

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

vs.

*

Robert Wilson Stewart, pro per.
c/o 2812 North 34th Place
Mesa, Arizona state
(NO ZIP CODE!)

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Judge Roslyn O. Silver

* BILL OF PARTICULARS
* Proposed for Stipulation.
Alleged Accused

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Be it known that in the event the Alleged Accused's Special Demand for Specific Bill of Particulars is not fully and completely answered by the alleged plaintiff, at least ten days prior to any trial of the above captioned purported instant action, the following proposed Bill of Particulars shall be construed as the alleged plaintiff's stipulated Bill of Particulars and admitted answers, and shall be further presumed as juris et de jure and irrebuttable at trial.

Teste Meipso}

Robert Wilson Stewart, sui juris
Tel. (480) 325-5624 Fax 325-5625

Stipulated Bill of Particulars

Continued:

Bill of Particulars

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.]

Ans. ROBERT WILSON STEWART

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?

Ans. Yes.

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?

Ans. Yes. Plaintiff claims, and will prove at trial that the Alleged Accused is neither a normal person nor a 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(a)(13) of the United States Code?

Ans. Yes. Plaintiff claims, and will prove at trial that the Alleged Accused is a form of "Federal Personnel."

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

Ans. Plaintiff claims, and will prove at trial, that the Alleged Accused is an artificial entity by virtue of possession of assigned Social Security Number. Plaintiff will prove at trial that the Alleged Accused knowingly applied for and continues to

use said number.

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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)?

Ans. No. Plaintiff claims, and will prove at trial that the alleged offences occurred in a Federal District extinsic to the boundaries of the organic state of Arizona.

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)?

Ans. No. The above captioned case is not filed or pending in a court of record within the state of Arizona.

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?

Ans. No. The Plaintiff does not claim that the court wherein the above captioned case is filed and pending has any form of jurisdiction beyond or extrinsic to the political 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)?

Ans. Yes.

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

Ans. No.

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

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Ans. No.

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?

Ans. The United States, c/o Secretary of the Treasury, 3330 Main Treasury Building, 1500 Pennsylvania Avenue N.W., Washington, D.C. 20220 and Lawrence A. Bettendorf, address unknown, and the Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226.

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.]

Ans. None, \$0.00.

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

Ans. None, \$0.00. Plaintiff is precluded from seeking punitive damages in any case wherein neither compensatory damages are sought nor can any actual damages be proven.

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

Ans. Legislative 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?

Ans. No common law writ was petitioned for by 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?

Ans. A Bill of Indictment was filed. The Plaintiff is proceeding on a general assumpsit claim for unauthorized use of

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its territory for commercial activities.

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.

Ans. Neither the organic, or corporate state of Arizona is alleged to be a damaged party pursuant to the above captioned case.

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.

Ans. The United States, c/o Secretary of the Treasury, 3330 Main Treasury Building, 1500 Pennsylvania Avenue N.W., Washington, D.C. 20220 and Lawrence A. Bettendorf, address unknown, and the Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226.

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.

Ans. No political subdivision of the corporate state of Arizona is alleged to be the damaged or injured party pursuant to the above captioned case.

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.

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Ans. No political subdivision of the corporate United States is alleged to be the damaged or injured party pursuant to the above captioned case.

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?

Ans. No.

23) 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 a political subdivision of the corporate State of Arizona?

Ans. No.

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

Ans. No. The above captioned case alleges indictable high crimes.

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.]

Ans. See answers to questions 12 and 19 above.

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

Ans. Plaintiff is currently insolvent and has ceased to pay its debts with lawful specie money.

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

Ans. No.

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

Ans. No.

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?

Ans. Yes.

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

Ans. Yes.

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)?

Ans. The scope of cross examination is unlimited.

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?

Ans. The Plaintiff claims and will prove at trial that the alleged offenses took place in a federal territorial venue.

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

Ans. Mala prohibita.

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

Ans. Plaintiff claims and will prove at trial that the alleged offense occurred in a military/martial law venue.

35) What are the facts claimed and relied upon by the alleged plaintiff, that would place the Alleged Accused in any venue other

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than one of common law, pursuant to the above captioned purported instant action?

Ans. The alleged offense took place in a federal district and the Plaintiff will prove at trial that the Alleged Accused knowingly gave the appearance of placing himself in a federal venue by his voluntary use of the zip code.

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?

Ans. No. The plaintiff does not claim that the Alleged Accused violated any duly enacted positive national law.

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?

Ans. None, see answer to question 36 above.

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?

Ans. No. The Plaintiff claims and will prove at trial that no United States Code has, or needs to have an enacting clause.

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?

Ans. Plaintiff claims that the Alleged Accused has been previously 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

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number 36-34668" willfully impeded, obstructed, hindered or adversely affected interstate commerce within these united States of America?

Ans. No. Plaintiff makes no such claim.

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

Ans. Plaintiff claims and will prove at trial that the alleged offenses occurred in federal territory located at 2812 North 34th Place, Mesa, Federal District AZ, national area 85213-

9724, on June 16th, 2000.

42) Pursuant to the above captioned purported instant action, does the alleged plaintiff claim that at the time the alleged offenses occurred that the Alleged Accused was within the federal District of Arizona?

Ans. Yes. Plaintiff claims and will prove at trial that the Alleged accused was inside federal territory within the District of Arizona and that such geographic location has been duly ceded to the United States by the Arizona state legislature.

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?

Ans. No. Plaintiff makes no such claim.

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?

Ans. No. Plaintiff neither claims that the Alleged Accused was a person required to register nor claims that such

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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?

Ans. No. Plaintiff makes no such claim.

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?

Ans. No. Plaintiff neither claims that the Alleged Accused was a person required to register nor claims that such registration was possible.

47) Pursuant to the above captioned purported instant action, 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?

Ans. No. Plaintiff makes no such claim.

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?

Ans. No. Plaintiff neither claims that the Alleged Accused was a person required to register nor claims 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?

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Ans. No. Plaintiff makes no such claim.

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?

Ans. No. Plaintiff neither claims that the Alleged Accused was a person required to register nor claims 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 the Alleged Accused, was used or intended to be used as a "weapon" by the Alleged Accused?

Ans. No. Plaintiff makes no such claim.

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?

Ans. No. Plaintiff neither claims that the Alleged Accused was a person required to register nor claims 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?

Ans. No. Plaintiff makes no such claim.

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)?

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Ans. Yes. the court has the power to levy fines, forfeitures, taxes, mulcts, court costs and punitive damages; however, such amounts are not imposed in lawful coin as required by Article I Section 10 Clause 1 of the Constitution for the united States of America, due to the fact that the court is not operating in a state visne but in a federal military venue wherein such amounts are imposed in legal tender, military scrip, debased coin, colorable notes and other such evidence of debt, or non-redeemable currency.

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?

Ans. Yes. Court costs are recoverable, unless remitted by the court, in a separate civil action and are not considered as part of any fine.

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 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)?

Ans. No. The Alleged accused will not be permitted to appear and defend with private counsel of his own choosing unless such private counsel has been previously admitted to practice law in either the courts of Arizona or the federal courts of the United States. Plaintiff claims that the constitutionally guaranteed

right to assistance of counsel has no applicability in an Article I legislative tribunal. The court wherein the above captioned case

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is filed only deals with federal personnel and statutory "persons" within a federal territorial venue.

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

Ans. Lawrence A. Bettendorf.

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?

Ans. The charging affidavit was based on hearsay.

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?

Ans. The affidavit was signed on June 17, 2000 somewhere in the District of Arizona but not in any named county within the state of Arizona. The oath was administered by MORTON SITVER, U.S. Magistrate.

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?

Ans. No warrant or summons as described by Federal Criminal Rules 4 or 9 or any other lawful process as described by 28 U.S.C. § 1691 was ever signed, filed, issued or returned.

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?

Ans. No such original process was ever issued, filed or served on the Accused, or returned to the court; however, an

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affidavit charging a single violation of 18 U.S.C. § 922(g)(1) was filed on June 17th, 2000.

62) When and where was the criminal Complaint or Bill of Information signed, and who was the authorized prosecuting attorney who signed said process pursuant to the above captioned purported instant action?

Ans. Plaintiff claims that the criminal complaint was signed on July 17th, 2000 in the federal courthouse located in the federal District of Arizona near the city of Phoenix by LAWRENCE A. BETTENDORF.

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?

Ans. Yes.

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?

Ans. Yes.

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?

Ans. No. Plaintiff currently makes no such claim.

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?

Ans. No. Plaintiff makes no such claim; however, the Plaintiff claims and will prove at trial, that the crimes charged

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in the indictment occurred in a federal territory, federal enclave, or insular possession of the United States where the prosecution is not restricted to the offences listed in Title 9 of the United States Attorneys' Handbook.

Respectfully submitted,

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