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U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FT. WORTH DIVISION

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CLERK OF COURT

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

JAMES MICHAEL TESI, §
§
Demandant, §
§
v. §
§
CHASE HOME FINANCE, LLC, §
JPMORGAN CHASE & CO., JAMES §
(JAMIE) DIMON CEO, et al. and §
TERRY ROSS, Substitute Trustee, §
et al., §
§
Respondents. §

CIVIL ACTION NO.4:10-cv-00272 - *y*

NOTICE TO CIVIL PENALTIES & PURSUIT OF GRAN JURY INDICTMENTS

To the United States District Court , Northern District Of Texas and all Interlopers:

You were all duly Noticed of the following:

The referred to case remains under common law. The use of state and federal statutes, codes, rules, regulations or any court citations within any document submitted to any court, including this court, at any time, is only to notice My servants in that court, that which is applicable to them and is not intended, not shall it be construed, to mean that the I have conferred, submitted to, or entered into any jurisdiction alluded to thereby. Any referral to codes, statutes, rules, regulations or any court citations within any submitted document into this case does not apply, can not be enforced upon or restrict the Demandant.

This Court and all officers of this court have no right to presume anything about the Demandant, except that he is a sovereign living soul, unimpaired by any contracts (sui juris), and the he has complete and total access to all of his God given common law rights. **Terry R. Means**, Wm. Lance Lewis, Melanie Spriggs, QUILING, SELANDER, CUMMISKEY & LOWNDS, P.C., Shelly L. Douglas , BARRETT, DAFFIN FRAPPIER TURNER & ENGEL, LLP, Michael J. McKleroy, Jr., Robert F. Maris and MARIS & LANIER, **YOU were all as of MAY 8th NOTICED, TERMINATED and RELEASED, however you continue to damage the Demandant. Therefore, You are now noticed that Grand Jury indictments will be sought against each and every one of you.**

All documents entered into this case by 3rd parties including but not limited to Wm.

Lance Lewis, Melanie Spriggs, QUILING, SELANDER, CUMMISKEY & LOWNDS, P.C., Shelly L. Douglas , BARRETT, DAFFIN FRAPPIER TURNER & ENGEL, LLP, Michael J. McKleroy, Jr., Robert F. Maris and MARIS & LANIER, **are hearsay and have NO STANDING as Law or fact, shall be disregarded and stricken from the record.**

Justification for Civil and Criminal Penalties

These citations apply YOU!

It's a VIOLATION of the 11th Amendment for a FOREIGN CITIZEN to INVOKE the JUDICIAL POWER of the State.

Article XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

US citizens (FEDERAL CITIZENS) are FOREIGN to the several States and SUBJECTS of the FEDERAL UNITED STATES/STATE of NEW COLUMBIA/DISTRICT OF COLUMBIA.

ATTORNIES are considered FOREIGN AGENTS under the FOREIGN AGENTS REGISTRATION ACT (FARA) and are SUBJECTS of the BAR ASSOCIATION.

Government Is Foreclosed from Parity with Real People

– Supreme Court of the United States 1795

"Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. can concern itself with anything other than corporate, artificial persons and the contracts between them."

S.C.R. 1795, Penhallow v. Doane's Administrators (3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54),

Supreme Court of the United States 1795

And,

"An attorney for the plaintiff cannot admit evidence into the court. He is either an attorney or a witness".

(Trinsey v. Pagliaro D.C.Pa. 1964, 229 F. Supp. 647)

Subject: Trinsey v Pagliaro, 229 F.Supp. 647: when you read it you will find that it is THE case cited for FRCivP 12(b) (6).

There are two Maxims in Law that are opposite sides of the same coin: Truth is Expressed in the Form of an Affidavit, & An Unrebutted Affidavit stands as Truth in the Matter.

When an attorney comes forward and "testifies" about how someone says such or did such-and-such. They are not a First-Hand-Witness, they are submitting hearsay testimony or simply submitting a "Statement of Counsel in Brief or Argument."

Terry R. Means you were and are officially noticed of 3rd party hearsay submissions into this case. To this point the Demandant is the only party who has actually introduced FACTS into the case.

The Demandant reminds the Court and Judge that the ONLY thing they are to consider is the FACTS of the case ON THE RECORD, and that the opposing "counsel" has only been "enlightening" to the Court, but not sufficient to rise to the level of FACT.

This applies both with Federal Rules of Evidence and State Rules of Evidence.... there must be a competent first hand witness (a body). There has to be a living man or woman making the complaint and bringing evidence before the court. Corporations are paper and can't testify.

"Manifestly, [such statements] cannot be properly considered by us in the disposition of [a] case." United States v. Lovasco (06/09/77) 431 U.S. 783, 97 S. Ct. 2044, 52 L. Ed. 2d 752,

"Under no possible view, however, of the findings we are considering can they be held to constitute a compliance with the statute, since they merely embody conflicting statements of counsel concerning the facts as they suppose them to be and their appreciation of the law which they deem applicable, there being, therefore, no attempt whatever to state the ultimate facts by a consideration of which we would be able to conclude whether or not the judgment was warranted." Gonzales v. Buist. (04/01/12) 224 U.S. 126, 56 L. Ed. 693, 32 S. Ct. 463.

"No instruction was asked, but, as we have said, the judge told the jury that they were to regard only the evidence admitted by him, not statements of counsel", Holt v. United States, (10/31/10) 218 U.S. 245, 54 L. Ed. 1021, 31 S. Ct. 2,

"The prosecutor is not a witness; and he should not be permitted to add to the record either by subtle or gross improprieties. Those who have experienced the full thrust of the power of government when leveled against them know that the only protection the citizen has is in the requirement for a fair trial." Donnelly v. Dechristoforo, 1974.SCT.41709
<<http://www.versuslaw.com>> ¶ 56; 416 U.S. 637 (1974) Mr. Justice Douglas, dissenting.

"Care has been taken, however, in summoning witnesses to testify, to call no man whose character or whose word could be successfully impeached by any methods known to the law. And it is remarkable, we submit, that in a case of this magnitude, with every means and resource at their command, the complainants, after years of effort and search in near and in the most remote paths, and in every collateral by-way, now rest the charges of conspiracy and of gullibility against these witnesses, only upon the bare statements of counsel. The lives of all the witnesses are clean, their characters for truth and veracity un-assailed, and the evidence of any attempt to influence the memory or the impressions of any man called, cannot be successfully pointed out in this record." Telephone Cases. Dolbear v. American Bell Telephone Company, Molecular Telephone Company v. American Bell Telephone Company. American Bell Telephone Company v.. Molecular Telephone Company, Clay Commercial Telephone Company v. American Bell Telephone Company, People's Telephone Company v. American Bell Telephone Company, Overland Telephone Company v. American Bell Telephone Company,. (PART TWO OF THREE) (03/19/88) 126 U.S. 1, 31 L. Ed. 863, 8 S. Ct. 778.

"Statements of counsel in brief or in argument are not sufficient for motion to dismiss or for summary judgment," Trinsey v.. Pagliaro, D. C. Pa. 1964, 229 F. Supp. 647.

"Factual statements or documents appearing only in briefs shall not be deemed to be a part of the record in the case, unless specifically permitted by the Court" – Oklahoma Court Rules and Procedure, Federal local rule 7.1(h).

Trinsey v Pagliaro D.C.Pa. 1964, 229 F. Supp. 647. "Statements of counsel in brief or in argument are not facts before the court and are therefore insufficient for a motion to dismiss or for summary judgment." Pro Per and pro se litigants should therefore always remember that the majority of the time, the motion to dismiss a case is only argued by the opposing attorney, who is not allowed to testify on the facts of the case, the motion to dismiss is never argued by the real party in interest.

"Where there are no depositions, admissions, or affidavits the court has no facts to rely on for a summary determination." Trinsey v. Pagliaro, D.C. Pa. 1964, 229 F. Supp. 647.

Frunzar v. Allied Property and Casualty Ins. Co. (Iowa 1996)† 548 N.W.2d 880 Professional statements of litigants attorney are treated as affidavits, and attorney making statements may be cross-examined regarding substance of statement. [And, how many of those Ass-Holes have "first hand knowledge"? NONE!!!]

Porter v. Porter (N.D. 1979) 274 N.W.2d 235 ñ The practice of an attorney filing an affidavit on behalf of his client asserting the status of that client is not approved, inasmuch as not only does

the affidavit become hearsay, but it places the attorney in a position of witness thus compromising his role as advocate.

Deyo v. Detroit Creamery Co (Mich 1932) 241 N.W.2d 244 Statutes forbidding administering of oath by attorney's in cases in which they may be engaged applies to affidavits as well

Therefore, Comes the Demandant James Michael Tesi, Creditor and Agent for JAMES M.

TESI © Putting all Parties on Notice that Civil penalties will be levied against the following parties each and individually per contractual agreement and or public law D210003952 as recorded at the Tarrant County recorder's Office:

Wm. Lance Lewis, Melanie Spriggs, QUILING, SELANDER, CUMMISKEY & LOWNDS, P.C., Shelly L. Douglas , BARRETT, DAFFIN FRAPPIER TURNER & ENGEL, LLP, Michael J. McKleroy, Jr., Robert F. Maris and MARIS & LANIER.

Melanie Spriggs QUILLING SELANDER CUMMISKEY LOWNDS are ordered to pay James Michael Tesi \$800, 000.00 with 30 days of this notice per the Notice of Acceptance to Contract.

For frivolous communications violations:

Celia Preciado you have presented frivolous communications in violation of public law D210003952 are ordered to pay James Michael Tesi, the Demandant \$60,000.00 dollars.

Violation	Date	Claim
Unlawful representation as an interested party in a private civil matter Document evidence cert U.S. Mail 7008 0500 0001 29680974	May 3, 2010	10,000.00
Unlawful representation as an interested party in a private matter Document evidence cert U.S. Mail 7008 0500 0001 2968 1216	June 1, 2010	10,000.00
Total Due		20,000.00

MARIS & LANIER, P.C. are ordered to pay James Michael Tesi, Demandant \$70, 000.00 dollars.

Violation	Date	Claim
Unlawful representation as an interested party in a private civil matter Document evidence cert U.S. Mail 7008 0500 0001 29680974	May 3, 2010	10,000.00
Unlawful representation as an interested party in a private civil matter Document evidence cert U.S. Mail 7008 0500 0001 2968 1018	May 5, 2010	10,000.00
Unlawful representation as an interested party in a private civil matter Document evidence cert U.S. Mail 7008 0500 0001 2968 1018/1st class	May 5, 2010	50,000.00
Total Due		70,000.00

Michael J. McKleroy, Jr., are hereby ordered to pay James Michael Tesi, the demandant 70,000.00 dollars.

Violation	Date	Claim
Unlawful representation as an interested party in a private civil matter Document evidence cert U.S. Mail 7008 0500 0001 29680974	May 3, 2010	10,000.00
Unlawful representation as an interested party in a private civil matter Document evidence cert U.S. Mail 7008 0500 0001 2968 1018	May 5, 2010	10,000.00
Unlawful representation as an interested party in a private civil matter Document evidence cert U.S. Mail 7008 0500 0001 2968 1018/1st class	May 5, 2010	50,000.00
Unlawful representation as an interested party in a private matter Document evidence cert U.S. Mail 7008 0500 0001 2968 1216	June 1, 2010	50,000.00
Total Due		120,000.00

Therefore, Comes the Demandant James Michael Tesi, Creditor and Agent for JAMES M. TESI © Putting all Parties on Notice Grand Jury Indictments will be sought against the following parties:

Terry R. Means, you are without standing, grand jury indictments will be sought against you including but not limited to multiple counts of destruction of evidence, attempting to convert a living being into a corporation, suppression of common law rights and violation of your oath of office.

Melanie A. Spriggs, it is the Demandant's position that you have perjured yourself therefore grand jury indictments will be sought against you including but not limited to bearing false witness, Defamation/Slander and violation of your oath of office. To this date no party of interest has ever produced a wet ink signed original promissory note. However, You stipulated that the Demandant executed a promissory note with regards to purchasing the property at 669 Bear Creek Drive, Hurst Texas, therefore it is the Demandant's position that you have admitted the Demandant was the creditor and debt was settled back on April 21, 2006. Therefore, CHASE HOME FINANCE LLC, JPMORGAN CHASE & CO. et al. (not the original mortgage Co.) never had a lawful interest in the referred to property and never offered any consideration.

Furthermore, it is the Demandant's position that CHASE HOME FINANCE LLC et al., must have been committing fraud when they alleged they were servicing a debt. Thank you for helping me make my case! You Melanie Spriggs have characterized Bonds issued for settlement on an alleged debt as Illegitimate, however a grand jury and De jure common law court with higher jurisdiction than any Corporate U.S. Court has ruled that the bonds were legitimate. You also make the statement that a Bonded Promissory Note binds the Demandant (plaintiff in your words) to the United States of America. It is the Demandant's position that you are ignorant of the facts as it is the Upper case fiction that is bonded to the United States Government.

Secondly, if you have a problem with the legitimacy of the Birth Certificate bond go argue with the City of New York who issued the Birth Certificate bond or the Comptroller of Currency who determines what currency circulates.

Michael J. Mckleroy, it is the Demandant's position that you have perjured yourself, therefore grand jury indictments will be sought against you including but not limited to bearing false witness, violation of your oath of office.

Terry Ross, you are in default, grand jury indictments will be sought against you including but not limited to grand larceny and fraud.

Also, it is the Demandant's position that **CHASE HOME FINANCE LLC**, per the Texas Secretary of State has no standing to do business in the State of Texas. Therefore, you have no standing in the matters regarding Texas properties or contracts.

Furthermore, as all respondents are now in DEFAULT they forfeit all remedy for damages.

James Dimon CEO of JPMORGAN CHASE & CO. you have been criminally indicted and judged before a de jure court of Texas, you have waived your civil remedy.

Terry Ross it is the Demandant's position that you fraudulently signed your name as a substitute trustee without the permission of the true land owner being James-Michael Tesi, living man and creditor. It is the Demandant's position that you Terry Ross, acted in concert with **BARRETT DAFFIN FRAPPIUER TURNER & ENGEL., LLP** and **CHASE HOME FINANCE LLC** to commit grand larceny. It is the Demandant's position that his documents recorded with the

Tarrant County Recorder support his claims and that your lack of lawful documentation supports the claim that you are not the lawful trustee of the property at 669 Bear Creek Drive Hurst Texas. You are therefore responsible for your actions. It is the Demandant's position that You have therefore waived your civil remedies.

CHASE HOME FINANCE, LLC, JPMORGAN CHASE & CO., et al. you are all in default and have admitted your guilt, you have therefore waived your civil remedies.

Furthermore, any further utterance in any form of communication by Terry R, Means who has been FIRED and removed from any matters in regards to this case or any other case involving James Michael Tesi, or JAMES M. TESI© or any derivation thereof will result in a fine One Million (1,000,000) dollars, silver or gold species, in lawful coinage for Texas or the united states of America as defined in the respective we the people contract/constitutions per occurrence.

Furthermore, from this point on, any individual or corporation attempting to represent the Demandant or respondents without providing a written affidavit of representation signed under penalty of perjury will be fined Fifty thousand dollars (\$50,000.00), silver or gold species, in lawful coinage for Texas or the united states of America as defined in the respective we the people contract/constitutions per occurrence payable in 30 days to James-Michael: Tesi at 8528 Davis Blvd., #134-198 North Richland Hills Texas [76182] or in c/o Lesha Ferrell, Notary Public, PO Box 822582 North Richland Hills, Texas [76182]

Furthermore, you were noticed on May 18th, 2010 of the following: as a higher court than this so called Federal Corporatism Court has ruled on the matter with regards to grand jury indictments & judgment(s) cause No. 09-0628 (copy provided) of the Robertson county Common Law Court. The Common Law Court ruling were as follows:

James Dimon (and all that he is), CEO/Chairman of JPMORGAN CHASE & CO. was to send the Demandant a receipt stating full payment by a negotiable instrument for the so called instrument or loan No. 1845610624 was made within 45 days to James-Michael; Tesi c/o 8528 Davis Blvd., #134-198 North Richland Hills, Texas. The respondent has failed to follow the court's ruling, therefore he is in default and the only duty of your court in that matter of CHASE HOME FINANCE, LLC, JPMORGAN CHASE & CO., James (Jamie) Dimon is to enforce your codes rules and regulations on the respondents or any other 14th amendment to the U.S. charter citizen. If the respondents don't understand or have dispute with the common law court then they need to address that court, as some post bankruptcy corporate court has no standing to rule over a peoples common law court or grand jury.

Furthermore, you were also noticed on May 18th, 2010 that the respondents are hereby provided 10 days upon receipt of this document to abide by the Common Law court ruling and provide the Demandant James Michael Tesi c/o 8528 Davis Blvd. 134-198 North Richland Hills Texas [76182] with a genuine signed statement that the alleged Loan No. 1845610624 regarding the private property at 669 Bear Creek Drive, Hurst Texas, is settled in full for closure upon which all matters regarding the said property will be settled. Silence is acquiescence and will constitute Res judicata.....Therefore CASE CLOSED the respondents have acquiesced to their guilt.

Furthermore, None of your 3rd party BAR card associates or their references to corporate case law ruling can over-ride a common law court. Therefore, YOU Terry R. Means, Wm. Lance Lewis, Melanie Spriggs, QUILING, SELANDER, CUMMISKEY & LOWNDS, P.C., Shelly L. Douglas , BARRETT, DAFFIN FRAPPIER TURNER & ENGEL, LLP, Michael J. McKleroy, Jr.,

Robert F. Maris and MARIS & LANIER, **YOU ARE ALL FIRED!, YOU ARE ALL FIRED!, YOU ARE ALL FIRED!**

Furthermore, all parties are noticed as of this date June 7, 2010 all electronic filing by all parties shall cease and that any violation of such will result in a fine of Fifty Thousand (\$50, 000.00) dollar fine in lawful money, per occurrence.

Furthermore, all parties are noticed that private property owners are authorized to use deadly force on trespassers and that Trespassing on Texas Land Patented Property is a felony.

Respectfully submitted under penalty of perjury,



James Michael Tesi, Demandant, Creditor
8528 Davis Blvd., 134-198
North Richland Hills, Texas, [76182]
817-680-4678

NOTARY'S CERTIFICATE OF SERVICE

It is hereby certified, that on 7th day of June, 2010, a true and correct copy of the of the above and foregoing instrument issued by James-Michael: Tesi, living soul is being served as follow:

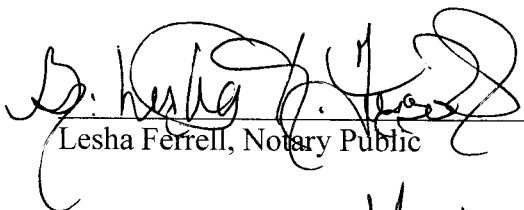
U.S.P.S. Certified Mail Return Receipt Requested

Melanie A. Spriggs
QUILLING SELANDER CUMMISKEY LOWNDS
2001 Bryan St. Suite 1800
Dallas, Texas 75201

Michael Mckleroy
MARIS & LANIER, P.C.
1310 Premier Place
5910 N. Central Expressway
Dallas, Texas 765206

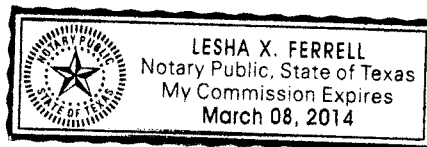
CHASE HOME FINANCE LLC, JPMORGAN
CHASE & CO. James Dimon etal.
3415 Vision Drive
Columbus, OH 43219-6009

Terry Ross
15000 Surveyor Blvd, Ste 100
Addison, TX 75001

 SLS. (Seal)
Lesha Ferrell, Notary Public

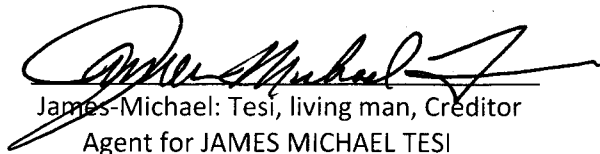
Date June 7th 2010

my commission expires March 08, 2014 (stamp)



[Note: Notary Public, Lesha Ferrell, ("is not") an attorney; is not licensed to practice law in the state of Texas and has not given legal advice nor accepted fees for legal advice. I provided no assistance in the preparation of the above referenced documents; and has no interest in any issue referenced therein. Lesha Ferrell is not a party to this action and is ONLY acting in an authorized capacity as liaison to communications between the parties.

I, James Michael Tesi, a Natural Born Man, herein further known as Affiant, am more than twenty-one (21) years of age and fully competent to testify to the facts stated herein to which Affiant has direct and personal knowledge. The facts testified to are the truth, whole truth, and nothing but the truth to the best of Affiant's belief.



James-Michael: Tesi, living man, Creditor
Agent for JAMES MICHAEL TESI
c/o 8528 Davis Blvd, 134-198
North Richland Hills, Texas [76054]
817-680-4678

On this the 7th day of June 2010, James Michael Tesi, appeared before me, this day and personally appeared as the above-signed affiant, known to me to be the one who's ascertained name is signed on this affidavit, and has acknowledged to me that he has executed under ascertained full faith and full knowledge of the same under such authority of fact would invoke.

The Undersigned, hereby verifies, under penalty of perjury, that the above statements of fact are true and correct, to the best of our current information, knowledge, and belief, so help Us God.

Witnesses

We, the undersigned witnesses, who are sovereign living souls, each and every one of us, and inhabitants of the land of Texas, do hereby certify that we witnessed the signature of James Michael; house of Tesi, who is also a sovereign living soul, and an inhabitant of the land of Texas.

Name Signature Date City nearest abode:
Neva-Dean: Parks Neva-Dean: Parks Burleson

RICHARD PARK Richard & Park Burleson

