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Case # 338142

**Statement of Additional Grounds
for Review**

State of Washington
v.
Dennis Wallace Patterson

COPY

FILED

DEC 31 2015

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

IN RE: No. 33814-2-III
COURT OF APPEALS, DIVISION III
STATE OF WASHINGTON

NOTICE BY AFFIDAVIT OF GROUNDS FOR REVIEW AND VOIDING OF STEVENS COUNTY
SUPERIOR COURT CASE 15-01-00005-0.

Stevens county Washington government offices have been abused to criminalize my right to assembly and redress of grievances. By their deliberate acts of subversion those occupying these offices stripped themselves of any grant of government authority, de-facto or otherwise.

1. MY STANDING: I am one of the posterity of the people of the united States of America; the free sovereign and independent people (People('s)) living on the continental land, under Constitutional Common Law, within the boundaries of the State of Washington, Stevens county. I have not consented to any government citizenship or corporate status.¹

2. CONTROLING AUTHORITY IS THE SUPREME LAW OF THE LAND; My authority as one of the People is found at the beginning of Washington's state Constitution:

ARTICLE I DECLARATION OF RIGHTS
SECTION 1 POLITICAL POWER. All political power is inherent in the people, and

¹"Neither slavery nor involuntary servitude...shall exist in the United States..."--13th Amendment

My right to choose my political status and the government's obligation to respect my choice is also guaranteed by, but not limited to, the Treaty of Paris 1783, The Constitution for the united States of America, the Expatriation Act of 1868, the Geneva Convention Protocols of 1949—Laws of War, Volume II, Article 3, the United Nation's Universal Declaration of Human Rights and their Universal Right of Self-Declaration.
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governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

SECTION 2 SUPREME LAW OF THE LAND. The Constitution of the United States is the supreme law of the land.
(Supreme Law)

I and we, the People, have only ever consented to be "governed" by government officers acting under our Supreme Law, not above it. That's the condition for our government to have life. Absent the People's consent it is not government authority by justice. It is not the People's government at all but something else.

The very first of the People's rights government officers are commanded to defend in order to actually be officers of our government are:

"Congress shall make no law...abridging the freedom of speech... or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

It is a foregone conclusion that if even the United States Congress can't criminalize our right to peaceably assemble and redress of our grievances then county and state government officers can't. Absent a constitutional amendment, neither can a jury.

3. GROUNDS FOR REVIEW:

A. Occupiers of Stevens county government offices, under the color of law, used force of arms to imprison me for exercising the People's rights of peaceful assembly and redress of grievances. These government occupiers subverted our Supreme Law to their codes and local rules in order to criminalize my conduct. There is no legitimate government authority to do so.² This amounts to

² "The right to petition government for redress of grievances is "among the most precious of the liberties safeguarded by the Bill of Rights.".... Furthermore, the right to petition applies with equal force to a person's right to seek redress from all branches of government...Consequently, any actions taken against plaintiff, motivated by retaliation for plaintiff's exercise of his constitutional right to petition the government for redress of grievances, constitute a violation of plaintiff's constitutional rights. ." Farr v. Blodgett 810 F.Supp. 1485, 1489 (1993)

"When an act of Congress (government) is appropriately challenged in the courts as not conforming to the constitutional mandate, the judicial branch of the Government has only one duty -- to lay the article of the Constitution which is invoked beside the statute which is challenged and to decide whether the latter squares with the former. " U.S. v. Butler, 297 US(1936)

"Where rights secured by the Constitution are involved, there can be no rule-making or legislation which would abrogate them." Miranda v. Arizona 384 U.S. 436, 491.(1966)

waring against the People's government. By their acts of insurrection they have by their own hands made null and void any lawfull authority to infringe on my or the rest of the People's liberty and freedom. Any further acts of violence against me or the People may justly be met with extreme prejudice. To whit:

1) The Stevens county district court's own audio recording, admitted on the record, verifies the accuracy of the following transcript. As part of this affidavit I attest to its accuracy under oath so it may stand valid on its own merit and be given due regard in the name of justice.³ The audio was used at trial to impeach wildly exaggerated testimony against me. Even the court appointed defender⁴ failed to correct the negative perception created. The truth of the matter is presented here⁵:

Stevens County District Courtroom; Monday, January 5, 2015

Transcript of Public Recording

8:40:36 Dennis Patterson:... Tveit before court can begin the People have peacefully assembled to redress a grievance with you. It will only take a minute to hear...

8:40:42. Gina Tveit (over Patterson): Excuse me sir. I am now, court is now in session.

Patterson: No it's not. You are not legally entitled to complete the duties as a judge so we'll continue...(continues in parallel, see time index)

8:40:46 Patterson: You are not able to sit in judgment over any of the People today. You have been in open and stubborn defiance of the law that grants the authority to do so. We recognize that you have been lawfully elected to the office of District Court Judge, but your defiance of the same law

"It is clear that the Government may not prohibit or control the conduct of a person for reasons that infringe upon constitutionally guaranteed freedoms. The approval of such restrictive action would permit the government to 'produce a result which (it) could not command directly.'" Smith v. U.S., 502 F 2d 512 (1974)

" The (court's prior) decisions...reflect the obvious concern that there be no sanction or penalty imposed upon one because of his exercise of constitutional rights" Sherar v. Cullen, 481 F 2d 946(1973)

"But these agents, servants of a Government and a society whose existence and strength comes from these constitutional safeguards, are serving law when they respect, not over-ride these guarantees. The claim and exercise of a constitutional right can-not thus be converted to a crime." Miller v. U.S. 230 F.2d 486, 490 (1956)

³ Compare to audio record admitted as trial exhibit 1. Note: the "official" transcript was not admitted due to prejudicial errors RP 101 @14; 103 @ 4 thru 104 @ 9)

⁴The appellate public defender has honored my request to limit her opening grounds for review to ones she is able to confidently defend. While I agree that the amount of slicing and parsing that was needed to find the parts of the codes that apply constitutes vagueness, I would have preferred approaching even this ground from the People's perspective: While the codes may pass constitutional muster in isolation or as applied in some other case they clearly are overly broad as applied in this case.

⁵Our redress was specifically directed to Gina Tveit, occupying the government office of district court judge, not to the court. She testified to this at trial—that I was not actually in the courtroom under her assumed jurisdiction. (RP 244 @ 10-12)

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you've used to jail us and deprive us of our hard earned money makes it illegal for you to perform any duties as our judge.

8:40:46 Tveit: And before I call cases I am going to review the general rule of the courtroom. No one is allowed to speak from the audience. All of our court rules are to ensure the proceedings are recorded and that the full record is preserved. The noise from the audience is disruptive. So I am asking you now to leave the courtroom sir. You are disrupting proceedings. Court is in recess. (8:41:12). You are ordered to leave the courtroom.

8:41:15 Patterson: You do not have the moral or legal authority to judge anyone. You no longer get to assume our consent most especially by those of us....

8:41:26 Patterson: (to deputy Erdman): OK, look, you don't have the authority either because you're not lawfully in office.

Erdman: ... not here to discuss....(much background noise)

8:41:31 Patterson: No, no, we are trying to redress, we are peacefully assembled to redress a grievance with our government. Are you refusing to allow us to redress our grievance?

8:41:59 Erdman (to Patterson against much background noise):...at this point you are trespassing.

Patterson: Are you kidding me guys? (8:42:02)

Deputy Erdman then continued pushing me out of the gallery, as my associates continued our redress, into the hallway outside where he arrested me for trespassing and imprisoned me.

2) The prosecutor, his deputies, sheriff⁶ and his deputies, arresting officer and superior court judge Allen Neilson all knew, or reasonably should have known⁷, I was redressing a grievance. The prosecutor and judge absolutely knew it was a redress, calling it so by name, yet opposed every move to present its factual basis to the jury as my Constitutional defense. They colluded to subvert an affirmative Constitutional defense. (RP 39 @13 thru 46 @2; 81 @24 thru 84 @14; 85 @7 thru 87 @10; 88 @18 thru 89 @9; 111 @10 thru 112 @5; 116 @2-3 and 22 thru pg.117 @3; 126 @15-19; 130 @2-9; 135 @19-24; 172 @4-12; 175 @20-25; 176 @15 thru 178 @7; 185 @1-3; 186 @23 thru 187 @25; 198 @22 thru 201 @21; 202 @9 thru 204 @3; 213 @10-15; 214 @23 thru 215 @3; 217 @6-8; 228 @13-17; 230 @3-19; 239 @23 thru 243 @23; 248 @9-10; 249 @7-10; 256 @18 thru 257 @5; 258 @19-20; 261 @9-13; 272 @22-25; 297 @1 and 22-25; 313 @4-5; 316 @14-20)

3) Allen Neilson⁸ is responsible for criminalizing the rights of assembly and redress by entering

⁶Kendle Allen was evasive about the advance e-mail of our redress that he was forwarded by a county commissioner.

Neither it nor the commissioner's note says anything about a planned disturbance. The prosecution somehow confused the e-mail with watching a video. The e-mail was thus not admitted as evidence. (RP 220 @ 18 thru 221 @ 8; 225 @5 thru 226 @ 9; 231 @ 22 thru 232 @ 2; 233 @ 19-24)

⁷"Judge" Tveit doesn't know what a redress of grievance is. (RP 249 @ 4-10; 250 @ 11 thru 251 @ 4)

⁸Allen Neilson also presided at the probable cause hearing. There was no actual finding of probable cause on any specific charge. Apparently I was merely presumed guilty. The public defender didn't defend or assist me, at all. (RP 7 @9-11)

After being imprisoned for speaking it seemed wise at the time to wait to be invited to speak before correcting the knowingly incomplete (RP 4 @22-25) and single faulty, one-sided arresting officers report the judge was relying on. Notice by Affidavit of Grounds For Review And...pg#

an incompetent plea over the top of my own. He based his plea on some secret cause then used it as grounds for denying my affirmative constitutional defense (see RP cites in 2 above) and forcing me to trial (RP 131 @ 3-7; 134 @ 10-15). My plea has to be based on my informed cause—not someone else's⁹. There is no justice in having to defend another man's incompetent plea as my own. (RP 35 @10 thru 36 @6).

4) Timothy Rasmussen, occupying the office of Stevens County Prosecutor, admitted on the record I had not committed any crime recognized under the People's Constitutional Common Law. To justify his demand of imprisonment for my assembly and redress Rasmussen said: "His conduct – Mr. Patterson's conduct did not injure anybody. It was not a violent crime. No property was stolen." (RP 312 @ 4-6)

5) Kendle Allen, occupying the office of Stevens County sheriff, through his deputy, Loren Erdman, arrested me knowing I was exercising the right of assembly and redress. Although Erdman was set up by Allen to view our action only as a disturbance (RP 174 @ 1 thru 175 @10 ; 237 @ 3-14) I gave deputy Erdman direct notice of my intent to be peacefully assembled to redress grievances (see Transcript of district court audio above; RP 258 @ 19-20) but he chose to criminalize our Supreme Law by proceeding to arrest and imprison me for trespassing. (RP 172 @20 thru 173 @ 25)


While in the Allen's custody I was subjected to cruel and unusual punishment. This included being used to interfere with the administration of justice. Allen did this by parading me in his full prisoner uniform, including shackles, after a sleepless night on the cement floor in a deliberately over crowded cell, through the public who were inside the courthouse and in front of the judge determining probable cause for my detainment—all while presumed innocent, with no criminal record and having been accused of no act or threat of violence. I certainly didn't look innocent. I appeared as a criminal, as stereo-typical rabble. Indeed the judge belatedly admitted to this very prejudice stating: " I-I thought you might be an anarchist. I thought you might be essentially rabble, that had no philosophical

⁹United States Constitution 6th amendment: In all criminal prosecutions, the accused shall enjoy the right...to be informed of the nature *and cause* of the accusation..."

construct. I don't believe that now.” (RP 317 @25 thru 318 @2; 319 @16-19).


B. Timothy Rasmussen, occupying the Stevens county prosecutor's office, has failed to answer my demand to prove political jurisdiction. He received my final Notice and Demand to prove jurisdictional authority on December 8, 2015. The two week deadline has passed with his silence and therefor, as so notified, this is his admission there is no jurisdiction in this case.¹⁰

I, Dennis Patterson, the living man described herein, swear under penalty of perjury that the above facts and transcriptions are true and correct. They are meant to inform and not mislead so that they may be immediately relied upon by all.

Sworn this 28th day of December, 2015 by 
Dennis Patterson—Affiant

Historically, a revolutionary line is crossed when peaceful redress is met with violence against the People. In this case that violence has been wrought by the very government officers who swore an Oath of Office to defend the People's Supreme Law.

Justice is served by dismissing the case, expunging all record of it and bringing criminal charges against those who are waring against our Constitutional government to create this case in the first place. The only question that remains is whether this case is an isolated incident of insurrection in Stevens county or indicative of systemic treason against the People's government.

Submitted this 28th day of December, 2015. by 
Dennis Patterson
c/o 5272 S. Walibridge Rd.
Deer Park, Washington

¹⁰My pre-trial motion to dismiss for Lack of Jurisdiction was denied on technicalities of the motion's discretionary protocols—not because jurisdiction was proven by the prosecutor. (RP 40 @16 thru 46 @2) The judge even compared the authority of the People's Supreme Law to some “Swedish Mystic Swedenborg”. (RP 46 @5) All the parties were notified again at the sentencing hearing my jurisdiction challenge remained unmet.(RP 315 @24 thru 316 @14)
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