ct. 613, 617, 38 L.Ed.2d 561 (1974); Fed.Rule Crim.Proc. 6(a)."

"The grand jury's functional independence from the judicial branch is evident both in the scope of its power to investigate criminal wrongdoing, and in the manner in which that power is exercised. Unlike a court, whose jurisdiction is predicated upon a specific case or controversy, **the grand jury 'can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not.'** *United States v. R. Enterprises*, 498 U.S. 111 S.Ct. 722, 726, 112 L.Ed.2d 795 (1991) (quoting *United States v. Morton Salt Co.*, 338 U.S. 632, 642-643, 70 S.Ct. 357, 364, 94 L.Ed. 401 (1950))."

"It need not identify the offender it suspects, or even "the precise nature of the offense" it is investigating. *Blair v. United States*, 250 U.S. 273, 282, 39 S.Ct. 468, 471, 63 L.Ed. 979 (1919). **The grand jury requires no authorization from its constituting court to initiate an investigation**, See *Hale*, supra, 201 U.S., at 59-60, 65, 26 S.Ct., at 373, 375,

nor does the prosecutor require leave of court to seek a grand jury indictment. And in its day-to-day functioning, the grand jury generally operates without the interference of a presiding judge. See *Calandra*, supra, 414 U.S., at 343, 94 S.Ct., at 617. It swears in its own witnesses, Fed.Rule Crim.Proc. 6(c), and deliberates in total secrecy, See *United States v. Sells Engineering, Inc.*, 463 U.S., at 424-425, 103 S.Ct., at 3138.”

Continuing *Williams*, supra, case cite...

“Even in this setting, however, we have insisted that the grand jury remain ‘free to pursue its investigations unhindered by external influence or supervision so long as it does not trench upon the legitimate rights of any witness called before it.’ *United States v. Dionisio*, 410 U.S. 1, 17-18, 93 S.Ct. 764, 773, 35 L.Ed.2d 67 (1973). Recognizing this tradition of independence, we have said that **the Fifth Amendment's "constitutional guarantee presupposes an investigative body 'acting independently of either prosecuting attorney or judge' . . .** *Id.*, at 16, 93 S.Ct., at 773 (emphasis added) (quoting *Stirone*, supra, 361 U.S., at 218, 80 S.Ct., at 273).”

While *Williams* clearly shows that the three branches of government cannot control the

GJ's ability to “freely” act, it brings up this statement that the GJ is subject to the “courts”...

Continuing *Williams*, supra, case cite...

“Although the grand jury has not been ‘textually assigned’ to ‘any of the branches described in the first three Articles’ of the Constitution, ante, at 47, it is not an autonomous body completely beyond the reach of the other branches. Throughout its life, from the moment it is convened until it is discharged, the grand jury is subject to the control of the court. As Judge Learned Hand recognized over sixty years ago, ‘a grand jury is neither an officer nor an agent of the United States, but **a part of the court.**’ *Falter v. United States*, 23 F.2d 420, 425 (CA2), cert. denied, 277 U.S. 590, 48 S.Ct. 528, 72 L.Ed. 1003 (1928). This Court has similarly characterized the grand jury:

"A grand jury is clothed with great independence in many areas, but it remains an appendage of the court, powerless to perform its investigative function without the court's aid, **because** powerless itself to compel the testimony of witnesses. It is the court's process which summons the witness to attend and give testimony, and it is the court which must compel a witness to testify if, after appearing, he refuses to do so." *Brown v. United States*, 359 U.S. 41, 49, 79 S.Ct. 539, 546, 3 L.Ed.2d 609 (1959)." (Emphasis added).

This in no way suggests the court has “control over” the GJ in convening, or in

preventing access to the GJ, by the public, apart from the three branches, but merely has authority

in “compelling” witnesses to give testimony before the GJ where needed...

“Past attempts to expand the court's supervisory role over the grand jury have been repeatedly rejected by the Supreme Court as counter to the grand jury's independent role. *See e.g., U.S. v. Williams*, 504 U.S. 36 (1992).”

“This Court has, of course, long recognized that the grand jury has wide latitude to investigate violations of federal law as it deems appropriate and **need not obtain permission from either the court or the prosecutor**. *See, e.g., id.*, at 343, 94 S.Ct., at 617; *Costello v. United States*, 350 U.S. 359, 362, 76 S.Ct. 406, 408, 100 L.Ed. 397 (1956); *Hale v. Henkel*, 201 U.S. 43, 65, 26 S.Ct. 370, 375, 50 L.Ed. 652 (1906). Correspondingly, we have acknowledged that ‘its operation generally is unrestrained by the technical procedural and evidentiary rules governing the conduct of criminal trials.’ *Calandra*, 414 U.S., at 343, 94 S.Ct., at 617.”

“The grand jury system is an investigative body acting independently of either prosecutor or judge whose mission is to bring to trial those who may be guilty and clear the innocent. *United States v. Dionisio*, 410 U.S. 1, 93 S. Ct. 764, 35 L. Ed. 2d 67 (1973).” *Marston's, Inc., v Strand*, 560 P.2d 778, 114, AZ 260.

Due process of law has been thwarted in all previous court cases plaintiff filed to not only protect his rights and assets, but to expose the evidence of ongoing fraud against millions of Americans never properly adjudicated since original Supreme Court stare decisis (precedent)⁽¹⁰⁾ declarations on these issues. Such due process deprivation renders any past judgments on the issues void⁽¹¹⁾ on their face. A judgment is void and should be vacated pursuant to Rule 60(b)(4) if the court that rendered the judgment “acted in a manner inconsistent with due process of

¹⁰ "Precedent" as a ‘rule of law established for the first time by a court for a particular type of case and thereafter referred to in deciding similar cases.’” Black's Law Dictionary, p. 1059 (5th ed. 1979).

¹¹ “A judgment is void if the court that rendered it . . . acted in a manner inconsistent with due process. *Margoles v. Johns*, 660 F.2d 291 (7th Cir. 1981) cert. denied, 455 U.S. 909, 102 S.Ct. 1256, 71 L.Ed.2d 447 (1982); *In re Four Seasons Securities Laws Litigation*, 502 F.2d 834 (10th Cir.1974), cert. denied, 419 U.S. 1034, 95 S.Ct. 516, 42 L.Ed.2d 309 (1975). Mere error does not render the judgment void unless the error is of constitutional dimension. *Simer v. Rios*, 661 F.2d 655 (7th Cir.1981), cert. denied, sub nom *Simer v. United States*, 456 U.S. 917, 102 S.Ct. 1773, 72 L.Ed.2d 177 (1982).” *Klugh v. United States*, 620 F.Supp. 892 (1985).

law.”⁽¹²⁾ Due process of law... proper adjudication of all the evidence, and evidence in fact provided to rebut plaintiff’s claims, was never accomplished in any of the past court cases.

The powers for citizen grand juries have been affirmed by several Supreme Court decisions. Justice Powell, in *United States v. Calandra*, 414 U.S. 338, 343 (1974), stated:

“The grand jury’s historic functions survive to this day. Its responsibilities continue to include both the determination of whether there is probable cause to believe a crime has been committed and the protection of citizens against unfounded criminal prosecutions. *Branzburg v. Hayes*, 408 U.S. 665, 686-687 (1972).”

“Today’s grand jury continues to implement the fundamental governmental role of securing the safety of the person and property of the citizen.” *Branzburg v. Hayes*, 408 U.S. 665, 700 (1972).

The scope and ramifications of such an inquiry is evident, but has no bearing as to whether a GJ should be convened or not. *Calandra*, *supra*, goes on to quote:

"It is a grand inquest, a body with powers of investigation and inquisition, the scope of whose inquiries is not to be limited narrowly by questions of propriety or forecasts of the probable result of the investigation, or by doubts whether any particular individual will be found properly subject to an accusation of crime." *Blair v. United States*, 250 U. S. 273, 250 U. S. 282 (1919).

Of course, such an investigation should be thorough and without bias or prejudicial interference...

“The grand jury’s investigative power must be broad if its public responsibility is adequately to be discharged.” *Branzburg v. Hayes*, *supra*, at 408 U. S. 700; *Costello v. United States*, 350 U. S. 364.

Calandra continues:

A grand jury investigation “is not fully carried out until every available clue has been run down and all witnesses examined in every proper way to find if a crime has been committed.” *United States v. Stone*, 429 F.2d 138, 140 (CA2 1970).

¹² See *Philos Techs., Inc. v. Philos & D, Inc.*, 645 F.3d 851, 854 (7th Cir. 2011) (citing *Planet Corp. v. Sullivan*, 702 F.2d 123, 125 n.2 (7th Cir. 1983); *Price v. Wyeth Holdings Corp.*, 505 F.3d 624, 631 (7th Cir. 2007) (citations omitted). *Marques v. Fed. Reserve Bank of Chicago*, 286 F.3d 1014, 1018 (7th Cir. 2002)).

“Such an investigation may be triggered by tips, rumors, evidence proffered by the prosecutor, or the personal knowledge of the grand jurors.” *Costello v. United States*, 350 U.S. at 350 U. S. 362.

In other words... investigations can be triggered by ANYONE.

CONCLUSION

The very cases and evidence presented above is prima facie evidence that there must be some mechanism through which the People have direct access to the GJ to provide evidence of servant government agency's, or any other criminal activities, to hold them accountable without interference from any of the three branches of government.

It is plain under original intent that the People are the “first branch” of government, the three federal branches follow, and then the GJ is the “5th branch” of government processes existing independently to provide oversight of public servant government actions.

Plaintiff has pursued exposing the conflicting evidence of record for over 14 years now, to judges across the juridical spectrum, as well as to IRS agents, government politicians, and others, only to fall on deaf ears. Plaintiff can refer the GJ's to dozens of expert witnesses to include X-IRS agents, constitutional attorneys and other tax experts, and other professionals with knowledge of the facts of the issues at hand. They, in turn, will likely have a list of their own who can testify to the scope of the issues.

For this cause, and because the “public interest so requires” such an investigation, (Rule 6), since this directly affects millions of private Americans whose lives are negatively impacted on a regular basis, plaintiff moves the court to summons several Grand Juries. Plaintiff believes truth will be made plain as to whether defendant and others so named stand on the constitution, rule of law and original intent, or not.

When someone or some group is proven wrong with evidence in fact, and admit witting or unwitting guilt, it is a good thing for America and those involved. The corrections are made, everyone moves forward and it is left in the past.

However, when the same person or group consistently avoids admission, avoids evidence, obfuscates the truth, covers-up, obstructs justice, distorts and misapplies laws to continue their warring⁽¹³⁾ against the Constitution and sovereign People of America, that is unacceptable for a free and sovereign people, and is a certain insurrectional national security threat to our rule of law, our constitution and the American People and must be remedied. If the government branches and agencies can answer, let them be held to it, regardless of the ramifications...

“Let Justice be Done, though the Heavens may Fall”. “Fiat justitia ruat caelum.”
“Maxim of Law”, as quoted from Black's & Bouvier's Law Dictionaries.

Respectfully Submitted,



12-27-18

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cc: President Trump;

¹³ “No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it.” U.S. Supreme Court Cooper V. Aaron, (1958). What is the penalty for this “warring?” 18 USC § 2381 - Treason; “Whoever, owing allegiance to the United States, levies war against “them” (the 50 united states... more evidence of a different definition for “United States”) or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined under this title but not less than \$10,000; and shall be incapable of holding any office under the United States.”

Exhibit A

Sovereignty of the People above governments: MEMORANDUM OF LAW

The premise held by the federal government is that the federal government is sovereign above the People, has “sovereign immunity” from civil or criminal charges, and has control over the People, and therefore the People are not able to exercise any, or very limited, authority OVER said government or obtain certain redress of grievances. This is a perversion of original intent and is mooted by historical evidence, government-created, self-protecting statutes notwithstanding. The servant governments are not above their masters and creators, the People.

“Congress can exercise no power which they have not, by their (the People’s) Constitution entrusted to it: All else is withheld.” *Julliard v. Greenman*, 110 U.S. 421, 1884.

“Sovereign immunity” is but a smokescreen for criminal or other behavior being done under *color of law* and the government attempting to protect itself from abuse of the People, albeit understandable where criminal or other ill intent is premeditated or contemplated, yet obtusely because of the obvious intent. All government of right stems from the People... to wit...

Declaration of Independence:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness - That **to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed**, - that whenever any Form of Government becomes destructive of these Ends, it is the **Right of the People to alter or abolish it**, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness....But when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce them under absolute Despotism, **it is their Right, it is their Duty, to throw off** such Government, and to provide new Guards for their future Security.” (Emphasis added).

The government exists because of, and FOR, the People of America. The government now presumes that the People live and exist to serve and provide for the government’s every whim. It serves the People, NOT the other way around. There is no other power which can abrogate these inherent rights. (*Julliard v. Greenman*, , supra). State Constitutions mirror this truth...

Colorado Const. Article II;

SECTION I. That all political power is vested in and derived from the people; that all government, of right, originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.

SECTION II. That the people of this State have the sole and exclusive right of governing themselves, as a free, sovereign and independent State; and to alter and abolish their constitution and form of government whenever they may deem it necessary to their safety and happiness, provided such change be not repugnant to the Constitution of the United States.

It was originally well known that government was not the ultimate authority and was subject in every way to the People, and no laws can be made to abridge or ...

"The people, the highest authority known to our system, from whom all our institutions spring and whom they depend, formed it." President Monroe.

"There is no such thing as a power of inherent Sovereignty in the government of the United States. In this country sovereignty resides in the People, and Congress can exercise no power which they (the People) have not, by their Constitution entrusted to it: All else is withheld." *Julliard v. Greenman*, 110 U.S. 421. Emphasis added.

"...under the democratic form of government now prevailing the People are King so the Attorney general's duties are to that Sovereign rather than to the machinery of government." *Hancock v. Terry Elkhorn Mining Co., Inc.*, Ky., 503 S.W. 2d 710. *Hancock v. Paxton*. Ky., 516 S.W.2d pg 867 [2] Cl 3.

"People of a state are entitled to all rights which formerly belonged to the king by his prerogative." *Lansing v Smith*, (1829) 4 Wend. 9, 20.

"Sovereignty itself is, of course, not subject to law for it is the author and source of law; *Yick Wo v. Hopkins and Woo Lee vs Hopins* 118 U.S. 356.

All political power and governments comes from the approval of the sovereign People, with their "consent", and no power of Congress, no statute or law or other can negate that fact of law and our constitution.

"Under our form of government, the legislature is not supreme. It is only one of the organs of that 7 absolute sovereignty which resides in the whole body of the people; like other bodies of the government it can only exercise such powers as have been delegated to it, and when it steps beyond that boundary, its acts...are utterly void." - *Billings v. Hall*, 7 CA. 1.

"In Europe, the executive is synonymous with the sovereign power of a state...where it is too commonly acquired by force or fraud, or both...In America, however the case is widely different. Our government is founded upon compact. Sovereignty was and is in the people." - *Glass v. The Sloop Betsy*, 3 Dall 6.

"Strictly speaking, in our republican forms of government the absolute sovereignty of the nation is in the people of the nation; and the residuary sovereignty of each state, not granted to any of its public functionaries, is in the people of the state; *Chisholm V. Georgia*, 2 Dall. (U. S.) 471, 1 L. Ed. 440. Bouvier's Law Dictionary.

"No such ideas obtain here (speaking of America): at the revolution, the Sovereignty devolved on the people; and they are truly the Sovereigns of the country, but they are Sovereigns without subjects... and have none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the Sovereignty." *Chisholm v. Georgia (February Term, 1793)* 2 U. S. 419, 2 Dall. 419, 1 L. Ed 440.

"It has been justly thought a matter of importance to determine from what source the United States derives its authority... The question here proposed is whether our bond of union is a compact entered into by the state, or whether the Constitution is an organic law established by the People. To this we answer: "We the People... ordain and establish this Constitution"... "... The government of the state had only delegated power (from the People) and even if they had an inclination, they had no authority to transfer the authority of the sovereign People. The people in their capacity as Sovereigns made and adopted the Constitution; and it binds the state governments without the state's consent. The United States, as a whole, therefore, emanates from the People and not from the states, and the Constitution and the laws of the states, whether made before or since the adoption of that Constitution of the United States, are subordinate to the United States Constitution and the laws made in pursuance of it.

The People are the fountain of Sovereignty. The whole was originally with them as their own. The state governments are but trustees acting under a derived authority, and had no power to delegate what is delegated to them. But the people, as the original fountain, might take away what they have let and intrust to whom they please. They have the whole title and as absolute proprietors have the right of using or abusing. -jus utendi et abutendi.. it is a maxim consecrated in public law as well as common sense and the necessity of the case that a sovereign is answerable for his acts only to his god and his own conscience... there is no authority above a sovereign to which an appeal can be made." 4 *Wheat*. 402 (Bouvier's 14th Ed. Law Dictionary: 'Sovereignty').

SUPREMACY: "Sovereign dominion, authority, and pre-eminence; the highest state. In the United States the supremacy resides in the People..." - Bouvier's Law Dictionary.

"The individual may stand upon his Constitutional rights as a Citizen. He is entitled to

carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the State or to his neighbors to divulge his business or to open his doors to investigation. ..He owes no duty to the State. since he receives nothing therefrom, beyond the protection of his life and property. His rights are such as existed by the Law of the Land, long antecedent to the organization of the State, and can only be taken from him by due process of the law and in accordance with the Constitution. He owes nothing to the public so long as he does not trespass upon their rights." - *Hale vs. Henkle* 201 U.S. 43 at 74.

"It may be said that the Constitution executes itself. This expression may be allowed; but with as much propriety, these may be said to be laws which the People have enacted themselves, and no laws of Congress can either take from, add to, or confirm them. They are Rights, privileges, or immunities which are granted by the People, and are beyond the power of Congress or State Legislatures..." It may be laid down as a universal rule, admitting to no exception, that when the Constitution has established a disability or immunity, a privilege or a Right, these are precisely as that instrument has fixed them, and can neither be augmented nor curtailed by any act or law either of Congress or a State Legislature. We are more particular in stating this because it has sometimes been forgotten both by Legislatures and theoretical expositors of the Constitution." Bouvier's Law Dictionary, 1870 pp 622-625.

"When the Constitution was adopted, the people of the United States were the citizens of the several states for whom and for whose posterity the government was established."
Perkins v. Elg, 99 F. 2d 408, 410 (1938).

The very laws demand of our elected representatives of every branch to not only take an oath of office to uphold the Constitution, but are required by law to obtain and hold a bond

Oath of Office for Federal Officials

Employees of the United States Government including all members of Congress are required to take the following oath before assuming elected or appointed office. The Constitution (Article VI, clause 3) also specifies:

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution...

“An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services shall take the following oath: ‘I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose

of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.” 5 U.S.C. 3331.

Congress also passed the Judiciary Act of 1789, which established an additional oath taken by federal judges:

Judges are required to take two oaths:

I, (name), do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as (office) under the Constitution and laws of the United States. [So help me God.] 28 U.S.C. § 453, Oaths of justices and judges.

The second is the same oath that members of Congress take:

I, (name), do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. [So help me God.]. 5 U.S.C. 3331.

It is enlightening that most all public officials are required by law to obtain a surety bond..

Black’s Law Dictionary defines “official bond” as “a bond given by a public officer, conditioned on the faithful performance of the duties of office.” Black’s Law Dictionary 171 (7th Ed. 1999).

This is for the protection of the agency or government office from official misconduct or criminal activities, and to maintain some degree of threat to the same. However, there is prima facie evidence in 31 U.S.C. § 9302 that the government has lost sight of its role as public servant, and has assumed the role of master and oppressor, and is trying to shield itself from liability...

“An agency (except a mixed-ownership Government corporation) may not require or obtain a surety bond for a member of the uniformed services or an officer or employee of the United States Government in carrying out official duties...” 31 U.S.C. § 9302.

Surely the public servant is not above his creator and master, the People, but considerable evidence proves the unrelenting move by government to wrest control of power and authority from the people, as herein provided.

"Government is not reason, it is not eloquence, it is force; like fire, a troublesome servant and a fearful master. Never for a moment should it be left to irresponsible action."

---George Washington, speech of January 7, 1790 in the Boston Independent Chronicle, January 14, 1790.

"In questions of power then," wrote Jefferson, "let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution."

Inattention by the American People, and trust in their elected officials and government servants has led us to the present condition of an unrestrained power at work damaging not only our constitutional form of government but the People themselves.

"Do not separate text from historical background. If you do, you will have perverted and subverted the Constitution, which can only end in a distorted, bastardized form of illegitimate government." -- James Madison, Primary Author of the Constitution, President of the United States, Mainstream Militant and Revolutionary

"Legislators have their authority measured by the Constitution, they are chosen to do what it permits, and NOTHING MORE, and they take solemn oath to obey and support it. . . To pass an act when they are in doubt whether it does or does not violate the Constitution is to treat as of no force the most imperative obligations any person can assume." — Michigan Supreme Court Judge Thomas M. Cooley.

Conclusion:

Alleged sovereignty by the U.S. government, or any elements or extensions of it, above the People who created this government, is hearsay, presumption, and is an act of treason and insurrection against the people of these united State of America. Ignorance of standing law or the Constitution is no excuse. As the above courts confirmed long ago, the constitution "can neither be augmented nor curtailed by any act or law either of Congress or a State Legislature" and of course, this extends to any created agency and its alleged administrative or statutory authority to usurp the People's rights or powers, or to hide behind a "sovereignty" facade which, by law, cannot exist.



Date 12-22-18

Jeffrey T. Maehr

NOTARY WITNESS

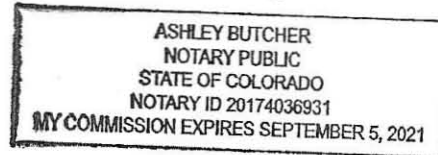
I declare under penalty of perjury that the foregoing 14 page Motion for Summons of Grand Jury and Exhibit A document to the U.S. District Court for District of Colorado was presented before me by Jeffrey T. Maehr, known to me to be the person stated, and I acknowledged these documents on this 27th day of December, 2018, with **Certified Mail # 7018-0360-0001-6058-7530**;

Ashley Butcher

Notary Printed Name

Ashley Butcher

Notary Signature



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