

Robert Wilson Stewart, pro per.
c/o 2812 North 34th Place
Mesa, Arizona state (No Zip)
(480) 325-5624, Fax 325-5625

District Court of the united States of America
for the state of Arizona

THE UNITED STATES, INC.
JOSE de JESUS RIVERA, ESQ.

Alleged Plaintiff

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* Case No. CR-000698-PHX-ROS
*
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vs.

Robert Wilson Stewart pro per.
Mesa, Arizona state
(NO ZIP CODE!)

* Judge Roslyn O. Silver
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* Special Demand for Specific
* BILL OF PARTICULARS, with
Alleged Accused

* Affidavit of Verification.

Maricopa county, state of Arizona: ss To the United States
Attorney for the District of Arizona, Greetings:

TAKE NOTICE that pursuant to Article II Sections 24, 32 and 33 of the Constitution for Arizona (1911), the fifth and sixth articles in amendment to the Constitution for the united States of America (1791), Federal Rule of Civil Procedure 12(e) and Federal Rule of Criminal Procedure 7(f), the alleged accused Arizona state Citizen, Robert Wilson Stewart, sui juris, hereafter referred to as "Alleged Accused", hereby demands that you forthwith produce and serve upon the Alleged Accused, in the above captioned purported cause of action, a Specific Bill of Particulars. Said Bill is duly requested and necessary in order to fully inform the unrepresented Alleged Accused of the Complete Nature, and cause of the alleged accusation(s) or claim(s) against him so that he may

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enter a knowing, intelligent and informed plea, and to make more definite and certain the purported accusatory instrument(s) and rumored claim(s) of the alleged plaintiff in the following respects, to wit:

1) What name does the alleged plaintiff claim, pursuant to the above captioned purported instant action, is the true Christian appellation or full name of the Alleged Accused? [Please state the complete prænomen, nomen and cognomen in proper capital and lower case letters.]

2) Does the alleged plaintiff claim, pursuant to the above captioned purported instant action, that the Alleged Accused is a juristic (legal) or statutory person who spells its name in all capital letters?

3) Does the alleged plaintiff claim, pursuant to the above captioned purported instant action, that the Alleged Accused is neither a normal person nor an Arizona state Citizen?

4) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused is an officer, agent, employee, licensee or franchisee of the United States or any other such form of "Federal personnel" as defined by Title 5 Section 552(1)(13) of the United States Code?

5) If the alleged plaintiff claims, pursuant to the above captioned purported instant action, that the Alleged Accused is a legal entity (i.e. statutory person), what facts are alleged to support any assertion that the Alleged Accused is an ens legis or

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other form of juristic entity or legal fiction? [See 18 USC § 921(a)(1); Ejusdem Generis Rule, noscitur a sociis maxim.]

6) Does the alleged plaintiff claim, pursuant to the above captioned purported instant action, that the rumored criminal offense or civil tort occurred within the boundaries of the organic state of Arizona as such boundaries are ascertained and declared at Article I Section 1 of the Constitution for Arizona (1911)?

7) Is the above captioned purported instant action filed or pending in a court of record within the boundaries of the organic state of Arizona as such boundaries are ascertained and declared at Article I Section 1 of the Constitution of Arizona (1911)?

8) Does the alleged plaintiff claim that the court or tribunal, wherein the above captioned purported instant action is allegedly filed or pending, has either venue, subject matter or personam jurisdiction beyond or extrinsic to the boundaries of the federal District of Arizona?

9) Is the above captioned purported instant action a criminal case (i.e. is there a possibility of any term of incarceration, imprisonment, or imposition of a criminal fine)?

10) Does the alleged plaintiff claim that the above captioned purported instant action is being brought ex relatione by a private relator?

11) Is the above captioned purported instant action being brought as a civil or remedial case?

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12) What is (are) the complete name(s) and address(es) of the injured or damaged party(ies), pursuant to the above captioned purported instant action?

13) What is the total amount of compensatory damages being sought, pursuant to the above captioned purported instant action?

[Please supply damage estimates from two or more sources.]

14) Pursuant to the above captioned purported instant action, what, if any, amount is being sought for punitive or exemplary relief?

15) Pursuant to the above captioned purported instant action, is the court or tribunal sitting at law, or in equity?

16) If the court or tribunal is sitting at law, pursuant to the above captioned purported instant action, what common law writ was petitioned for by the alleged plaintiff?

17) If the court or tribunal is sitting in equity, pursuant to the above captioned purported instant action, is the bill allegedly filed in the case based on breach of a written contract, tort, trover, or on some stated general assumpsit claim?

18) If either the organic, or corporate state of Arizona is alleged to be the damaged or injured party, pursuant to the above captioned purported instant action, give the name and address of one or more citizens, officers, employees, political subdivisions or agencies of said states who were injured, damaged or otherwise harmed by the Alleged Accused.

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19) If either the corporate United States or the federal District of Arizona is alleged to be the damaged or injured party, pursuant to the above captioned purported instant action, give the name and address of one or more citizens, residents, officers, employees, political subdivisions or agencies of said federal areas who were injured, damaged or otherwise harmed by the Alleged Accused.

20) If a political subdivision of the corporate state of Arizona is alleged to be the damaged or injured party, pursuant to the above captioned purported instant action, give the names and addresses of one or more residents, officers, agents, employees, or agencies of such political subdivision who were injured, damaged or otherwise harmed by the Alleged Accused.

21) If a political subdivision of the corporate United States is alleged to be the damaged or injured party, pursuant to the above captioned purported instant action, give the names and addresses of one or more residents, officers, agents, employees, or agencies of such political subdivision who were injured, damaged or otherwise harmed by the Alleged Accused.

22) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that JOSE de JESUS RIVERA is authorized to bring suit, prosecute or enter a pleading, on behalf of either the corporate, or organic state of Arizona?

23) Pursuant to the above captioned purported instant action,

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does the alleged plaintiff claim that JOSE de JESUS RIVERA is authorized to bring suit, prosecute or enter a pleading, on behalf of a political subdivision of the corporate State of Arizona?

24) Does the above captioned purported instant action allege a quasi-criminal, popular/qui tam, or other form of non-criminal infraction?

25) Pursuant to the above captioned purported instant action, what are the complete names and addresses of all real parties in interest, including all necessary and indispensable parties? [See Federal Civil Rules, Title IV.]

26) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim to be currently bankrupt or insolvent?

27) Is the above captioned purported instant action filed or pending in an Article III judicial Branch Court of general jurisdiction?

28) Is the above captioned purported instant action filed or pending in an Article III Judicial Branch Court of limited or special jurisdiction?

29) Is the above captioned purported instant action filed or pending in an Article I legislative branch court or statutory tribunal of limited or special jurisdiction?

30) Is the above captioned purported instant action filed or pending in an executive branch court or administrative tribunal of limited or special jurisdiction?

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31) Pursuant to any trial of the above captioned purported instant action, is cross examination of witnesses limited in scope to the subject matter of direct examination and matters affecting credibility (i.e., "Federal" or "Familiar" rule), or is cross examination of witnesses unlimited as to all relevant matters (i.e. "British" or "Orthodox" rule)?

32) Did the alleged offense(s) occur within a statutory (i.e. corporate State or federal district) venue, or within a common law (i.e. organic state) venue, pursuant to the above captioned purported instant action?

33) Are the alleged offenses mala in se, or mala prohibita, pursuant to the above captioned purported instant action?

34) Did the alleged offenses occur in a military, martial law, or admiralty venue pursuant to the above captioned purported instant action?

35) What are the facts claimed and relied upon by the alleged plaintiff, that would place the Alleged Accused in any venue other than one of common law, pursuant to the above captioned purported instant action?

36) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused has violated one or more positive laws or statutes (i.e. enacted bill) as contra-distinguished from some United States Code, or Municipal By-law "adopted" and "codified" as part of a joint resolution?

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37) Pursuant to the above captioned purported instant action, what duly enacted Statutes at Large as contra-distinguished from any colorable U.S. Code(s), does the alleged plaintiff claim were violated by the Alleged Accused?

38) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that any "United States Codes" violated by the Alleged Accused, contain a legitimate enacting clause and title?

39) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused has been previously convicted of a true common law felony (i.e. mr. & mrs. lamb) or merely convicted of a statutory high crime?

40) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused's private possession within the organic state of Arizona of "one (1) Ruger, New Model Blackhawk, .357 magnum caliber revolver, serial number 36-34668" willfully impeded, obstructed, hindered or adversely affected interstate commerce within these united States of America?

41) Pursuant to the above captioned purported instant action, exactly where and when does the alleged plaintiff claim the alleged offenses occurred?

42) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that at the time the alleged

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offenses occurred that the Alleged Accused was within the federal District of Arizona?

43) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that "one Sten, Model MKIII, 9mm machinegun, bearing serial number C79170", allegedly possessed by the Alleged Accused, was used or intended to be used as a "weapon" by the Alleged Accused?

44) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused was a "person" required to register "one (1) Sten, Model MKIII, 9mm machinegun, bearing serial number C79170" "in the National Firearms Registration and Transfer Record" and that such registration was possible?

45) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that "one Sten, Model MKIII, 9mm machinegun, bearing serial number B37247", allegedly possessed by the Alleged Accused, was used or intended to be used as a "weapon" by the Alleged Accused?

46) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused was a "person" required to register "one (1) Sten, Model MKIII, 9mm machinegun, bearing serial number B37247" "in the National Firearms Registration and Transfer Record" and that such registration was possible?

47) Pursuant to the above captioned purported instant action,
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does the alleged plaintiff claim that "one Sten, Model MKIII, 9mm machinegun, bearing serial number F01650", allegedly possessed by the Alleged Accused, was used or intended to be used as a "weapon" by the Alleged Accused?

48) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused was a "person" required to register "one (1) Sten, Model MKIII, 9mm machinegun, bearing serial number F01650" "in the National Firearms Registration and Transfer Record" and that such registration was possible?

49) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that "one Sten, Model MKIII, 9mm machinegun, bearing no serial number", allegedly possessed by the Alleged Accused, was used or intended to be used as a "weapon" by the Alleged Accused?

50) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused was a "person" required to register "one (1) Sten, Model MKIII, 9mm machinegun, bearing no serial number" "in the National Firearms Registration and Transfer Record" and that such registration was possible?

51) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that "one Sten, Model MKIII, 9mm machinegun, bearing serial number G80555", allegedly possessed by

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the Alleged Accused, was used or intended to be used as a "weapon" by the Alleged Accused?

52) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused was a "person" required to register "one (1) Sten, Model MKIII, 9mm machinegun, bearing serial number G80555" "in the National Firearms Registration and Transfer Record" and that such registration was possible?

53) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused, being a person required, willfully failed to pay any tax imposed by Title 26, USC, Chapter 53 or failed to pay any other such excise tax?

54) Does the court or legislative tribunal wherein the above captioned purported instant action is allegedly filed or pending have the power or authority to impose or levy any fines, forfeitures, taxes, mulcts, court costs or punitive damages; and if so, are such said amounts imposed in lawful Coin as required by Article I Section 10 Clause 1 of the Constitution for the united States of America (1789)?

55) Are "court costs" recoverable only in a separate civil action, or are such "costs" considered as part of any fine, pursuant to the above captioned purported instant action?

56) If the Alleged Accused elects to proceed without professional legal representation pursuant to the above captioned purported instant action, will the Alleged Accused be allowed to
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appear and defend in person and with private counsel of his own choosing as guaranteed by Article II, § 24 of the Constitution for the State of Arizona (1911) and the sixth article in amendment to the Constitution for the united States of America (1791)?

57) Who was the Citizen, or statutory person, who signed the original charging affidavit pursuant to the above captioned purported instant action?

58) Is the charging affidavit filed, pursuant to the above captioned purported instant action, based on direct, personal and firsthand knowledge, or was said charging affidavit based merely on information and belief?

59) When and where was the charging affidavit signed, and who was the notary, clerk, commissioner or other officer who administered the oath to the affiant pursuant to the above captioned purported instant action?

60) When and where was the warrant or summons issued and what judge, magistrate or clerk signed said judicial process pursuant to the above captioned purported instant action?

61) When and where was the warrant or summons, with attached or incorporated charging affidavit, served and who was the officer who served such process on the Alleged Accused pursuant to the above captioned purported instant action?

62) When and where was the criminal Complaint or Bill of Information signed, and who was the authorized prosecuting

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attorney who signed said process pursuant to the above captioned purported instant action?

63) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that all of the grand jurors voting to indict the Alleged Accused were U.S. citizens and residents of the federal District of Arizona?

64) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that none of the grand jurors voting to indict the Alleged Accused were Citizens of the organic State of Arizona?

65) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the Alleged Accused was properly arraigned before an Article III district judge of the united States of America as required by Federal Criminal Rules 5(c) and 10?

66) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that the U.S. attorney has the authority to prosecute any crime that allegedly occurred within a Union state when such rumored crime is not listed in Title 9 of the United States Attorneys' Handbook?

The foregoing Special Demand for a Specific Bill of Particulars is not to be construed as a request for discovery, a traverse to any issue(s), a general appearance, a responsive pleading, a waiver of any rights, or in any way intended or submitted as a post-plea motion to the court.

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The Alleged Accused is not an attorney at law or a Pro Se litigant and as such, he is not seeking a naked, general or "lawyer's" Bill of Particulars that only provides the underlying cause or gravamen of the purported claim(s), or merely recites the conduct of some defendant which is alleged to constitute the rumored offense(s) or colorable accusation(s).

Alleged Accused hereby states and certifies that none of the Specific Particulars, herein requisitioned, have been furnished in any antecedent charging instrument or otherwise provided to the Alleged Accused, pursuant to the above captioned purported instant action, prior to the foregoing Demand.

Failure of the alleged plaintiff to timely provide the Alleged Accused with the complete Bill of Particulars, herein seasonably requested, will be understood and construed as specific intent by the alleged plaintiff to withhold full disclosure of the nature and cause of the accusations purportedly brought by the alleged plaintiff, and will make it impossible for the Alleged Accused to meaningfully respond to, traverse to, or defend against any accusations made, or answer any process issued or caused to be issued by the alleged plaintiff.

In addition, failure to provide an expository answer to any of the herein requested particulars shall be construed and understood as an acknowledgment, and unqualified absolute admission that the answer to the propounded question is unknown to

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the alleged plaintiff, and as such, the answer will (if tendered in writing prior to trial) be irrefutably presumed, by the Alleged Accused and such answer will be admitted and acknowledged by the alleged plaintiff.

Failure to provide a true sworn, accurate, consummate and specific Bill of Particulars, as herein requested, at least seven days prior to any proceeding in the nature of an arraignment or such time thereafter as ordered by the Court shall be construed as a failure to prosecute (i.e. non prosequitur), notice of dismissal, a default of charges and constructive notice by the alleged plaintiff of its intent to enter a nolle prosequi.

[Proposed Bill of Particulars, prosecutor's blank Certificate of Verification Form, and self addressed stamped envelope are enclosed herein.]

Truly demanded,

Teste Meipso}

Robert Wilson Stewart, sui juris
(480) 325-5624, FAX 325-5625

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Certificate of Service

I hereby certify that a true and exact copy of the foregoing Special Demand for a Specific Bill of Particulars with Affidavit of Verification and Bill of Particulars Proposed for Stipulation has been sent via first class U.S. Mail, postage prepaid, on this _____ Day of _____ 2001 A.D. to: JOSEPH C. WELTY, ESQ., United States Attorney's Office, 230 North First Avenue, Room 4000, Phoenix, AZ 85025.

Naomi Jean Stewart, sui juris
c/o 2812 North 34th Place
Mesa, Arizona state (No Zip)

CC: United States Attorney General
John Ashcroft, c/o (202) 307-2825,
via telephone FAX transmission.