

In the office of: Skamania County Recorder
State: Washington
County: For Clark County but filed in Skamania County
County Recorder Number: AFN # 2012180764
United States District Court Number MC12-5000BHS
Filed January 4th AD 2012

Affidavit of International Commercial Lien And Distress of Bonds

Bonded by the Criminal Complaint
United States District Court Number MC12-5000BHS

A Commercial Warrant to seize, Arrest, and Impound all Bonds, Bar Accounts,
and Assets Of all of the Following Defendants of the above Criminal Complaint
In the following U.S. District Court Case: MC12-5000BHS Served January 4th AD 2012.

(Defendants / Accused = D/A) (CC = Clark County)

D/A-1: Greg Kimsey d.b.a. CC Auditor,
D/A-2: Tony Golik d.b.a. CC Prosecuting Attorney,
~~D/A-3: Curtis G. Wyrick d.b.a. CC Assistant Prosecuting Attorney,~~
D/A-4: Lori L. Volkman d.b.a. CC Deputy Prosecuting Attorney,
D/A-5: E. Bronson Potter d.b.a. CC Chief Civil Deputy Prosecutor,
D/A-6: Steve Stuart d.b.a. CC Commissioner,
D/A-7: Marc Boldt d.b.a. CC Commissioner,
~~D/A-8: Tom Mielke d.b.a. CC Commissioner,~~
D/A-9: Gary Lucas d.b.a. CC Sheriff,
D/A-10: Doug Lasher d.b.a. CC Treasure,
D/A-11: Bill Barron d.b.a. CC Administrator,
D/A-12: Peter Van Nortwick d.b.a. Assessor,
~~D/A-13: Linda Moorhead d.b.a. CC Code Enforcement,~~
D/A-14: Donna Goddard d.b.a. CC Code Enforcement Coordinator,
(WA ST = Washington State) Thurston County
D/A-15: Christine Gregoire d.b.a. WA ST Governor,
D/A-16: Brad Owen d.b.a. WA ST Lieutenant Governor,

D/A-17: Rob McKenna d.b.a. WA ST Attorney General,
D/A-18: Sam Reed d.b.a. WA ST Secretary State,
D/A-19: Barbara Madsen d.b.a. WA ST Chief Justice,
D/A-20: Charles Johnson d.b.a. WA ST Associate Chief Justice,
D/A-21: Gerry Alexander d.b.a. WA ST Justice,
D/A-22: Charles K. Wiggins d.b.a. WA ST Justice,
D/A-23: Tom Chambers d.b.a. WA ST Justice,
D/A-24: Susan Owens d.b.a. WA ST Justice,
D/A-25: Mary Fairhurst d.b.a. WA ST Justice,
D/A-26: James Johnson d.b.a. WA ST Justice,
D/A-27: Debra Stephens d.b.a. WA ST Justice,
~~D/A-28: Ronald Culpepper d.b.a. PIERCE COUNTY District Court Judge.~~

Crossed out names have left corporate government service or replied to the affidavit as required by Law. Let it be known there is no statute of limitation on Constitutional violations.

The Above officers of the County and the State, in the matter of U.S. District Court Case: MC12-5000BHS, the above Defendants being found guilty by not answering the Criminal Complaint Affidavit with a point for point rebuttal. The Defendants are now subject to the commercial warrant to seize, arrest, and impound all Bonds, Bar Accounts, and Assets Of all of the above Defendants of the above Criminal Complaint, in the following U.S. District Court Case: MC12-5000BHS Served January 4th AD 2012. If the individual assets of each defendant are not enough to cover the value of the lien that has been placed upon each defendant, then CLARK COUNTY and/or WASHINGTON STATE will be responsible for the remainder due on this lien.

To: County and State officials that are responsible for the CLARK COUNTY and WASHINGTON STATE responsibilities of the remainder of the lien.

Marc Boldt d.b.a. Clark County Commissioner

Tom Mielke d.b.a. Clark County Commissioner

Steve Stuart d.b.a. Clark County Commissioner

Mark R. Wilsdon d.b.a. Clark County Risk Manager

Mark McCauley d.b.a. Clark County General Services Director

P.O. Box 5000, Vancouver, Washington 98666-5000

Gary Lucas, d.b.a. Clark County Sheriff

707 West 13th Street, Vancouver, WA 98660; Mailing Address: P.O. Box 410, Vancouver, WA 98666 (360) 397-2211

Guida McClain, Risk Management Services

Arthur J. Gallagher, Risk Management Services

P.O. Box 2925, Tacoma, Washington 98401-2925 (253-627-7183)

Christine Gregoire, d.b.a. WA ST Governor

416 Sid Snyder Ave SW, Suite 200, Olympia, WA 98504-0002

WASHINGTON STATE BAR ASSOCIATION; 1325 Fourth Ave., Ste. 600

Seattle, WA 98101-2539 (206-443-9722)

Marty Brown, Director of Washington State Office of Financial Management

Insurance building, 302 Sid Snyder Ave SW, Olympia, WA 98501-1342; P.O. Box 43113, Olympia, WA 98504-3113, (360-902-0555)

Mike Kreidler d.b.a. Washington State Insurance Commissioner

5000 Capitol Blvd., SE; Tumwater, WA 98501, PO Box 40256

Olympia, WA 98504-0256 (360-725-7000)

Hartford Casualty Insurance Company, One Hartford Plaza, Hartford, Ct. 06155-0001

Travelers Casualty and Surety Company of America,

One Tower Square; Hartford, Ct., 06183

Colonial American Casualty & Surety,

1400 American Lane, Tower I, 19th Floor, Schaumburg, Illinois, 60196

TransUnion Credit Reporting Company, 1561 East Orangethorpe Ave., Fullerton CA 92831

Experian Credit Reporting Company, P.O. Box 740256, Atlanta, Georgia 30374

Equifax Credit Reporting Company, P.O. Box 740241, Atlanta, GA 30374.

From:

David A. Darby Sovereign Common Law free man, In Propria Persona a natural born individual
PO Box 772, Amboy, Washington Zip exempt Non Federal District

A United States of America, First Amendment Affidavit Petition for Redress of Grievances. (An Affidavit, Citation, and Brief of Information with attached Criminal Complaint and Exhibits.)

Affidavit of Distress on Judicial Bonds and Commercial Bonds Affidavit of Obligation of Specific Performance

Please be advised: I, David A. Darby, Sovereign Common Law Free Man and Natural Person of inherent jurisdiction representing myself and also representing all of the sovereign people of the State of Washington by Proxy, say that **Notice** is hereby given to and demand is hereby made upon all Bonding Companies that have bonded any of the following defendants (See Page 5) in United States District Court Case # MC12-5000BHS including, but not limited to: Hartford Casualty Insurance Company, Travelers Casualty and Surety Company of America, Colonial American Casualty & Surety and others not mentioned, Supreme Court Administrator of WASHINGTON STATE, the CLARK County Board of Commissioners, The State and County Departments of Risk Management, and the CLARK County Sheriff to Arrest, seize, and Impound (Suspend the Use of) the Bonds or Bar Account of the above Cited Distress Defendants.

This Distress is both criminally and commercially bonded by the attached Criminal Complaint filed in the 9th District Federal Court on 1/4/12 with a District Court Judge acting as Magistrate Judge in Tacoma, Washington, and the Commercial Lien was also filed on the same day of 1/4/12 in the amount of **\$580,000** per judge and **\$570,000** per non judge per case # MC12-5000BHS, page 50. In a total amount of \$16,060,000 and represents the value claimed against the Distress Defendants and their employers the County of Clark and the STATE OF WASHINGTON as of April 5th 2012 AD.

The total amount of \$16,060,000 is now collectable by David A. Darby, plaintiff in the criminal complaint.

Since, the defendants treated this process with contempt, they are all found guilty of - rebelling against - the lawful 1878 Constitution of the State of Washington (18 USC 2383). The 1878 Constitution of the State of Washington is now reinstated, and can be used by any sovereign of the State of Washington to protect his or her **Rights**. Therefore, all land owners are **Sovereign Land Owners**.

AFFIDAVIT OF FACT

I, David A. Darby, (Affiant) am personally appearing before Notary, and giving written and spoken oaths affirming that the following is true, correct, materially complete, and not misleading to the best of my knowledge and belief under my own commercial liability.

**Notice to Agent is Notice to Principal; Notice to Principal is Notice to Agent
Pursuant to 18 USC §§ 3 & 4**

I, reserve the right to amend this document if necessary, in order that the truth be more fully and certainly ascertained and justly determined.

I, David A. Darby, Sovereign Common Law Free man of inherent jurisdiction, In Propria Persona, in my live born status as a natural individual presenting testimony herein, the undersigned Affiant / Distress Demandant, do hereby depose and say as follows:

Point Brief: DISTRESS ON JUDICIAL BOND, et al

1A. Parties: This Distress process is being presented by me, the Distress Demandant / Affiant David A. Darby, P.O. Box 772, Amboy, Washington zip exempt, non federal district.

1B. Parties: The Distress Defendants list is Different from the list Served on January 4th AD 2012. (See Page 5) This Distress process is being brought against CLARK COUNTY and the STATE OF WASHINGTON for the collection of funds owed to the plaintiff and by proxy to the people of the State of Washington. I, David A. Darby, acting for myself and as proxy for the sovereign people of Clark County and the State of Washington, demand that the bonds of each of the above defendants be suspended. I do understand that all bonds are purchased to protect the sovereign people from accidental harm due to lawful actions of the public officials. In this case there is deliberate and premeditated harm. The Criminal Complaint was the first step in correcting this error as it gave every individual defendant an opportunity to come forward and right this wrong. The county and the state government have long perpetrated perpetuated a crime on the sovereign people of Clark County and the State of Washington so blatant and outrageous that families have been ruined and government has unlawfully taken land from the sovereign people. **How can this ever be remedied?** This is the start.

I, David A. Darby, on behalf of the sovereign people of the County of Clark, demand that the Bonding Insurance company, cancel all performance bonds for the above criminal acting officials and advertize to all other insurance companies that the officials committing criminal acts listed above are not ever to be bonded again. The Hartford Insurance Company is in the business of bonding public officials against accidental harm to the public, not criminal activity. I assume that the Hartford Insurance Company will not stand behind any criminal activity and therefore cancel all of the bonds associated with the following criminals. If Hartford insurance

cancels the bonds for criminal activity, then the individual criminal defendants will be responsible for the total amount of the lien. If Hartford Insurance does not cancel the bonds, then they become complicit to the crimes of the defendants and become responsible for the amount bonded for each criminal.

If the above mentioned bonds are cancelled in accordance to bonding practices, then the individual county criminals are being liened personally. If the criminal defendant's bond is not cancelled, then the Bonding Company will pay their part of the lien and the individual Clark County criminal can reduce their total liability by the bond amount. The rest will be payable by the offending individual and the government agencies that they represent.

Once, all funds that can be collected from the individuals are collected, then the County of Clark is then responsible for the remainder. If Clark County does not have sufficient funds, then the Corporate STATE OF WASHINGTON is responsible.

The following is a list of Clark County Official Criminals and the amounts they are being liened:

Greg Kimsey d.b.a. CC Auditor, **\$570,000**
Steve Stuart d.b.a. CC Commissioner, **\$570,000**
Marc Boldt d.b.a. CC Commissioner, **\$570,000**
Tony Golik d.b.a. CC Prosecuting Attorney, **\$570,000**
Lori L. Volkman d.b.a. CC Deputy Prosecuting Attorney, **\$570,000**
E. Bronson Potter d.b.a. CC Chief Civil Deputy Prosecutor, **\$570,000**
Gary Lucas d.b.a. CC Sheriff, Doug Lasher d.b.a. CC Treasure, **\$570,000**
Bill Barron d.b.a. CC Administrator, **\$570,000**
Peter Van Nortwick d.b.a. Assessor, **\$570,000**
Donna Goddard d.b.a. CC Code Enforcement Coordinator **\$570,000**
Total amount owed by CLARK COUNTY Criminal officials: **\$5,700,000**

The following is a list of WASHINGTON STATE Official Criminals and the amounts they are being liened.

Christine Gregoire d.b.a. WA ST Governor, **\$570,000**
Brad Owen d.b.a. WA ST Lieutenant Governor, **\$570,000**
Rob McKenna d.b.a. WA ST Attorney General, **\$570,000**
Sam Reed d.b.a. WA ST Secretary State, **\$570,000**
Barbara Madsen d.b.a. WA ST Chief Justice, **\$580,000**
Charles Johnson d.b.a. WA ST Associate Chief Justice, **\$580,000**
Gerry Alexander d.b.a. WA ST Justice, **\$580,000**
Charles K. Wiggins d.b.a. WA ST Justice, **\$580,000**
Tom Chambers d.b.a. WA ST Justice, **\$580,000**
Susan Owens d.b.a. WA ST Justice, **\$580,000**

Mary Fairhurst d.b.a. WA ST Justice, **\$580,000**

James Johnson d.b.a. WA ST Justice, **\$580,000**

Debra Stephens d.b.a. WA ST Justice, **\$580,000**

Total amount owed by CLARK COUNTY Criminal officials: **\$7,500,000**

Grand Total of the lien against public officials of both CLARK COUNTY AND WASHINGTON STATE is: \$13,200,000.

David A. Darby is the proxy for all sovereign land owners; the amount of \$13,200,000 is now multiplied by all of the land owners in Clark County and the State of Washington.

The total number of sovereign land owners as defined in the 1878 Constitution of the State of Washington in Clark County is recorded in the assessor's office at approximately 160,000. That makes the total County responsibility to the sovereign land owners of Clark County $160,000 \times \$13,200,000 = \$2,112,000,000,000$. This does not include all the other sovereigns in the other counties in the State of Washington.

The Distress Defendants have violated the lawful 1787 Constitution for the United States of America and the lawful 1878 Constitution of the State of Washington, etc. by the following acts or omissions:

The above named Defendants herein (Defendants in Federal District Court Case # MC12-5000BHS) are now convicted by affidavit of the following offenses:

- A.) Violation of the lawful 1787 Constitution for the United States, the ORIGINAL and SUPREME Law of the Land. See Federal District Court Case # MC12-5000BHS table of criminal acts against the sovereign people of the State of Washington.
- B.) Continuing the fraudulent use of the illegal and unlawful 1889 Constitution of the State of Washington, thereby stealing the sovereign rights of the sovereign people of Washington and stealing the clear titles of the sovereign people of the State of Washington. See the 1878 Constitution of the State of Washington Article 2, Section 3.
- C.) Denying the sovereign people of the State of Washington the protections of the lawful 1878 Constitution of the State of Washington.
- D.) Said Defendants herein, on or before July 9th AD 2008 to this present day are still ignoring the plaintiff's lawful sovereign status. Sovereign Status of all Washington citizens are guaranteed in the lawful 1787 Constitution for the United States, the 1783 Treaty of Paris with the King of England, and Article 2 Section 3 of the lawful 1878 Constitution of the State of Washington.
- E.) Said Defendants are still defending the unlawful policies of WASHINGTON STATE and CLARK COUNTY and continuing to tax titled land that does not belong to the County or the State and not recognizing the sovereign status of the people of the State of Washington.

The above named defendants did not choose to answer the above lawful affidavit of redress of grievances. Federal Judge Benjamin Settles took it upon himself, in attempting, to unlawfully change this lawful affidavit from a criminal case and arbitrarily make it a civil case. This is against all laws of the 1787 Constitution for the United States and the 1878 Constitution of the

State of Washington. A judge in any County, State, or Federal Court does not have that power. Only a jury can dismiss a criminal case. Federal Judge Benjamin Settles removed all opportunity for the above defendants to get their day in court and prove their innocence. By law, only a Federal Grand Jury can either dismiss this case or submit it for trial not the Federal Judge. Therefore, the second part of the Criminal Complaint is now in force. The Commercial Lien against all defendants is now able to be monetized.

I have held the Court in Honor with my Affidavit and by ignoring and dishonoring these lawful Affidavits the defendants have acted against the very laws they have sworn an oath to uphold.

- a) **Per 3 American Jurisprudence 2d “Affidavits” § 8**, “A complete affidavit must satisfy three essential elements: (1) a written oath embodying the facts as sworn to by the affiant; (2) the signature of the affiant; and (3) the attestation by an officer authorized to administer the oath that the affidavit was actually sworn by the affiant before the officer. While an affidavit typically includes a caption or title, the venue, the signature of affiant, the jurat, and the body of the instrument, no particular terminology is required to render the document an affidavit, as it is the substance and not form of affidavit that is important. Technical deficiencies do not render affidavits improper and will not be stricken. Accordingly, if it affirmatively appears from whole of document that affiant could competently testify to contents of affidavit at trial, then technical insufficiencies in affidavit should be disregarded.”
- b) **Per 3 American Jurisprudence 2d “Affidavits” § 20** “If an affidavit is uncontradicted, the reviewing court must accept its contents as true. Accordingly, where an opposing party does not deny or controvert facts stated in a movant’s affidavit, the facts may be deemed to be admitted for purposes of court’s ruling in such matter.” (emphasis mine)

The county governments of WASHINGTON STATE are following the laws of the CORPORATE STATE that do not recognize sovereign rights and clear title to the land through lawful contracts with the United States of America. Those contracts are called Land Patent clear title contracts(fee simple). The STATE AND COUNTIES of Washington State continue the procedures unlawfully placed by STATE AND COUNTY corporate governments to deprive David A. Darby and other sovereigns in the CLARK COUNTY and in all counties in the STATE OF WASHINGTON of their god given rights to own their own land. The Defendants, having knowledge of the law and the power to prevent the Constitutional deprivation of the Plaintiff’s herein guaranteed Rights, with intent, without authority and under color of law **did unlawfully:** engaged in a conspiracy to over throw the Government of the United States of America by ignoring Constitutional Law, and specifically, to defraud and betray the plaintiff herein, of his lawful Constitutional exercise of his to have clear title to his land. Said acts are punishable and in violation of Title 18 Section 241, 242 and 3571.

(See Criminal Complaint Federal District Court Case # MC12-5000BHS).

The following is a Notice to Clarify filing issues:

I was forced to accept the Federal District Court Clerk's reason for filing the Criminal Case as a miscellaneous Case #, this gave the District Court Judge's his phony reason to rule this Criminal Case a civil case even though the front of the filing clearly states that it is criminal. See Affidavit of Rebuttal filed in Federal District Court on 4-11-12.

The judge in this case attempted to unlawfully converted the Criminal (Title 18) into Civil (Title 28).

This is Fraud. (18 USC § 3) Judge Benjamin Settles will be issued a Criminal Complaint under this Code.

The **Matter is Criminal!** (18 USC § 4)

The **Issue is Criminal!** (18 USC § 4)

The Criminal Complaint was brought forth pursuant to Title 18 USC § 4.

A matter brought forth pursuant to 18 USC § 4 cannot be considered to be **Civil** (Title 28) or **Frivolous**.

Frivolous: Of little weight or importance. Frivolous pleadings may be amended to proper form, or ordered stricken, under federal and state Rules of Civil Procedure. (Blacks Law 6th Ed.) Notice it states by Civil Procedure; this does not apply to my "Criminal Complaint."

I could not compel the Federal Magistrate Judge, District Court Judge, and United States Attorney to take action on this matter because we do not have as much Power in the Court House as they do.

A Criminal matter, by law must be submitted to the Grand Jury. Only a Grand Jury can dismiss a Criminal Case per the lawful 1787 Constitution for the United States, the supreme law of the Land. The Judge has no authority to change the status of a case from Criminal to Civil. This was a smoke screen to provide cover in dismissing the case.

However, the Law requires us to give the Federal Court the 1st opportunity to act to prosecute this case. (18 USC § 4). Upon dishonor and default by those responsible in the Federal Court, the second step becomes a Commercial matter **out** of the Federal Court's Jurisdiction. By Judge Settle's unlawful Rulings, he has returned the matter to my hands to be dealt with by the Remedies (UCC 1-201 (32), which he leaves us, because of his dishonor and dismissal of our "**Affidavit of Criminal Complaint**". (18 USC § 3)

RESERVATION OF RIGHTS

The fundamental purpose of the Bill of Rights was to guarantee the Power of an Affidavit and protect property rights of the sovereign people. The courts of this country are treating this procedure with contempt. All courts from the County to the Federal are treating a basic

constitutional right to get justice into what they call “Paper Terrorism” or “Frivolous”, but never saying that the right to affidavit is against the law. We the people will continue to demand constitutional article III courts, “The courts of Common Law,” Sovereign courts of the sovereign people.

Article III courts are the only courts that the Sovereign People of this county and country can get justice. These courts are guaranteed by the lawful 1787 Constitution for the United States and the lawful 1878 Constitution of the State of Washington.

“One's right to life, liberty, and property, to free speech, free press, freedom of worship & assembly, and other fundamental rights may not be submitted to a vote; they do not depend on the outcome of elections.”

SUMMARY OF WHY THIS ACTION WAS NECESSARY

By the unlawful actions of the above defendants, they are, and have acted in sedition and insurrection against the lawful 1787 Constitution for the United States, the lawful 1791 Constitution for the United States that added protections for the sovereign people, the Bill of Rights, and the lawful 1878 Constitution of the State of Washington. All of the above mentioned Defendants have committed treason against me and the sovereign people of the State of Washington, by ignoring the Supreme Law of the Land. The defendants are engaging in all manner of fraud in their dealings with me and the sovereign people of the State of Washington. By doing thus, the defendants are engaging in all manner of criminal actions for which the defendants, in their official and private capacities, are lawfully liable.

I AM NOT UNDER THE JURISDICTION OF THE COUNTY, STATE AND FEDERAL CORPORATIONS. Anytime public officers, pursuant to their oaths, violate Rights guaranteed to Sovereign Citizens in the above mentioned Constitutions, they act outside their limited delegated authority, thus, perjuring their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14th Amendment; thereby vacating their offices and forfeit all benefits thereof, including salaries and pensions. You are required to have an oath of office on file for public scrutiny, specifically referenced in USC Title 5 Chapter 33 Subsection 3331. I have personally accepted your oaths of office and you are required to have bonds to guarantee your faithful performance of your lawful duties, pursuant to your oath, as the law requires.

By your stepping outside of your delegated authority you lost any “perceived immunity” of your office and bond and you have been served in a criminal action for your wrongdoing against me and the sovereign people of Washington State, personally, privately, individually and in your professional capacity, as have been all those in your unlawful jurisdiction, including your supervisors and anyone having oversight responsibility for you, including any judges or prosecuting attorneys and public officers for that jurisdiction. If, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties thereto, and if they fail to act and correct the matter, then, they condone, aid and abet your criminal actions, and further, collude and conspire to deprive me and other Citizens of their Rights guaranteed in the 1787 & 1791 Constitution for the United States and the lawful 1878 Constitution of the State of Washington, as a custom, practice and usual business operation of their office and the jurisdiction for which they work (18 USC § 3). This constitutes treason by the entire unlawful jurisdiction against me, and based upon the actions taken and what exists on the public record, it is impossible for any public officer to defend himself against the treason

committed. Be assured, that I am claiming the protection of my constitutionally guaranteed Rights which you, and this entire unlawful jurisdiction have unlawfully, and without Constitutional authority, denied.

If you (above defendants) had disagreed with anything in Affidavit of the Criminal Complaint, then by law of the affidavit and commercial law, you would have rebutted that with which you had disagreed, in writing, by notarized Affidavit, certified mail as proof, with particularity to me, within 90 days of serving of the Criminal Complaint on the Federal District Court on 1/4/12, and supported your disagreement with evidence, facts and law. Your failure to respond, as stipulated, is your agreement with, and admission to, the fact that everything in the Affidavit of Criminal Complaint is true, correct, legal, lawful, and is your irrevocable agreement attesting to this, fully binding upon you, in any court in America, without your protest or objection or that of those who represent you.

For the Record: Contract Acceptance in the Private

I, David A. Darby, Sovereign freeman In Propria Persona, now for and in the public record Formally “**Accept**” and “**Consummate**” **Judge B. H. Settles**, and/or all other Officers’ of the Court and Government Officials required Oaths of Office, and obedience to State and Federal Constitutions as by-laws, and possession of Performance and/or Fidelity Bonds, and Acceptance of compensation for services, placing you **in** the “**Private**” (Blacks Law 6th ed.), under this Consensual Relationship and Construction and Contract as you being my public servants “Fully Personally Liable Now” to protect my certain un-a-lien-able Rights endowed by my **Creator and secured by the Constitution**. As of yet, some of the name(s) of your Bonding Company’s and Bonding number have not been made available to me; therefore, all defendants are acting out of “Uniform.” (Title 18 §§ 3, 4, 241, 242, 2383, 3571 and 42 USC § 1983)

It should be well Noted that it was not this Sovereign Citizen that had offered up an Oath of accepted duties and obligations, and it should be well Noted that this Sovereign Citizen did, indeed, accept said Oath by the public officials of the federal and state government positions, and the court to consummate a full and binding contract in the “Private” between Plaintiff and Actors. This plaintiff did give an oath to this county and Constitution “To defend and protect.” This is what the whole Criminal Complaint process is all about. (U.S. Constitution Article 6.)

I, David A. Darby, reserve the right to amend this document if necessary, in order that the truth be more fully and certainly ascertained and justly determined.

See the Ledger – Explicit point for point ledgering: See Criminal Complaint Federal District Court Case # MC12-5000BHS with Constitutional Ledgering, ledgered pursuant to 18 USC 241, 242, 3571 values. (Page 50)

DISTRESS VS. CRIME AND AGGRAVATION OF CRIME

This Distress is applied for the expressed purpose of terminating the criminal behavior of the cited Distress Defendants and Accessory Accomplices in this case, because they have been or are engaged in denying Distress Demandant, David A. Darby, his legal and lawful remedies. This Distress is applied to prevent any future imposition of a violation of the “Peace and Dignity of the State” upon the Distress Demandant and other American Sovereigns, by the cited Distress

Defendant and Accessory Accomplices. (42 USC Section 1986 – The Brothers Keeper / Good Samaritan Statute).

CLEAN HANDS / GOOD FAITH DISTRESS

This distress is Not applied for light or transient reasons, it is Not engaged in for purposes of harassment, and it is not engaged in for purposes of impeding or slowing down the court or government processes. This distress is used specifically to change criminal behavior of elected and non elected official and persuade the same government officials to follow constitutional law and protect the people that elected them in the first place.

Surety – Property – The Surety Property of this Distress is any and all property which may be distressed / arrested / impounded / use-suspended in third party custody to guarantee specific performance, namely, to guarantee arrest of criminal behavior on the part of the Distress Plaintiff.

Bonding (established pursuant to 42 USC 1986 and 18 USC 4, 241,242,and 3571.

A Distress to limit criminal behavior, especially in hot pursuit, does not have to be cash bonded.

This Criminal Complaint is lawful bond for the Bonding of a Distress on an Official Malpractice Bond or a Distress on a Commercial Malpractice Bond.

This Distress is both criminally and commercially bonded by the attached Criminal Complaint filed in the 9th District Federal Court on 1/4/12 with a District Court Judge acting as Magistrate Judge in Tacoma, Washington, and the Commercial Lien was also filed on the same day of 1/4/12 in the amount of **\$580,000** per judge and **\$570,000** per non judge per case # MC12-5000BHS, page 50. In a total amount of \$13,200,000 and represents the value claimed against the Distress Defendants and their employers the County of Clark and the STATE OF WASHINGTON as of June 1, 2012 AD.

Affidavit – The attached Exhibit 1, Criminal Complaint is the Affidavit in support of this Distress. Violation of this process constitutes accessory to a crime. Trespass, Rescue and Poundbreach are felonies. Any attempt to abridge or defeat or impair this process and release the Distress of the said Official Malpractice Bond(s) or Commercial Malpractice

Bond(s) will constitute a felony known as Poundbreach or Rescue. If the said custodians of the said Official Malpractice Bond(s) or Commercial Malpractice Bond(s) do not take the required action, said custodians, and their personnel individually assume liability for all damages which result both commercially and criminally, which could have been prevented by reasonable diligence and lawful behavior pursuant to 42 USC 1986 and USC 4,241, 242, and 3571.

CONDITIONS FOR RELEASING DISTRESS – When the distress Defendants comply with the conditions set forth in the Criminal Complaint, the distress will be lifted. Until that happens, I, David A. Darby and/or assigns will continue the Commercial Collections process with Distress Infinite.

Evidence, Exhibits, Memoranda (points of law)

Exhibit 1: Criminal Complaint filed in 9th District Court on 1/4/12 as Case Number MC12-5000BHS.

Exhibit 2: Affidavit of Rebuttal and Demand of Access to a Public Grand Jury And the Order of Dismissal by Judge Settles.

Exhibit 3: Affidavit of Default and Demand for Payment

Memoranda (points of law) The following RCW's are presented for the express purpose of showing that the Maxims of Law being followed by the 1791 Constitution for the United States, and the 1878 Constitution of the State of Washington are being followed, notice that the date of the actions all follow the lawful 1878 Constitution of the State of Washington's ratification, but before the unlawful passing of the Unlawful 1889 Constitution of the State of Washington:

Who may bring action on bond? 1890 p 34 § 3; RRS § 9932] **RCW 42.08.080**

Every official bond executed by any officer pursuant to law, shall be in force and obligatory upon the principal and sureties therein, to and for the state of Washington, and to and for the use and benefit of all persons who may be injured or aggrieved by the wrongful act or default of such officer, in his official capacity, and any person so injured or aggrieved may bring suit on such bond in his or her own name without an assignment thereof.

Who may maintain action. Code 1881 § 653; 1877 p 135 § 656; 1869 p 152 § 593; RRS § 959. **RCW 42.08.020**

When a public officer by official misconduct or neglect of duty, shall forfeit his official bond or render his sureties therein liable upon such bond, any person injured by such misconduct or neglect, or who is by law entitled to the benefit of the security, may maintain an action at law thereon in his own name against the officer and his sureties to recover the amount to which he may by reason thereof be entitled.

Remedy when bond of state officer becomes insufficient. 1890 p 36 § 8; RRS § 9937 **RCW 42.08.130**

Whenever the official bond of any state officer shall become insufficient from any cause whatever, the like proceedings may be had before the superior court of the county in which said state officer holds his office with reference thereto: PROVIDED, That such proceedings may be commenced by a written motion supported by affidavit.

Misconduct of public officers. (Section too large to list here.)

18 USC § 2381 - Treason

Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined under this title but not less than \$10,000; and shall be incapable of holding any office under the United States.

18 USC § 2382 - Misprision of treason

Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both.

18 USC § 2383 - Rebellion or insurrection

Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined under this title or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States.

AFFIDAVIT OF DEMAND

I, David A. Darby **Demand** that this Bonded Distress immediately impounds the Official Malpractice Bond(s) and Commercial Custody of all the above listed government officials, said impoundment/arrest/third party custody to be guaranteed by the bonding Company(s), the Underwriting Insurance Company(s), the State and County Departments of Risk Management, the County Court Administrator, and the County Sheriff.

I, David A. Darby, Sovereign Affiant, acting In Propria Persona, **Demand** that the above recipients of this Distress Affidavit distress the judicial and commercial bonds and forfeit all funds that are attached to the commercial lien on page 50 of the Criminal Complaint Case # MC12-5000BHS with in the 21 Days allocated. All correspondence will be in affidavit form, using the same format as this affidavit and certification page.

I, David A. Darby, respectfully **Demand** that, the COUNTY Corporation and STATE CORPORATION that the individual defendants represents, that same corporation is directed by law to cancel the bonds, employment, and pensions of felon elected officials and employees according to the law. That same COUNTY and STATE Corporation is directed to either pay the liens for the individual felons or direct the felons to pay themselves. The Federal District Court failed to protect all of the above defendants, by presenting the criminal complaint to a grand jury. Therefore, since the defendants did not follow the procedure of a lawful affidavit in law, they have admitted guilt, by not answering the lawful affidavit of Criminal Complaint. In this way all the above defendants have been found guilty of criminal activity that is contrary to their oaths of office to the Constitution of the United States and the lawful 1878 Constitution of the State of Washington.

CERTIFICATION

Criminal Certification: I, David A. Darby, the Sovereign Affiant / Distress Demandant certify and affirm that I have grounds to, and do believe, that the above accused Distress Defendants committed the above offenses contrary to the Supreme Law of the Land and the 1878 Constitution of the State of Washington.

General Final Certification:

I, David Arthur Darby, Sovereign Affiant, acting In Propria Persona certify and affirm on my own commercial liability, that I have read the foregoing and know the content thereof and that, to the best of my knowledge that the above Affidavit is True, Correct, Complete and not Misleading, to the best of my Knowledge. The truth, the whole truth, and nothing but the truth, So Help Me God.

Signed: _____ Date: _____

NOTARY
SEAL

[STATE] _____) s.s.:

[COUNTY] _____)

On this _____ day of _____, AD 20____,

The above signatory appears before me personally with picture ID and executes the forgoing instrument and acknowledges this to be their free act and deed.

_____ My Commission Expires: _____

Notary Public