

John Smith

Court Clerk  
Sheriff Court House  
6 West Bell Street  
Dundee  
DD1 9AD

Court Ref:

Date: 1<sup>st</sup> October 2020

### **Lawful Notice**

For context, you are considered informed that all meanings in this/all communication/s are taken from the Oxford Dictionary of English or as commonly understood by living men and women, they are not to be confused with legalese or any other language. All character layout, whether capitalised, lower case or a combination of both are what is commonly recognised by living men and women and not to be taken in any other way or meaning. My position in this communication is that of a living man standing under gods law, also known as the creator's law, natural law, common law etc and operating outside the jurisdiction of statutory rules or man-made legislation. I do not work for any state department or the crown or operate under a licence as I do not require permission from another man or woman to run my life peacefully. If you require the meaning or definition of any word, sentence, or paragraph in this document, then this can be done by submitting a written request within seven days, from receipt of this notice.

It has become clear that under the Clearfield doctrine, which we are sure you are fully aware of, the Scottish Children's Reporter and the Scottish Court Service, have been operating as commercial enterprises, without full disclosure to men and women who were deceived into believing you to be a lawful authority and a court.

As Dundee Sheriff Court is operating as an administrative court, you are guilty of several crimes under common law and any decisions you have made or will make, were or will be clearly an opinion and not lawful. Under Halsbury's Law of England in the year 2011, under the heading "administrative courts" all courts acting in an administrative capacity are both unlawful and illegal, this means that any man or woman that causes a tort under common law, is responsible in their private capacity and therefore will be required to remedy the situation or face a common law court. Commercial courts can ONLY operate with full disclosure, by mutual contractual consent and with equal consideration, this you have failed to do and have intentionally committed fraud with menaces in order to make a financial gain, this of course

is unacceptable and will require immediate redress. Due to the failure to disclose the terms, conditions and the lack of a lawful contract that has been agreed and seen by all parties involved, you are required to produce the full terms and conditions, signed contracts and indemnity insurances for a claim to be made.

As this also applies to the Scottish Children's Reporter there is irrefutable evidence of clear profit-making practices from both companies which confirms a fraud upon the people, who no longer find this acceptable.

This document is not an application and does not form part of an appeal. It is presented to the court as a Lawful Notice, there has been identifiable defects in procedure and the use of fraud in relation to the unlawful harassment, kidnapping and theft by a private company known as the Scottish Children's Reporter.

In the event that this matter is disputed, I John Smith am happy to attend a hearing for clarification purposes only.

In the event of such a hearing to address this issue, any individual appointed to deal with this may only do so if they are mentally stable. This individual would need to be of sound mind, and they would also be required to recognise the position of a living man appearing before them. This individual may not use criminal coercion to assist them and they should not be able to converse with a dead entity (also known as a person).

**Affidavit**

**GENERAL FORM OF AFFIDAVIT**

In the matter between

The People (Represented by John Smith)

**Pursuer**

and

Lynne Hobbs (Acting as the Locality Reporter Manager)

**Defendant**

I, John Smith a living man, currently domiciled at       ?       ?       ?       ?  
?       ?       , do solemnly and sincerely swear and declare with good faith and without  
prejudice.

I was born on the 1<sup>st</sup> April 1963 and am 57 years of age. I am of sound mind and reason and  
do sincerely and honestly swear the present instrument to be my own words, written by me,  
given freely, and without duress and expressing accurately to the best of my knowledge.

1. **I say that I**, John Smith, confirmed my standing as a living man having submitted my  
declaration of birth to the Common Law Court. Accordingly, I have obtained a lawful  
court deed by way of a Birth Certificate under reference **BC/17/1** which was issued by  
the Common Law Court (Exhibit 1).

This court deed and my position was established previously in a court of record and as  
a fact in law, during a criminal case (**Court Ref: PA18004245**) in Paisley Sheriff  
Court on the 28<sup>th</sup> February 2019.

2. **I say that I**, John Smith, confirm that I have obtained ownership of the Fictitious  
Name MR JOHN SMITH and that I have obtained a lawful court deed by way of a  
Business Ownership Certificate, reference **FN/17/1** which was issued by the Common  
Law Court (Exhibit 2).

The ownership of the Fictitious Name has also been established in a court of record  
and as a fact in law, during a criminal case (**Court Ref: PA18004245**) in Paisley  
Sheriff Court on the 28<sup>th</sup> February 2019.

3. **I say that I**, John Smith can confirm that the following children have had their births  
established by way of a declaration to the Common Law Court. Accordingly, the  
following references have been issued to confirm this:

<u>Name</u>	<u>Birth Certificate Ref.</u>
Lara Jane Martin	BC/20/218309
Rondahl Michael Martin	BC/20/218305
Charles Munro Martin	BC/20/218301
Nadia Rae Martin	BC/20/218297
Mia Asia Martin	BC/20/218285

4. **I say that**, that Business Ownership Certificates exist for the following Fictitious Names and confirm that the legal entities are owned by John Smith, the living man. These lawful documents have been issued by the Common Law Court and carry with them the authority of the people (Exhibits 3).

These documents confirm that there is no lawful consent, contact, authority or jurisdiction between these fictions and any corporation as John Smith has not given it.

<u>Name</u>	<u>Fictitious Name Ref.</u>
Lara Jane Martin	FN/20/218325
Rondahl Michael Martin	FN/20/218321
Charles Munro Martin	FN/20/218317
Nadia Rae Martin	FN/20/218313
Mia Asia Martin	FN/20/218329

5. **I say that**, as the authority of the Common Law Court paperwork has not been challenged or rebutted, Sheriff JA MacRitchie in issuing previously related court orders (EDI-B612 to B616-20) has acted Ultra Vires, while ignoring the authority of the people and by using criminal coercion.
6. **I say that**, the Claimant in the above action (Exhibits 4a - e) was using fraud upon the court to obtain my property (Fictitious Names) with a court order which in turn confirmed the kidnapping and unlawfully detention of living children. This fraud also included the failure to identify the Defendant, either a living man or a legal fiction, and criminal coercion.

The Claimant was also guilty of using the court and criminal coercion to target a living man by using statutory rules.

7. **I say that**, during this hearing, the issues of both authority and jurisdiction had not been dealt with, as Sheriff JA MacRitchie had used the presumptions of law to assist him.

The issue of using the presumptions of law was not agreed to by John Smith, the following document clarifies this position (Exhibit 5).

8. **I say that**, as the authority, jurisdiction and sovereignty of the Crown/Regina had not been established, the matter could not be decided by any Crown Employee or Servant, as they are Parties to the Cause and therefore cannot be considered to be impartial or be seen to be impartial. Therefore, this dispute would HAVE TO BE decided by an independent jury.

*R v Sussex Justices, Ex parte McCarthy is a leading English case on the impartiality and recusal of judges. It is famous for its precedence in establishing the principle that the mere appearance of bias is sufficient to overturn a judicial decision. It also brought into common parlance the oft-quoted aphorism:*

***"Not only must Justice be done; it must also be seen to be done."***

Court: High Court of Justice. Cases cited: KB 256, EWHC KB1 Judge(s) sitting: Lord Hewart CJ, Lush and Sankey JJ

It is a universally accepted Maxim in Law that no man can judge in his own Cause, or a Cause to which he is a party. Therefore, that automatically rules out any crown employee or servant from adjudicating in this matter, because they are obviously a Party to the Cause.

9. I say that, Sheriff JA MacRitchie had no authority or jurisdiction to issue his previous orders (Exhibits 4a – e) and I refer you to an extract that is taken from the Common Law Court Order issued on the 31<sup>st</sup> August 2019 (Exhibit 6):

***'therefore the crown, statutory courts and judges had no authority and jurisdiction over living men and living women who have confirmed their standing with the Common Law Court.'***

10. **I say that**, in relation to the issued orders by Sheriff JA MacRitchie, unless he can confirm that had superior authority to the Common Law Court, the people, King John III and God, the Common Law Court deeds referred to cannot be ignored.

At the very least, it would require a further hearing to establish which documentation were superior. Until such time that this issue had been established, there should have

been no additional action taken against John Smith, his property, and the living children.

11. **I say that**, until such time as it is established that Sheriff JA MacRitchie had the authority and jurisdiction to deal with this, he has acted Ultra Vires, with Bias and has Erred in Law.
12. **I say that**, the Common Law Court, Great Britain and International was created on the 11<sup>th</sup> June 2017, to address the failings in the statutory judicial system and to provide a lawful remedy for living men and women.
13. **I say that**, as part of the Common Law Court responsibilities, it keeps a record of declarations for births of living men, women and their property (children).
14. **I say that**, the Common Law Court keeps a record of the business ownership for fictitious names (legal entities), thus confirming that the use of them without the owner's consent, authority or jurisdiction is unlawful.
15. **I say that**, as the fictitious names (legal entities) referred to in the court orders (Exhibits 4a – e), are owned by me. The fictitious names (legal entities) that is on the court orders are not attached to the living children but are held and owned by me.

In issuing these orders Sheriff JA MacRitchie is responsible for fraud, theft of property, criminal coercion, and the kidnapping and unlawful detention living children.

16. **I say that**, as a person or corporation is unable to obtain parity with that of a living man/woman, statutory legislation is unenforceable without consent, a valid contract, authority and jurisdiction. To force compliance, is both criminal coercion and a breach of our inherent birth rights, this is confirmed and established by the Clearfield Doctrine (Exhibit 7), the Declaration of the Common Law Court 2019 (Exhibit 8) and a Common Law Court Lawful Notice, dated the 28<sup>th</sup> April 2019 (Exhibit 9).
17. **I say that**, during this dispute Sheriff JA MacRitchie had issued orders against Fictitious Names and in doing so he ignored the Clearfield Doctrine, the authority of the people, the authority of the Common Law Court, the standing of living men and women, the ownership of the legal entities and the issue of who the Defendant was (a living man or a fiction).
18. **I say that**, until such time as it is established that there is a superior authority to the Common Law Court, the people, King John III and God, the Common Law Court documents and orders, stand as facts in law, which cannot be ignored.

19. **I say that**, the statutory courts are all corporations and can only deal with a person/corporation, they will never obtain parity with a living man or living women and as such will never have any authority or jurisdiction over them.
20. **I say that**, statutory courts are required to establish authority and jurisdiction before they may adjudicate in any matter before them.

As the authority, jurisdiction and sovereignty of the Crown/Regina has been officially challenged, the matter cannot be decided by any Crown Employee or Servant, as they are Parties to the Cause and therefore cannot be impartial or be seen to be impartial. Therefore, this dispute would HAVE TO BE decided by an independent jury, this was ignored by Sheriff JA MacRitchie.

21. **I say that**, contract law confirms that for a contract to be valid, certain conditions must be fulfilled, one of these conditions is that there must be full disclosure. This was not the case, given the failure to identify the Defendant and the use of the legal fictions against the living man.
22. **I say that**, a valid contract also requires the consent of all parties involved, this was not the case as John Smith (a living man) had not consented.
23. **I say that**, the legislation used to obtain an order was statutory, this is not enforceable against a living man or his property and any attempt to enforce this would be criminal coercion.
24. **I say that**, in addition to the above unlawful activities, the jurisdiction of the agents working for Scottish Children's Reporter, have been proven unlawful by a lawfully convened court of common law on the 31<sup>st</sup> August 2019, this court established a lawful Common Law Court order (Exhibit 6) which was issued by a jury of the people (peers) confirming the following:

*In relation to the issues before them, a jury of twelve reasonably minded men and women having considered all the evidence presented at this hearing, found that the coronation of the Elizabeth Alexandra Mary Battenberg on June 2nd in 1953 was fraudulent, due to the failure to have the ceremony witnessed by God (the Stone of Destiny) and therefore the crown, statutory courts and judges had no authority and jurisdiction over living men and living women who have confirmed their standing with the Common Law Court.*

25. **I say that**, I stand by the historical and lawful documents that were created through time to protect living men and women from harm or loss by living men and women, these documents protect my inalienable rights, they continue to stand today and are used as a foundation for the people and are first principal law.

	<u>Year</u>
Magna Carta	1215
The Declaration of Arbroath	1320
The Bill of Rights	1688/89
The Declaration of Independence	1776
Constitutions, worldwide.	Various Dates

As with the previous historical documents, the people have an inalienable right to stand together and to create the Declaration of the Common Law Court, see below.

“We the people hereby lodge this declaration for submission into the Common Law Court ‘Book of Deeds’.

We the people stand united under the jurisdiction of the Common Law Court and its authority. To confirm our standing, we have taken the signatures of one hundred men and women to endorse this document, this will now be displayed permanently on the Common Law Court website.

Borrowing for our ancestors, we confirm that we will never under any conditions be brought under mandatory rule by legal statute”

This declaration has been created by living men and living women, to protect living men and living women, it has also been created with no involvement from the crown and the state.

The right of the people has already been established through the previously issued historical documents, referred to above.

The Declaration of the Common Law Court also stands as a FACT IN LAW and has been accepted by the First Minister in Scotland, the Prime Minister in the UK and various other world leaders. The aforementioned were given the opportunity to challenge this document, having been served with a copy, their stance has confirmed that they accept the position of the people and this document as a lawful deed.

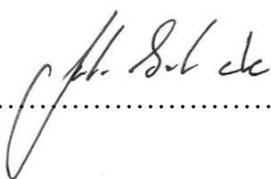
26. **I say that**, the Scottish Courts and Tribunal Service (Exhibit 10) and its agents, in collaboration with living men and women acting as agents for the Scottish Children’s Reporter (Exhibit 11) are guilty of the following crimes.

- An abuse of position
- Theft of Property
- Kidnapping
- Criminal Coercion
- Uttering
- Constructive Fraud
- The Failure to accept the positions of a living man
- Refusal to Comply with common law
- Refusal to comply with the Clearfield Doctrine

Treason

27. **I say that**, say that agents acting for Scottish Children’s Reporter, had unlawfully brought a claim to court which contravened the lawful rights of living men, women and their property, who stand under the jurisdiction of common law and the rights afforded to all living men and women, by our creator.
28. **I say that**, I confirm that living men and women have suffered and continue to suffer a tort at law, they are subject to criminal coercion, frauds and additional crimes at the hands of the agents working for Scottish Children’s Reporter.
29. **I say that**, all the facts and circumstances deposed herein are within my knowledge and expertise except such as are sworn herein from information only in accordance with my reasonable knowledge and sources of information as appear within the present affidavit.
30. **I say** these truths and stand by the contents until they are proven in a lawful court of common law not to be true, they currently stand unchallenged and a fact at law, therefore I claim full and immediate payment of £555,000 (plus £5,000 per day until settled) for the sum due (Exhibit 12), that the property referred to in the court order must be returned with immediate effect and the living children that had been removed are returned to their mother.

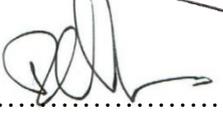
I have provided three witnesses below who have attested that myself, John Smith, signed this document of my own free will and with sound mind and mental clarity.

Name..... John Smith ..... Signature..... 

WITNESSES

Name..... Tony Coles ..... Signature..... 

Name..... Ronald Hay ..... Signature..... 

Name..... Dee Hastie ..... Signature..... 

## Royal Proclamations

In relation to the position of *Elizabeth Alexandra Mary Battenberg*, it has already been established by the people that she was not lawfully crowned at the coronation in 1953.

This extract is taken from the Common Law Court Order issued on the 31<sup>st</sup> August 2019:

*‘therefore the crown, statutory courts and judges had no authority and jurisdiction over living men and living women who have confirmed their standing with the Common Law Court.’*

We have now been informed that we have a new king, ‘King John III’ and we the people attach the following Proclamations (Exhibits 13 & 14) to assist in this matter. These Proclamations have been issued to clarify the position of the people, the statutory court, and the Common Law Court.

We the people hereby require that the Defendant settle the outstanding claim due, in full and immediately, we also require the property referred to in the court order to be returned with immediate effect and that the living children that had been removed are to be returned to their mother, refusal to comply with these Royal Proclamations would be an act of Treason.

.....  
Subject solely to the authority and  
jurisdiction of the Common Law Court