

**SUPERIOR COURT  
OF WAKE COUNTY  
316 Fayetteville St, Raleigh, NC 27602**

**Rodney–Dale; Class  
Private Attorney General  
P.O. Box 435  
HIGH SHOALS, NC, [28077]  
Petitioner**

**CASE #11 CV 00 1559**

**Vs**

**JUDICIAL REVIEW JUDGE**

**N. LORRIN FREEMAN**

**SECRETARY, LYNDIA TIPPETT  
ATTN: LEGAL AFFAIRS  
1505 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1501**

**North Carolina Motor Vehicle License Plate Agency  
1471 E Franklin Blvd.  
Gastonia, NC 28054**

**PENNIE M. THROWER  
TOWN ATTORNEY  
TOWN OF DALLAS, N.C.  
201 W. SECOND AVENUE, SUITE F  
PO BOX 279  
GASTONIA, N.C. 28053-0279**

**Administrative Defendants**

**Governor Bev Perdue  
Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301**

**Notification of administrative violation**

**PETITION: QUI TAM  
JURISDICTION; ADMINISTRATIVE PROCEDURES  
ACT OF 1946 S.7 60 STAT 237, TITLE 5 SECTIONS 702  
TITLE 28 SECTIONS 1652. & N.C.G.S. 150B-45  
QUO WARRANTO, MOTION TO STRIKE DEFENDANT  
PLEADING RULE 12 F**

Title 28 Judiciary and judicial procedures section 1652 requires the courts to follow acts of Congress and all statutes regulation and, statutes at large are act of Congress

This Court has such jurisdiction over this issue as all defendants are under a sworn declaration to up hold both constitutions Federal and State but even putting the constitution to the side as President BUSH called “IT A GOD DAM PIECE OF PAPER” and the supreme Court ruled the courts can set a side the constitution. Point is unless you sworn such a declaration to the constitution you can not hold a public office. The defendants have sworn a declaration to up hold the laws as public officials as well as private contractors. Failure to keep such a declaration is perjury or a false oath. This is fraud and a crime. All of these defendants are receiving wages from the State and their is no 12 b here to be given to a so called public office for violation of their oath or job scope jurisdiction. This Court has jurisdiction to hear this issue as it deal with public office violation. Unless this Court is going to rule the Statute are just” GOD DAM PIECES OF PAPER” Like the opinion of so many of these who hold public about the Constitution.

NOW, COMES, The Petitioner Rodney –Dale; Class with this PETITION: QUI TAM JURISDICTION; ADMINISTRATIVE PROCEDURES ACT OF 1946 S.7 60 STAT 237, TITLE 5 SECTIONS 702 TITLE 28 SECTIONS 1652. & N.C.G.S. 150B-45. QUO WARRANTO MOTION TO STRIKE DEFENDANT PLEADING RULE 12 F

1. The Petitioner issue before the Administrative Court was the Right to travel freely without restriction by Act of Congress under the Federal Statutes and Federal Regulation has defined in these acts. The Supreme Court of the United States has rule that the Citizen has the right to travel freely with out the use of license or licenses

according to these very Statutes that has been place into this case. The right to travel” IS A Right” not a privilege restricted by the State, which the State has done.

2. The STATE OF NORTH CAROLINA has agree to the Federal Fund program and restriction under the Act of Congress of the High way Safety program as found in Title 49 USC & CFR and 23 USC & CFR.

3. Title 23 of the CFR section 1250 show that government political subdivision is entitled to 40% of the federal funding which they have not received while North Carolina State receive 60% of the Federal funds under this program.

4. The North Carolina General Statutes clearly show that the Defendants are required to swear and oath of office to both Constitutions Federal and State and to up hold both Federal and State Statutes and etc. in order to hold a constitutional public office 11-7.Oath or affirmation to support Constitutions; all office receives wages under § 126-7. Compensation of State employees, North Carolina General Statutes § 128-21 Definitions, and N.C.G.S Chapter 87contractors. This disqualifies the defendants for any other compensation other then their pay check for any work on behalf of that public office but still require them to up hold the integrity of that office and the scope of that position.

5. Judge J. Randall May ruling in 1/19/2011 was that the defendants hold the same standing as Ronald Mc Donald, or Wendy, Jack In the Box hamburger employees ” as a private entity or a private corporation” and not a governmental office. Private entity lack subject matter to enforce State statutory law on private citizens, such private entity can only enforce law on their own kind. Other wise show me the law were Burger King

employee can pull the people over and site them for driving to fast in their parking lot. Mr. WILLIAM P. HART JR filing of February 11 2011 from the Attorney General Office is making the same allegation and is asking this Judicial Review Hearing to Rule that the defendants are not governmental units, but are a PRIVATE CONTRACTOR or PRIVATE ENTITY. That has the Right to impersonation a public official by misuse of that public office and receiving fraud funds under fraud.

6. The issue before this Court is that the Defendants violate the Rights of this Petitioner by violating Federal Statutes and States general statutes on the Right to travel freely. The Petitioner was force to appear in Gaston County Court operating under Maritime Law in an administrative court before a so called administrative law judge to face charges under State Statutes by a person claiming to represent the STATE OF NORTH CAROLINA when the defendant held no public office to make such a allegation using N.C.G.S as a base for the stop. By the Court own admission of acting under Maritime law jurisdiction the defendants have violate 18 USC 1652 Citizens as pirates and have the Hobbs Act.

7. The Defendants are continuing to violate Federal and State General Statutes by claiming they do not hold public offices under the States while they enforce Federal and State General statute laws and collect federal funds upon the Petitioner and the people of North Carolina as private contractors or private entity. The Federal statute that are in violation are ; Title 18 USC 912, 1346 ,1918, 1961 ,1962,, 241,242, 1001 1621 ,2382, 2383 ,2384, 2385, 2331, Patriot Act section 800, Title 31 USC 3729 FCA. (Each of these is Act of Congress.)N.C.G.S. § 99D-1 Interference with Civil Rights.

8 (a). Mr. WILLIAM P. HART JR. is claiming that all defendants hold standing as private contractor. Each of these positions of private contractor is list in the N.C.G.S as public offices as point out in my filing. By Mr. HART filing and his testimony and statement before this court has confirmed that the defendants are in violation N.C.G.S 99 D – 1 operating under COLOR OF LAW and are violation of federal laws and Act of Congress under Title 42 USC 1981, 1982, 1983, 1985, 1986, 1987 & 1988 as well as the Bill of Rights 4<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup> article / amendment. This well makes a great Title 42 Civil Rights Violation case in Federal Court against the defendants.

. N.C.G.S. § 99D-1 Interference with Civil Rights)

(a) It is a violation of this Chapter if:

(1) Two or more persons, motivated by race, religion, ethnicity, or gender, but whether or not acting under color of law, conspire to interfere with the exercise or enjoyment by any other person or persons of a right secured by the Constitutions of the United States or North Carolina, or of a right secured by a law of the United States or North Carolina that enforces, interprets, or impacts on a constitutional right;

8(b) The defendants have argued they are not government officials. Therefore this section of the General Statutes does not apply to the defendants as private contractor or private entity. This section would have protected the defendants had they had been a government employee operating within the scope of a real public office? But the scope of employment relationship is to uphold and follow the statutes as they are written and not

how they wish to interpret them, especially after the U.S. Supreme Court has made such ruling to define the proper interpretation of these Statutes and on this subject.

(c) No civil action may be brought or maintained, and no liability may be imposed, under this Chapter against a governmental unit, a government official with respect to actions taken within the scope of his official governmental duties, or an employer or his agent with respect to actions taken concerning his employees within the scope of the employment relationship. (1987, c. 718; 1991, c. 433, ss. 1, 2.)

9 The Petitioner well now put forth the issue of Qui Tam and a QUO WARRANTO to take claim of these public offices in the name of the people of North Carolina and ask this court to taxes and place a 14<sup>th</sup> amendment section 4 bounty against the defendants for created a public debt to that governmental public office. Judge May and Mr. Hart have Stated on the record that these are not State or governmental officials but now claims they are held by private contactor or private entity which been receiving State compensated and benefits as if it was public office. This is why North Carolina is bankrupt. The people State of North Carolina has been fraud out of it lawful federal funding by impersonator calling themselves private contractors instead of hold those offices as elected or appointed public officials under the constitution and the laws.

10. The Petitioner hold lawfully position as a Private Contractor as a Private Attorney General under Title 42, 1988 Proceedings in vindication of civil rights; as ordain by the 39<sup>th</sup> Congress of the united States and by the 111<sup>th</sup> Congress Committee on the Judiciary. As a Private Contactor to the people and the people of North Carolina as Private Attorney General the Qui Tam give me the authority; "Who sues on behalf of

the King as well as for himself." An action under a statute that establishes penalties for certain acts or omissions that can be brought by an informer or and in which a portion of the penalties, fines, awards can be awarded the whistleblower.

The vital importance of this incentive effect is demonstrated by the reasons set forth by Congress in 1986 in undertaking the first extensive revision of the Act since its enactment in 1863. Congress expressed its judgment that "sophisticated and widespread fraud" that threatens significantly both the federal treasury and our nation's national security only could successfully be combatted by "a coordinated effort of both the Government and the citizenry." S. Rep. No. 345, 99th Cong., 2d Sess. 2-3 (1986),

The importance of the Act's incentive effect is evidenced clearly in the revised Act's structure. A relator who properly brings a claim will generally receive a share of the recovery as well as eligibility for attorneys' fees and costs. See 31 U.S.C.A. S 3730(d) (West Supp. 1994). This is true even if the government decides to intervene and conducts the action itself, see *id.* S 3730(d)(1), or elects to pursue its claim in an administrative proceeding, see *id.* S 3730(c)(5). The right to recovery clearly exists primarily to give relators incentives to bring claims.

The private right of recovery created by the *qui tam* provisions of the FCA exists not to compensate the *qui tam* relator, but the United States. The relator's right to recovery exists solely as a mechanism for deterring fraud and returning funds to the federal treasury. See *Kelly*, 9 F.3d at 760. Therefore, *qui tam* actions exist only to vindicate the public interest.

11 The Petitioner hold lawfully position as Private Contractor as a Private Attorney General under Title 42 1988 Proceedings in vindication of civil rights; as ordained by the 39 Congress of the United States and by the 111<sup>th</sup> Congress Committee on the Judiciary. As a Private Contractor to the people and the people of North Carolina as Private Attorney General the Quo Warranto is the legal term for a writ (order) used to challenge another's right to either public or corporate office or challenge the legality of a corporation's charter. When the authority of an official or corporation to take action is challenged, a quo warranto action may be used to demand that the right upon which they base the action be stated. Statutes and rules of court in a number of jurisdictions permit private individuals to bring quo warranto, either in their own name or in the name of the state. The Governor Office has been notified and has failed to comply or take action, but has allowed the Attorney General office to cover up and use 12 b as a means to cover up abuse of federal funding and misuse of tax dollars and misapply federal and state statutes on the citizens of North Carolina..

Title 31 section 3729 FCA gives this Private Attorney General the ability to now act on behalf of the people and use the 14<sup>th</sup> amendment section 4 bounty as a means to repay back the public debt created by the defendants and the Governor Office and her Staff. The Petitioner now has the means to bring North Carolina State out of debt and place it back on track as this is to the public interest and welfare of the State.

#### **North Carolina General Statutes § 7A-247 Quo warranto**

The superior court division is the proper division, without regard to the amount in controversy, for the trial of all civil actions seeking as principal relief the remedy of quo warranto, according to the practice and procedure provided for obtaining that remedy. (1965, c. 310, s. 1; 1971, c. 377, s. 13.)

### **CONCLUSION**

Mr. Hart has failed to show where the defendants had any authority to enforce the laws on behalf of this State or enforce any Federal law on this Petitioner or the Citizens of this State. The position of Judge May and Mr. Hart clearly show the defendants are operation under COLOR OF LAW without authority to enforce States Statutes on the private Citizens. They are acting without authority; this is a violation of 18 USC 1652 Citizens as pirates and the Hobbs Act under 18 USC 1951. Mr. Hart and Mrs., LYNDIA TIPPETT both have failed to address the issue of the laws on the right to travel. But dodge the issue by claiming 12 b

The Attitude of the Governor Office and the Attorney General Office and the filing of these so called public offices and their disrespect of the laws and the disregard of their sworn declaration to uphold constitution and the Statutes and their best argument is 12 b's come under 12 f for a defense. These so call public officials can not rebut or dispute the facts, the laws, the Rule of Law, supreme Court Ruling. Or any Act of Congress that this Petitioner has placed before both of these Courts. The defendant whole defends is 12 b. This Court has subject matter over this case. The Rule of laws and public policy have been violate. The defendants have operated out their scope of authority by holding the Petitioner and others to a standard that can not possible apply to

us by supreme Court ruling and Act of Congress.

The people are not required to swear any declaration to up hold any laws but have a moral duty to be honest and law abiding to the best of our knowledge of the laws. On the other hand your position does require you to uphold the constitution and all Acts of Congress and the Rule of Law as a public office or as a private contractor if that what you want to be called.

Therefore, Mr. Class brings this action to this Court for settlement.

### **CURE**

### **REQUEST FOR DECLARATORY JUDGMENT**

The Petitioner comes before this Judicial Review Court and Prays that this Court Rules for the Plaintiff / Petitioner concerning the stated Judicial Error and settled Statutory Law that: The Petitioner now lay claim to payment for compensation of his time as all other parties are be compensated by tax payer money.

1 My time and injuries from Oct 20 2010 until Jan 19 2011 was \$900 dollars day for 92 days

2 My time for dealing in Gaston County Court from Oct 20 until Dec 9<sup>th</sup> is \$ 6500 dollars to have my case dismissed

3 My time and dealing with this court from the time of filing until a ruling is made and under Qui Tam and Quo Warranto & Title 42 1988 well be \$1200 dollars a day plus under FCA 33 1/3 % of the recovery on the 14<sup>th</sup> amendment section 4 bounty as part of

the public debt caused by the defendants.

4 All payable on 100% on the dollar in 20 or 50 dollar gold coin that are .9999 pure gold as the FRN does not have a penny of gold worth but are internal currency as stated in the 1933 Congressional record by Mr. Mc Fadden on the floor of congress in March 9<sup>th</sup> 1933

5 The STATE OF NORTH CAROLINA well reimburses North Carolina State and the people of North Carolina the public debt that it has caused on this State. The STATE OF NORTH CAROLINA will have 30 days to assess the debt that it has caused to the public and reimburse the true state of North Carolina and its people to place this state back in the black and take it out of its bankruptcy state. One third of this will come back to the plaintiff for bringing this to the court's attention as a whistleblower to clear the public debt. For this is what the 14th amendment section 4 bounty is, it is to clear the public debt caused by those who abuse their constitutional and public office to the people.

6. The 14th amendment section 4 bounty is not a lean but a means of collecting the public debt and balancing the books and budgets of the state as well as the country. The legislation created this amendment to give the people a means to collect for the public debt in order for the people to keep checks and balances in the system . The courts or required to enforce this part of the Constitution in order to keep the system honest and from being abused by those who hold public office who would knowingly and willingly create such a debt and the burden on the people.

(a) The Defendants are "Private Entity(ies)" acting without authority under

**color of law** and have misused the N.C.G.S. as written for those who hold Public Offices only and were elected or appointed under the Constitution for the State of North Carolina. **OR,**

(b) The Defendants are employed under the N.C.G.S. as administrators / agencies / departments / public offices / public officers as defined under the N.C.G.S and under N.C.G.S. compensation section to receive wages and benefits for that administrative public office. **OR,**

(c) The Defendants lack any entitlement to any public office as it is not defined under the Constitution of this State which is void of public position and have acted in their "private personal capacity" outside the State Constitution by impersonating public officers under the N.C.G.S and acting under **color of law** in order to rape, pillage and blunder the people of this State as **private racketeers**. **OR,**

(d) The Defendants are public officers under the N.C.G.S as administrative offices as agencies and department under the Executive branch of government of this State of North Carolina their by be required to follow the N.C.G.S under their procedure of that administrative offices for federal funding programs. **OR,**

(e) The defendants are operating as a Private Corporation under **color of law** using the name of the State and political subdivision that is a constitutional public office to the people to collect federal fund by impersonation of said public officials. **OR.**

(f) If the Judicial Review Court cannot Rule or fails to Rule on any one of the above issues or refuse or fail to issue a Declaratory judgment of its own on this issue, it is admitting that the Defendants are operating under **Color of Law** without Statutory or Constitutional authority and are acting a **private racketeers** to rape, pillage and blunder the people of this State.

The Attorneys General Office has admitted that they are “Private Entities or PRIVATE CONTRACTORS” acting under **color of law** and not within the bounds of the Constitution or Federal or State statutory laws of those public offices as found in the U.S.C., C.F.R. or N.C.G.S.

The Petitioner Prays for a Judicial Review Rules to hold the defendants accountability to the job they have taken under their sworn declaration to up hold the laws and protected rights of the people.

Petitioner reserves the right to amend this filing without leave of the Court.

Expressly Reserving All Inherent Rights and Liberties,

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Rodney–Dale; Class  
Private Attorney General  
C/o P.O. Box 435  
High Shoals, North Carolina 28077

PROOF OF SERVICE

NOW, COMES, The Petitioner Rodney-Dale; Class with a PETITION: QUI TAM JURISDICTION; ADMINISTRATIVE PROCEDURES ACT OF 1946 S.7 60 STAT 237, TITLE 5 SECTIONS 702 TITLE 28 SECTIONS 1652. & N.C.G.S. 150B-45. QUO WARRANTO MOTION TO STRIKE DEFENDANT PLEADING RULE 12 F to files with the SUPERIOR COURT OF WAKE COUNTRY PER JUDGE MAY COURT ORDER on this day of \_\_\_\_\_ month of \_\_\_\_\_ in the year of our Lord 2011 AD. The defendants document will be by U.S. MAIL

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Rodney-Dale; Class  
Private Attorney General  
C/o P.O. Box 435  
High Shoals, North Carolina 28077

CC:  
SECRETARY LYNDIA TIPPETT  
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Administrative Defendants

Governor Bev Perdue  
Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301

Notification of administrative violation

**SUPERIOR COURT  
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**ENTRY OF JUDGEMENT**

This Court ENTRY OF JUDGEMENT is in favor of the Plaintiff Rodney –Dale; Class. The Department of Transportation has misread the laws on the issue of driver license and issuing tag to the general public. State driver licenses and tag do indeed come under commerce and are for commercial use only and not to the general population of North Carolina.

The North Carolina licensing and tag agency has been miss in formed on the Federal and State laws regarding the issuing of license plates to the General population of North Carolina.

The Dallas police Department and its officers have been miss lead to believe that the general population comes under the term of commercial and that it is a privilege to driver and a protect Right under the constitution as well as Federal and State Statutes.

This Court Rules that Judge Randall May and the Attorney General Office are in error when they refer to the defendants as just private entity or private contractor when it is a requirement to support the Constitution and the Federal and State laws in this State. This are public office working in North Carolina State as a service to the people at the will of the people and this Court well quote this phrase out of our State Constitution

Sec. 2. Sovereignty of the people.

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

This Court rules that the plaintiff drivers license will not be use an interpreted as a means of being in commerce or for commercial activities but just a means as I is identification. But will be allowed to have his own tag on his vehicles which will be

noted by the Department of Transportation and placed on nationwide registry to identify his vehicles. The court is aware that people do have to qualify to be able to drive on the streets and highways of this state in this country. The Court has recognized that a drivers license should be issued to assure qualified drivers but not to be used as a means of commercial or commerce where they had been in the past. This Court agrees that the age of 16 with a permit still should be a requirement for safety for the street and this Court and the plaintiff both recognizes this issue as a safety factor.

The Court well place a 14<sup>th</sup> amendment section 4 bounty against the STATE OF NORTH CAROLINA for the public debt and not North Carolina State at the request of the Plaintiff as it is His Right under the Federal Constitution to due so and The STATE OF NORTH CAROLINA will compensation the Plaintiff Rodney –Dale; Class in the way he has laid out in his filing 100% value on the dollar in 20 or 50 dollar gold coins.

The STATE OF NORTH CAROLINA well have 30 days to comply in the amount of the public debt and taken out of their private account and put it back into the account for the state of North Carolina and back into the People's account in order to clear the public debt created by private entities and private contractors who now hold the folic office. One third of this will be given to the plaintiff Rodney –Dale; Class as compensation for him to balance the budget and satisfy the public debt to the state. This portion of the compensation will be placed into account for the plaintiff under his name into the State Comptroller of currency and the plaintiff will be issued a debit card from the Comptroller of currency for him to have access to this account of this money owed to him. The plaintiff will receive an itemized record of the amount of money placed into his account at a monthly statement will be issued each month. The plaintiff will have the

standard interest rate on this account is what the state receives.

So ordered by this Court and this is the Judgment Entry of this court.

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**N. LORRIN FREEMAN**  
**JUDICIAL REVIEW JUDGE**

**North Carolina Motor Vehicle License Plate Agency  
1471 E Franklin Blvd.  
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