



Using Your Own Plates on Your Vehicle

by **Sovereignty International** (a trust)

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www.sovereigntyinternational.fyi

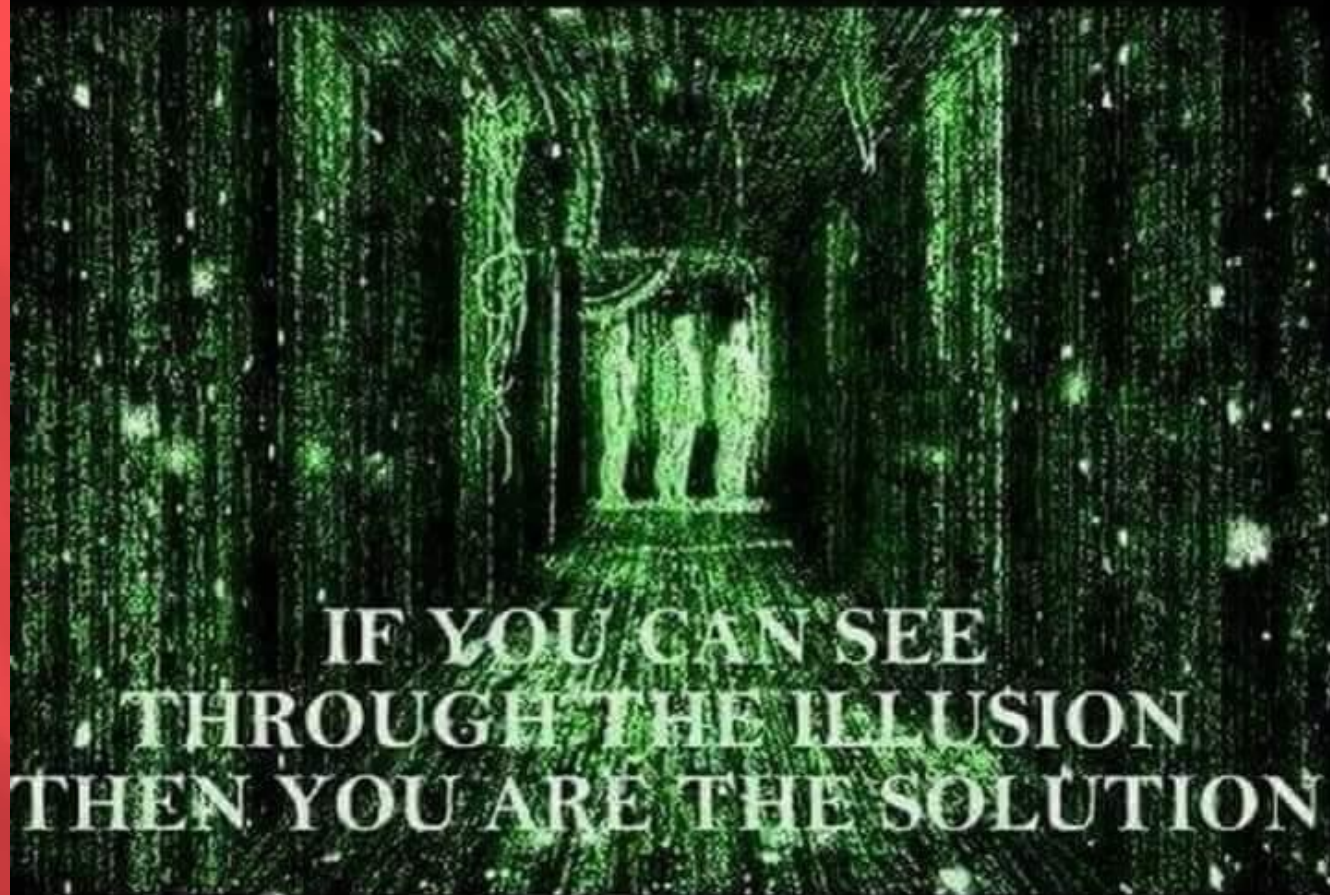
Disclaimers

- ▣ I am NOT a liar (lawyer)
- ▣ You should NEVER take my word for anything
- ▣ You should always do your own research
- ▣ I have provided references to aid you in your research
- ▣ I don't know everything and am open to any ideas

THERE ARE 4 TYPES OF PEOPLE YOU WILL MEET IN YOUR LIFE



Which one are you?
Do you really know for sure?
Are you who you think you are?



IF YOU CAN SEE
THROUGH THE ILLUSION
THEN YOU ARE THE SOLUTION

**IF THE PEOPLE DO NOT KNOW THEIR BASIC RIGHTS
AND FREEDOMS,**

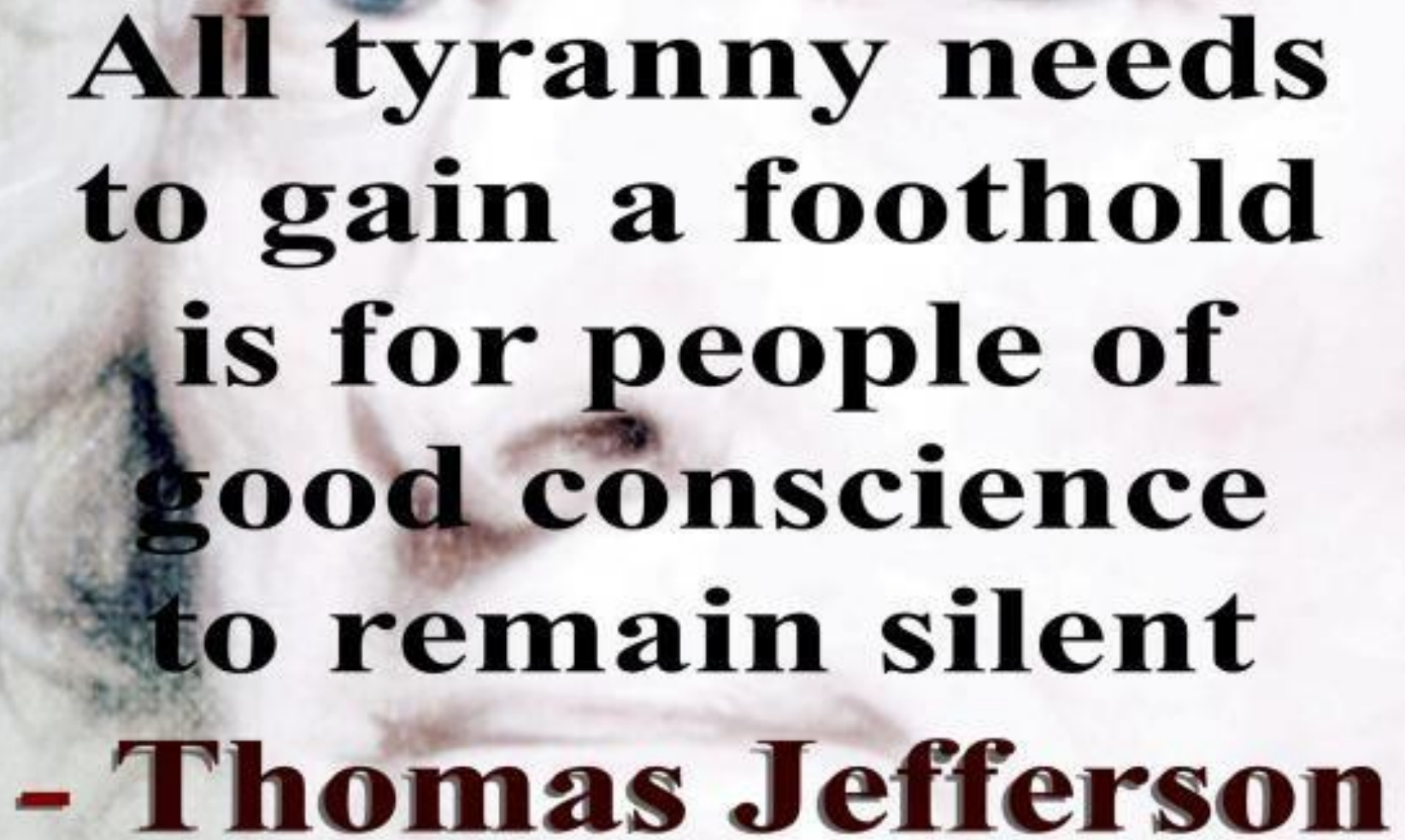


**HOW CAN THEY KNOW WHEN OR IF THEIR RIGHTS
AND FREEDOMS ARE BEING INFRINGED?**

**NEVER FORGET THE MEN WHO STARTED THIS
COUNTRY WERE**

FirearmsUnknown.com

**MARIJUANA GROWING, WHISKEY DRINKING,
TAX EVADING REBELS WHO LEFT THEIR BEDS
LATE AT NIGHT TO SHOOT AT COPS**



**All tyranny needs
to gain a foothold
is for people of
good conscience
to remain silent
- Thomas Jefferson**



Using Own Plates

- **“The rights of sovereignty extend to all persons and things, not privileged that are within the territory. They extend to all strangers resident therein; not only to those who are naturalized, and to those who are domiciled therein, having taken up their abode with the intention of permanent residence, but also to those whose residence is transitory. All strangers are under the protection of the sovereign while they are within his territory and owe a temporary allegiance in return for that protection.”** Carlisle v United States 83 U.S. 147, 154 (1873)

Using Own Plates

- "(h) DEFINITION's. "
- "(3) MOTOR VEHICLE.-The term 'motor vehicle' means a self-propelled vehicle which is registered for highway use under the laws of any State or foreign country." Federal Tax Lien Act of 1966 at Public Law 89-719 at 80 Stat. 1130-1131

Using Own Plates

- You may NOT do this if you carry passengers or property for hire
- **"The term "Motor Vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo.**
- **The term "used for commercial purposes" means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit." 18 USC § 31 [emphasis added]**

Using Own Plates

You may do this in Texas, or any State, including Canada, or Mexico, but you need to be able to defend it

No Registration Required

- “(a) .. a political subdivision of this state may not require an owner of a motor vehicle to; (1) register the vehicle;
- (2) pay a motor vehicle registration fee; or
- (3) pay an occupation tax or license fee in connection with motor vehicle.”

Texas Transportation Code § 502.003
Registration By Political Subdivision
Prohibited.

Certificate of Title Act

- “(a) This chapter applies to a motor vehicle owned by the state or a political subdivision of the state.
- (b) This chapter does not apply to; (3) a motor vehicle while it is owned or operated by the United States. (Postal Service or military vehicles) “ Texas Transportation Code § 501.004.
Applicability. (Certificate of Title Act)

Non-
Commercial

Texas republic

Not for Hire



SUI JURIS

NO EXP. _____

Private Property

NO Trespassing

_____ I D P

Non-
Commercial

Texas republic

Not for Hire



R132103

NO EXP.

Private Property

NO Trespassing

IDP

REPUBLIC OF TEXAS



2047A

PRIVATE



PROPERTY

American National

957



GWF



Diplomat - Traveler



tinyurl.com/tagnotice

Consumer Goods

“Goods are;
(1) “consumer goods” if they are used or bought for use primarily for personal, family or household purposes;
(2) “equipment” if they are used or bought for use primarily in business (including farming or a profession) or by a debtor who is a non-profit organization or a governmental subdivision or agency or if the goods are not included in the definitions of inventory, farm products or consumer goods;” Uniform Commercial Code 9-109 Classification of Goods: “Consumer Goods”; “Equipment”; “Farm Products”; “Inventory”.

Consumer Goods

- **“Under UCC §9-109 there is a real distinction between goods purchased for personal use and those purchased for business use. The two are mutually exclusive and the principal use to which the property is put should be considered as determinative.”** James Talcott, Inc. v Gee, 5 UCC Rep Serv 1028; 266 Cal.App.2d 384, 72 Cal.Rptr. 168 (1968).
- **“The classification of goods in UCC §9-109 are mutually exclusive.”** McFadden v Mercantile-Safe Deposit & Trust Co., 8 UCC Rep Serv 766; 260 Md 601, 273 A.2d 198 (1971)

Consumer Goods

- “Automobile purchased for the purpose of transporting buyer to and from his place of employment was “consumer goods” as defined in UCC §9-109.” *Mallicoat v Volunteer Finance & Loan Corp.*, 3 UCC Rep Serv 1035; 415 S.W.2d 347 (Tenn. App., 1966)
- “The provisions of UCC §2-316 of the Maryland UCC do not apply to sales of consumer goods (a term which includes automobiles, whether new or used, that are bought primarily for personal, family, or household use).” *Maryland Independent Automobile Dealers Assoc., Inc. v Administrator, Motor Vehicle Admin.*, 25 UCC Rep Serv 699; 394 A.2d 820, 41 Md App 7 (1978).

Consumer Goods

- **“A vehicle not used for commercial activity is a “consumer goods”, . . . it is NOT a type of vehicle required to be registered and “use tax” paid of which the tab is evidence of receipt of the tax.” Bank of Boston v. Jones, 4 UCC Rep. Serv. 1021, 236 A2d 484, UCC PP 9-109.14**
- **“Thus self-driven vehicles are classified according to the use to which they are put rather than according to the means by which they are propelled.” Ex Parte Hoffert, 148 NW 20**

Consumer Goods

“The Supreme Court, in *Arthur v. Morgan*, 112 U.S. 495, 5 S.Ct. 241, 28 L.Ed. 825, held that carriages were properly classified as household effects, and we see no reason that automobiles should not be similarly disposed of.” *Hillhouse v United States*, 152 F. 163, 164 (2nd Cir. 1907)

“A soldier's personal automobile is part of his “household goods[.]” *U.S. v Bomar*, C.A.5(Tex.), 8 F.3d 226, 235” 19A Words and Phrases - Permanent Edition (West) pocket part

Consumer Goods

- **“... [T]he exemptions provided for in section 1 of the Motor Vehicle Transportation License Act of 1925 (Stats. 1925, p. 833) in favor of those who solely transport their own property or employees, or both, and of those who transport no persons or property for hire or compensation, by motor vehicle, have been determined in the Bacon Service Corporation case to be lawful exemptions. -
-In re Schmolke (1926) 199 Cal. 42, 46**

Consumer Goods

- **“Consumer goods – automobile for transportation to and from work. The use of a vehicle by its owner for purposes of travelling to and from his employment is a personal, as opposed to a business use, as that term is used in UCC 9-109(1) and the vehicle will be classified as consumer goods rather than equipment.” In Re Barnes, 11 UCC Reporting Service 670**
- **“In view of this rule a statutory provision that the supervising officials “may” exempt such persons when the transportation is not on a commercial basis means that they “must” exempt them.” -- State v. Johnson, 243 P. 1073; 60 C.J.S. section 94, page 581**

References

- ▣ Copies of these documents can be found at My private group at Yahoo called **Administrating-Your-Public-Servants**
- ▣ For a complete set of Youtube videos with **Private Information Shares**, a DVD with over 50 searchable **Law Dictionaries**, and other books and forms contact me privately at **engineerwin@yahoo.com**
- ▣ Donations to support this work are appreciated. I prefer gold or silver coin, but as an extremely less desirable alternative I can accept IOUs (Federal Reserve Notes, Paypal gifts, checks, money orders, etc) send me an email for particulars

Texas Constitution

- “(d) The Legislature by general law shall exempt from ad valorem taxation household goods not held or used for the production of income and personal effects not held or used for the production of income.” Article 8, Sec. 1
(d) Texas Constitution[emphasis added]

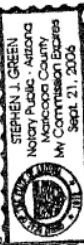
Arizona Constitution

- “(4) All household goods owned by the user thereof and used solely for noncommercial purposes shall be exempt from taxation, and such person entitled to such exemption shall not be required to take any affirmative action to receive the benefit of such exemption.” Arizona Constitution, 1.3.11 Article IX. Public Debt, Revenue, and Taxation, § 2. Property subject to taxation; exemptions [emphasis added]

I, Wayne Howard Stump, do Solemnly state that this is an exact and true copy of a letter that I wrote on Dec. 10, 1985 while serving in the State Senate of Arizona.

Signed *Wayne Howard Stump*

Signed in my presence this 14 Day of January 2004.



WAYNE STUMP
STATE SENATOR
THIRTY-SEVENTH LEGISLATURE
DISTRICT 18
STATE CAPITOL - SENATE WING
PHOENIX, ARIZONA 85007
PHONE: (602) 255-5261



COMMITTEES:
EDUCATION,
VICE CHAIRMAN
GOVERNMENT
HEALTH & WELFARE

Arizona State Senate Phoenix, Arizona

December 10, 1985

Ralph Milstead
Director
Department of Public Safety
State of Arizona
2310 North 20th Avenue
P.O. Box 6638
Phoenix, Arizona 85005

Dear Director Milstead:

It has come to my attention that numerous individuals in our state have rescinded all of their contracts with the United States federal government, the State of Arizona, and each of its political subdivisions, establishing themselves as freemen under the organic national Constitution of the Republic of the United States of America. Consequently, they may be driving without auto registration, driver's license, or any other evidence of contract.

Because many law enforcement personnel may be unaware of the contractual nature of auto registration and driver's licenses, it is conceivable that this situation may lead to confrontation between these individuals and law enforcement personnel.

I urge you to inform yourself and your personnel about this matter as soon as possible. If you would like to be briefed by someone knowledgeable on this subject, please contact me.

In the meantime, inasmuch as this procedure is entirely appropriate when properly carried out, I would like to be personally notified of every such instance of confrontation in order that the persons involved and the public officials involved may be apprised of the correct procedure and the appropriateness of their actions on the part of each concerned.

My office phone is 255-5261 and I am requesting to be notified of the names and incidents along with addresses and phone numbers of participants of any such confrontations arising from the exercise of a person's freeman status in order to evaluate the outcome of properly rescinded contracts.

Sincerely,

Wayne Stump
Wayne Stump
State Senator

WS:pg

ARIZONA

Department of State



APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: United States of America

This public document

2. has been signed by STEPHEN J. GREEN

3. acting in the capacity of Notary Public

4. bears the seal/stamp of STEPHEN J. GREEN - Notary Public

CERTIFIED

5. at Phoenix, Arizona

6. on Tuesday, February 17, 2004

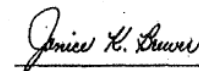
7. by the Secretary of State, State of Arizona

8. No. 105966

9. Seal / stamp

10. Signature




Janice K. Brewer
Secretary of State

WAYNE STUMP
STATE SENATOR

THIRTY-SEVENTH LEGISLATURE
DISTRICT 18

STATE CAPITOL - SENATE WING
PHOENIX, ARIZONA 85007
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Arizona State Senate

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signed in my presence this 14 Day of January 2004.

STEPHEN J. GREEN
Notary Public - Arizona
Maricopa County
My Commission Expires
Sept. 21, 2006



December 10, 1985

Ralph Milstead
Director
Department of Public Safety
State of Arizona
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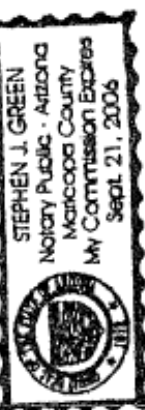


I Stump, do Solemnly state that this is an exact and true copy of
n Dec. 10, 1985 while serving in the State Senate of Arizona.

I, Wayne Howard Stump, do Solemnly state that this is an exact copy of the original document that I wrote on Dec. 10, 1985 while serving in the State Senate.

Signed *Wayne Howard Stump*

Signed in my presence



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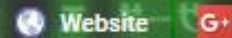
Wayne Stump
State Senator

WS:pg

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Travel by Right

- “The right to travel is part of the liberty of which a citizen cannot be deprived without due process of law under the 5th Amendment. This Right was emerging as early as the Magna Carta.” (1215 c.e.) Kent v Dules 357 US 116 (1958)

Travel by Right

- “Complete freedom of the highways is so old and well established a blessing that we have forgotten the days of the "Robber Barons" and toll roads,...” Robertson v. Department of Public Works, 180 Wn. 133

Travel by Right

- **"The right to travel over a street or highway is a primary absolute right of everyone." Foster's, Inc. v. Boise City, 118 P.2d 721, 728.**

Travel by Right

- “The use of the highway for the purpose of travel ... is not a mere privilege, but a common fundamental right of which the public ... cannot rightfully be deprived.” *Chicago Motor Coach v. Chicago*, 169 NE 221.

Travel by Right

- "The right of a citizen to use the highways, including the streets of the city or town, for travel and to transport his goods, is an inherent right which cannot be taken from him." Florida Motor Lines v. Ward, 137 So. 163, 167; State v. Quigg, (Fla. - 1927), 114 So. 859, 862;

Warfare = Commerce

- ▣ The fact that using these citations about the right to travel fail to work every time, and yet the Uniform Commercial Code citations about Consumer Goods work fine, is proof that these courts are all United Nations Courts under the Uniform Commercial Code staffed by Roman Cult BAAL priests, and they are making war on you
- ▣ **"A mixed war is one which is made on one side by public authority, and the other by mere private persons." Black's Law Dictionary 5th Ed., page 1420**

Subscription/Patreon Channels

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- ❖ Website has 2 subscription levels, and I accept crypto currencies
- ❖ \$29.99/year for the videos only
- ❖ \$49.99/year for videos plus unlimited consultations – I am NOT a liar (Attorney) but I can tell you what I would do and where to find forms
- ❖ The ONLY power that the N.W.O. satanists have over us is through fraud and deception, and my agenda is to expose it for all our benefit – I cannot fight all of the battles
- ❖ Currently publishing 1 video a week

Exclusive Website & Patreon Content

- ▣ Arlington Private Information Share
- ▣ Land Deed Training
- ▣ Estoppel Certificates Training
- ▣ Foreclosure Estoppel Certificates Training
- ▣ Corporate Denial Training
- ▣ Toll Roads Notice and Demand Training
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- ▣ Third Party Witness Training
- ▣ Federal Habeas Corpus Training

Exclusive Website & Patreon Content

- ▣ Revocation of Voter Registration
- ▣ Criminal Complaint Training
- ▣ Lawsuit Training
- ▣ Other Training (requests?)
- ▣ Northeast Private Information Share videos
- ▣ All forms, files and other instructions are available for free on my 2 private groups at YahooGroups and GoogleGroups
- ▣ All exclusive content will be on my website and you can buy a subscription there

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- ▣ Patreon.com/SovereigntyInternational

Travel by Right

- **"At Common Law there is no precise limit of speed. A traveler by automobile must adopt a reasonable speed."**
Gallagher v. Montplier, 52 ALR 744; 5 Am Jur. page 645.

Travel by Right

- “The department shall erect & maintain on the highways & roads of this state appropriate signs that show the maximum lawful speed for commercial motor vehicles, truck tractors, truck trailers, truck semi-trailers & motor vehicles engaged in the business of transporting passengers for compensation or hire (buses).” Texas Transportation Code § 201.904. Speed Signs.

Travel by Right

- “(a) An operator may not drive at a speed greater than is reasonable & prudent under the circumstances then existing. (b) An operator: (1) may not drive a vehicle at a speed greater than is reasonable & prudent under the conditions & having regard for actual & potential hazards then existing; & (2) shall control the speed of the vehicle as necessary to avoid colliding with another person or vehicle ...” Texas Transportation Code § 545.351. Maximum Speed Requirement.

Driver

- **“DRIVER. One employed in conducting a coach, carriage, wagon, or other vehicle, with horses, mules, or other animals.”**
Bouvier’s Law Dictionary 1856 Edition, page 447 [emphasis added]
- **“DRIVER. One employed in conducting a coach, carriage, wagon, or other vehicle, with horses, mules, or other animals.”**
Black’s Law Dictionary 1st Edition, page 395 [emphasis added]

Driver

- “**DRIVER.** One employed in conducting a coach, carriage, wagon, or other vehicle, with horses, mules, or other animals, or a bicycle, tricycle, or motor other motor car, though not a street, railroad car. See Davis v. Petrinovich, 112 Ala. 654, 21 South 344. 36 L. R. A. 615, Gen. St. Conn. 1902, § 2038; Isaacs v. Railroad Co., 47 N. Y. 122. 7 Am. Rep. 418.” Black’s Law Dictionary 2nd Edition, page 398 [emphasis added]

Driver

- **“DRIVER. One employed in conducting or operating a coach, carriage, wagon, or other vehicle, with horses, mules, or other animals, or a bicycle, tricycle, or motor car, though not a street railroad car. A person actually doing driving, whether employed by owner to drive or driving his own vehicle. Wallace v. Woods, 340 Mo. 452, 102 S.W.2d 91, 97.” Black’s Law Dictionary 4th Edition, page 585 [emphasis added],**

Statutes = Roman Law = Roman Cult

- ▣ All they need is a contract
- ▣ "It is impossible to prove jurisdiction exists absent a substantial nexus with the state, such as voluntary subscription to license. All jurisdictional facts supporting claim that supposed jurisdiction exists must appear on the record of the court." Pipe Line v Marathon. 102 S. Ct. 3858 quoting Crowell v Benson 883 US 22

Contact Information

- ❖ My Blog is; <http://sovereigntyinternational.wordpress.com>
- ❖ Website - www.sovereigntyinternational.fyi
- ❖ Email - engineerwin@yahoo.com
- ❖ Youtube profile – sovereigntyliving
- ❖ Facebook - Community Page - Deleted
 - ❖ Private Group – Sovereignty International – Being deleted
- ❖ Yahoo Private Group – Administrating-Your-Public-Servants
- ❖ Google Private Group – Administrating-Your-Public-Servants
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**NEVER FORGET THE MEN WHO STARTED THIS
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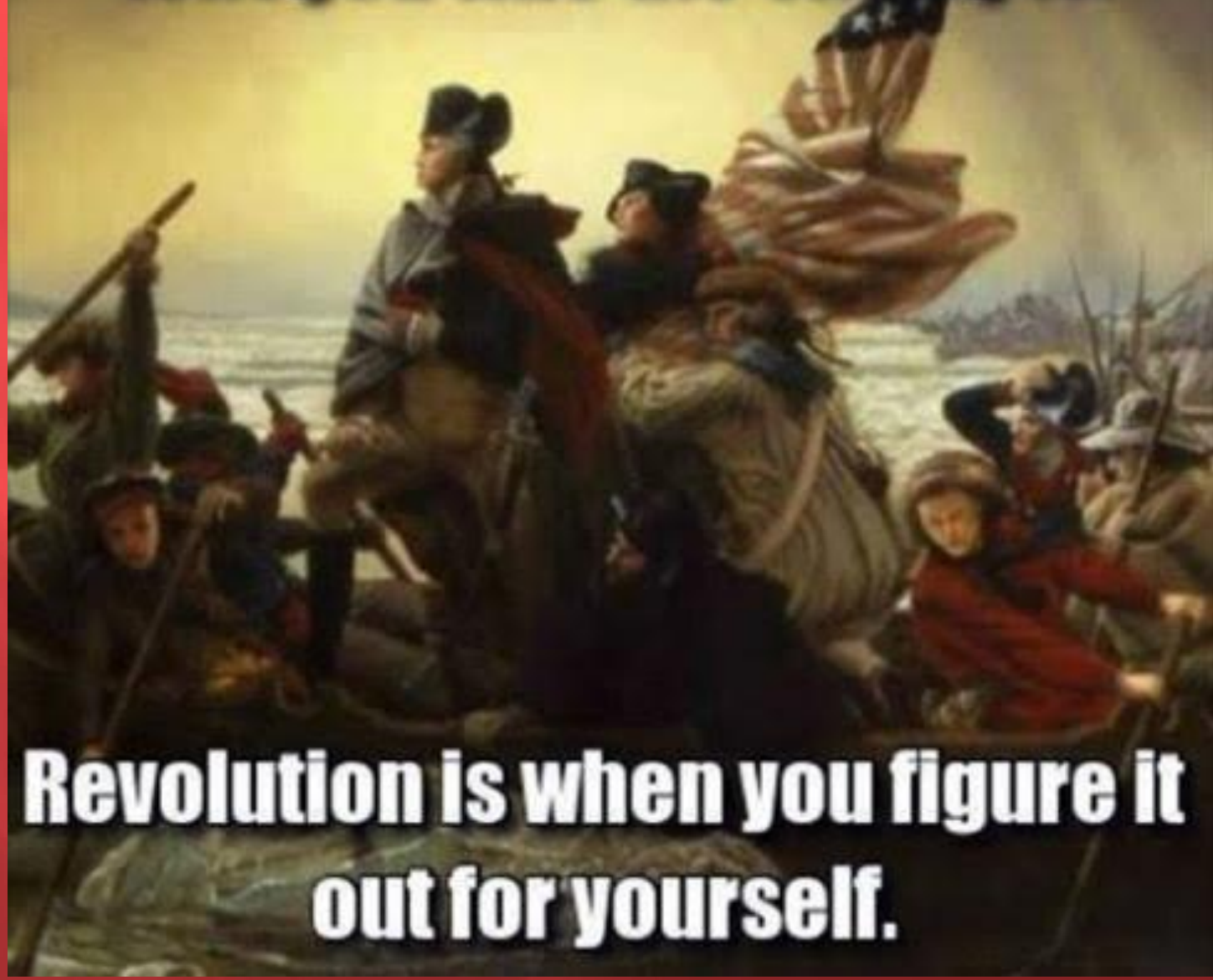
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**MARIJUANA GROWING, WHISKEY DRINKING,
TAX EVADING REBELS WHO LEFT THEIR BEDS
LATE AT NIGHT TO SHOOT AT COPS**

Other Videos

- ▣ Bankster Thieves playlist
- ▣ Roman Cult playlist
- ▣ Bankrupt Corporate (so-called) Governments
- ▣ BAR Members 1 - 4
- ▣ D.I.Y. How NOT to Volunteer for the Selective Service and the Draft
- ▣ Martial Law is here!
- ▣ D.I.Y. No Income Tax
- ▣ D.I.Y. Free Mail
- ▣ D.I.Y. Kangaroo Courts 1 – 15
- ▣ Canada Border PIGs playlist
- ▣ BAR Members and their Satanic Connections playlist

**War is when your government
tells you who the enemy is.**



**Revolution is when you figure it
out for yourself.**

Plates Available & Laminated Sheet Texas Codes

Non-
Commercial

Texas republic

Not for Hire



R132103

NO EXP.

Private Property

NO Trespassing

IDP

Plates Available & Laminated Sheet Texas Codes

Non-
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SUI JURIS

NO EXP. _____

Private Property

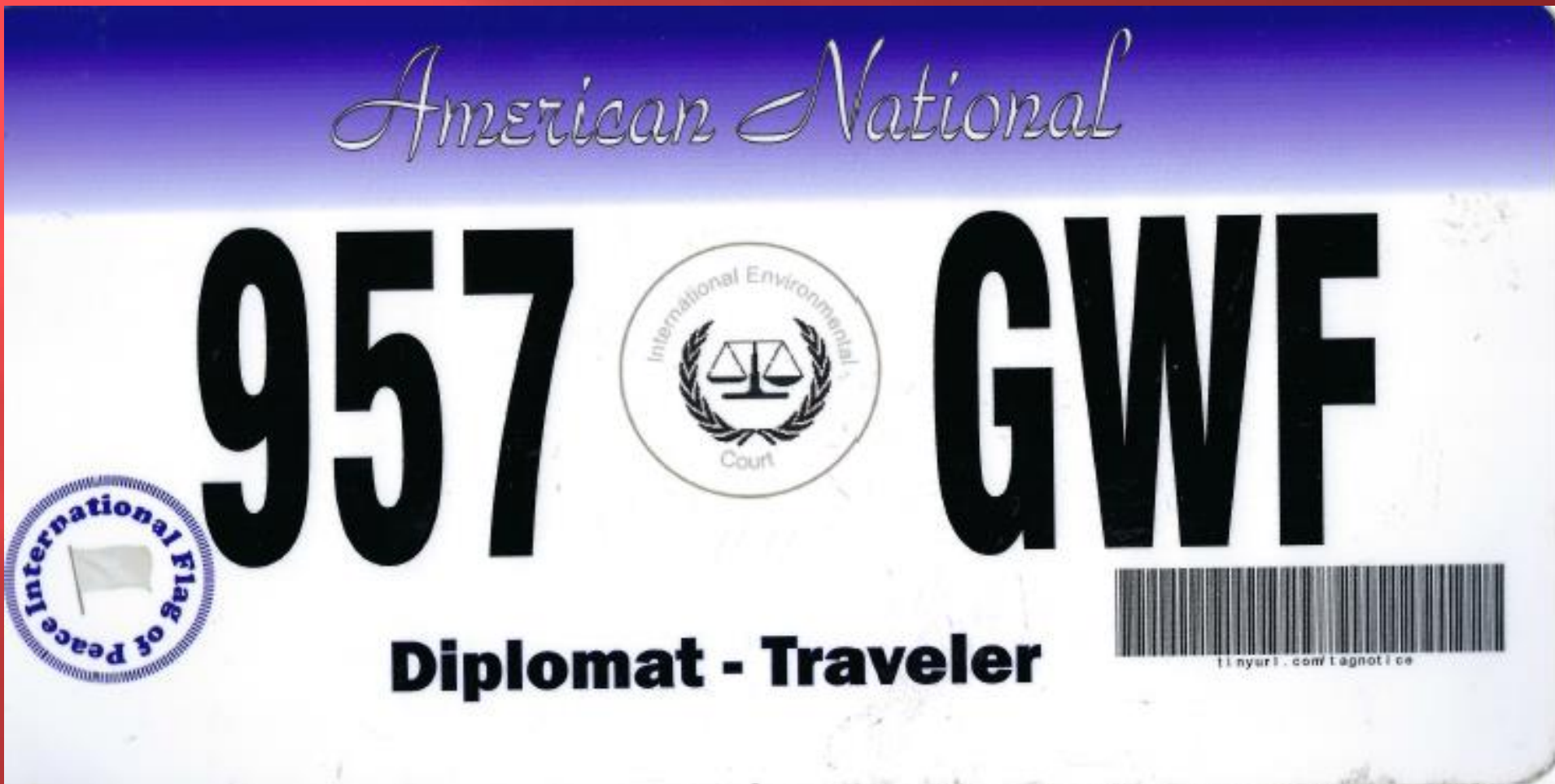
NO Trespassing

_____ IDP

Plates Available & Laminated Sheet Texas Codes



Plates Available from NSEA.US



Plates Available & Laminated Sheet

Texas Codes

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- **“(a) .. a political subdivision of this state may not require an owner of a motor vehicle to; (1) register the vehicle;**
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Plates Available & Laminated Sheet

Texas Codes

- You can get 1 plate and 1 Probable Cause lamination for two (3) each pieces of silver, one troy ounce each, or \$50 military script / Federal Reserve Notes / fake money
- Before you do this, you need to be prepared to defend it, but that is why I have the card in my car because the discussion should end right there when I show them that nobody is required to register their vehicle
- My Paypal: engineerwin@hotmail.com
- You can get the Forbidden Zone laminated sheets from katmanwon@gmail.com

Probable Cause

- Before any police officer stops you, they must have probable cause
- Article Four in Amendment **prohibits law enforcement officers from arresting citizens without probable cause** (citations omitted); in cases *Santiago v. City of Vineland*, 107 F.Supp.2d 512, 561-62, 564 (D.N.J. 2000); *Hill v. Algor*, 85 F.Supp.2d 391, 397-98 (D.N.J. 2000) **arrest made without probable cause violates the Fourth Amendment**; *Rzayeva v. Foster*, 134 F.Supp.2d 239, 248-49 (D.Conn. 2001) **holding involuntary civil confinement is a "massive curtailment of liberty"**, is tantamount to the infringement of being arrested and can be made **only upon probable cause**, citing *Vitek v. Jones*, 445 U.S. 480, 491, 100 S.Ct. 1254, 63 L.Ed.2d 552 (1980); *Schneider v. Simonini*, 749 A.2d 336, 163 N.J. 336, 361-65 (2000)

Probable Cause

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- **The test for police officer's sufficient basis for probable cause – did the officer have a sufficient basis to make a "practical, common sense" decision that a "fair probability of crime existed," – once the officer's actions fail to satisfy this test, it may appear that no reasonably objective officer could have believed that probable cause existed to make an arrest**; *Allen v. City of Portland*, 73 F.3d 232 (9th Cir. 1995), the Ninth Circuit Court of Appeals (citing cases from the U.S. Supreme Court, Fifth, Seventh, Eighth and Ninth Circuits) **held that "by definition, probable cause to arrest can only exist in relation to criminal conduct; civil disputes cannot give rise to probable cause"**; *Paff v. Kaltenbach*, 204 F.3d 425, 435 (3rd Cir. 2000)

Class C Misdemeanors - Texas

- **"(e) An offense under this section is a Class "C" misdemeanor if the offense for which the actor's appearance is required is punishable by fine only."** Texas Penal Code § 38.10 Bail Jumping and Failure to Appear [emphasis added]
- **"(c) Conviction of a Class C misdemeanor does not impose any legal disability or disadvantage,"** Texas Penal Code § 12.03 Classification of Misdemeanor
- **"An individual adjudged guilty of a Class "C" misdemeanor shall be punished by fine only, not to exceed \$500."** Texas Penal Code § 12.23 Class (C) Misdemeanors
- **"(a) If the owner of the motor vehicle fails to timely pay the amount of the civil penalty imposed against the owner: (1) an arrest warrant may NOT be issued for the owner; & (2) the imposition of the civil penalty may not be recorded on the owner's driving record."** Texas Transportation Code § 707.019 Failure to Pay Civil Penalty [emphasis added]
- **"A capias is NOT a "Warrant of Arrest,"...."** *Knox v State*, 586 S.W. 2d 504, 506 (Tex.Crim.App. 1979) [emphasis added]

Crime in Texas

- **"(5) Crime means (A) a misdemeanor punishable by confinement (jail); or (B) a felony**
- **(6) "DEFENDANT" means a person accused of a crime"** Texas Government Code § 79.001 Definitions

Probable Cause

- **“Perhaps it should be mentioned that as a general rule a person is placed under arrest when he is deprived of his liberty by an officer who intends to arrest him. It is not always necessary for the officer to make a formal declaration of arrest. See: 1 Varon, Searches, Seizures and Immunities, 75 (1961);” Henry v. United States, 361 U.S. 98, 4 L.Ed.2d 134, 80 S.Ct. 168 (1959) and United States v. Boston, 330 F.2d 937 (1964)**
- **“The stopping of an automobile by a highway patrol officer for inspection of a driver’s license, or for any other purpose where it is accomplished by the authority of the officers, is an “arrest.” Robinson v. State, 198 S.W.2d 633, 635, 184 Tenn. 277**
- **“A motorist stopped by a traffic officer for a traffic offense would be considered “arrested” . . . even if the motorist was not specifically informed that he had been arrested.” People ex rel. Winkle v. Bannan, 125 N.W.2d 875, 879, 372 Mich. 292**
- **“Any restraint, however slight, upon another’s liberty to come and go as one pleases, constitutes an “arrest.” Swetnam v. W.F. Woolworth Co., 318 P.2d 364, 366, 83 Ariz. 189. [emphasis added]**

False Arrest

- "The only thing the plaintiff needs to do is to allege a false arrest, is either (1) that the defendant made an arrest or imprisonment, or (2) that the defendant affirmatively instigated, encouraged, incited, or caused the arrest or imprisonment." *Burlington v. Josephson*, 153 Fed.2d 372,278 (1946)
- "When the plaintiff has shown that he was arrested, imprisoned or restrained of his liberty by the defendant, "the law presumes it to be unlawful." *People v. McGrew*, 20 Pac. 92 (1888); *Knight v. Baker*, 133 P. 544(1926)
- "The burden is upon the defendant (cop) to show that the arrest was by authority of law." *McAleer v. Good*, 65 Atl. 934, 935 (1907); *Mackie v. Ambassador*, 11 P.2d 6 (1932)

Arrest

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Penal Code

- "(a) A public servant commits an offense if, with intent to obtain a benefit or with intent to harm or defraud another, he intentionally or knowingly: (2) misuses government property, services, personnel, or any other thing of value belonging to the government that has come into the public servant's custody or possession by virtue of the public servant's office or employment." Texas Penal Code Sec. 39.02 Abuse of Official Capacity [emphasis added];
- (a) A person commits an offense if he intentionally refuses to give his name, residence address, or date of birth to a peace officer who has lawfully arrested the person and requested the information. Texas Penal Code, Section 38.02. Failure to Identify [emphasis added]
- "(a) A public servant acting under color of his office or employment commits an offense if he:
(1) intentionally subjects another to mistreatment or to arrest, detention, search, seizure, dispossession, assessment, or lien that he knows is unlawful;
(2) intentionally denies or impedes another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing his conduct is unlawful; or
(b) For purposes of this section, a public servant acts under color of his office or employment if he acts or purports to act in an official capacity or takes advantage of such actual or purported capacity." Texas Penal Code Section 39.03 Official Oppression [emphasis added].

Probable Cause

- The test for police officer's sufficient basis for probable cause -- did the officer have a sufficient basis to make a **"practical, common sense"** decision that a **"fair probability of crime existed,"** -- once the officer's actions fail to satisfy this test, it may appear that **no reasonably objective officer could have believed that probable cause existed** to make an arrest; *Allen v. City of Portland*, 73 F.3d 232 (9th Cir. 1995), the Ninth Circuit Court of Appeals (citing cases from the U.S. Supreme Court, Fifth, Seventh, Eighth and Ninth Circuits) held that **"by definition, probable cause to arrest can only exist in relation to criminal conduct; civil disputes cannot give rise to probable cause;** *Paff v. Kaltenbach*, 204 F.3d 425, 435 (3rd Cir. 2000)

Class C Misdemeanor ≠ Crime

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Class C Misdemeanor ≠ Crime

- In Texas, a police may NOT arrest you for a Class C Misdemeanor, and if they do it is false arrest
- **“The only thing the plaintiff needs to do is to allege a false arrest, is either (1) that the defendant made an arrest or imprisonment, or (2) that the defendant affirmatively instigated, encouraged, incited, or caused the arrest or imprisonment.”** Burlington v. Josephson, 153 Fed.2d 372,276 (1946)
- **”When the plaintiff has shown that he was arrested, imprisoned or restrained of his liberty by the defendant, “the law presumes it to be unlawful.”** People v. McGrew, 20 Pac. 92 (1888); Knight v. Baker, 133 P. 544(1926)
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Class C Misdemeanor ≠ Crime

- If a cop stopped me for speeding in Texas, I would say;
- “I don’t have a problem providing whatever you need, but I have a couple of questions first.
- What is your probable cause for stopping me?”
- If he stopped me for speeding, he will say that, and I will say:
- “Speeding is a class C Misdemeanor, and a Class C Misdemeanor is NOT a crime in Texas, and probable cause requires a crime, so I ask you again, what is your probable cause for stopping me,...or should I just be on my way?”

Class C Misdemeanor ≠ Crime

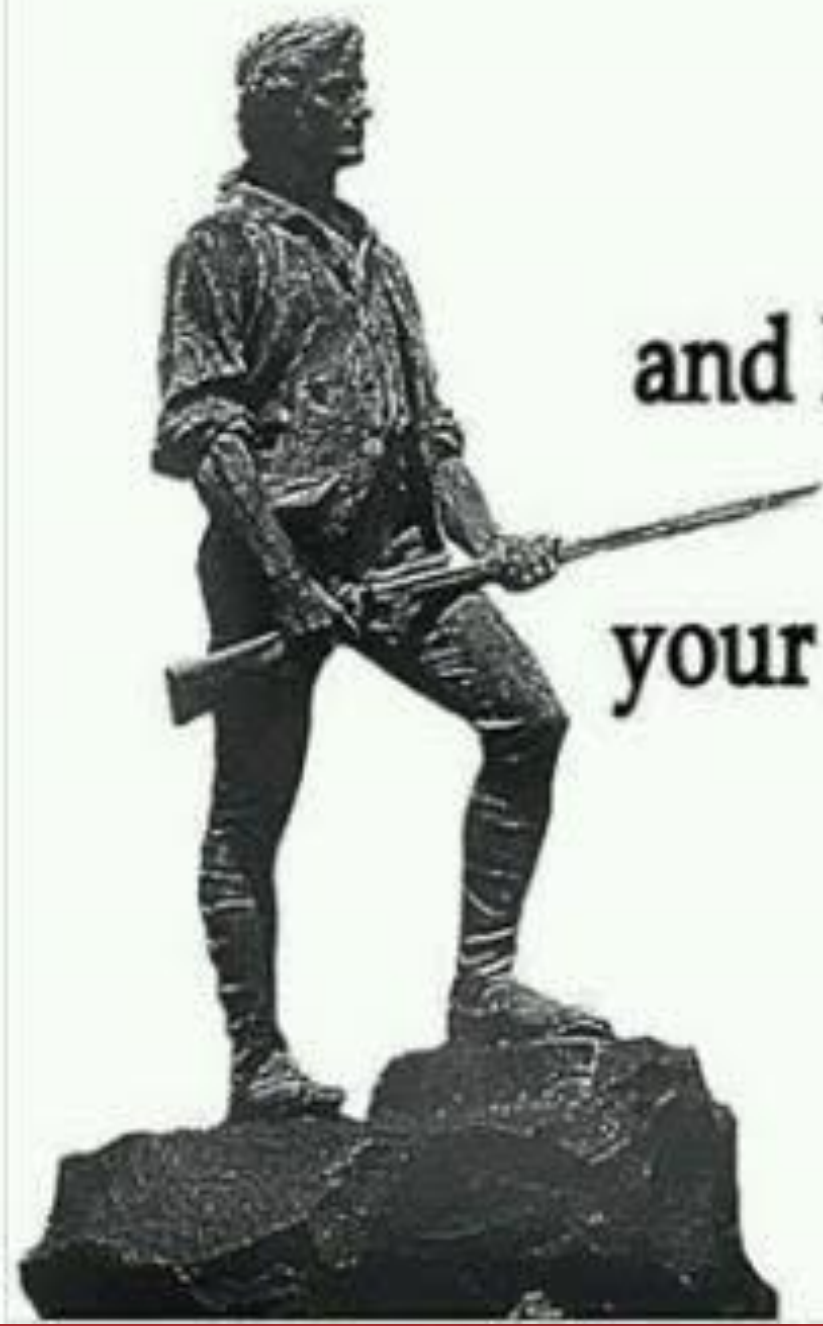
- “(a) A public servant commits an offense if, with intent to obtain a benefit or with intent to harm or defraud another, he intentionally or knowingly: (2) misuses government property, services, personnel, or any other thing of value belonging to the government that has come into the public servant's custody or possession by virtue of the public servant's office or employment.” Texas Penal Code Sec. 39.02 Abuse of Official Capacity [emphasis added];
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- “(a) A public servant acting under color of his office or employment commits an offense if he:
 - (1) intentionally subjects another to mistreatment or to arrest, detention, search, seizure, dispossession, assessment, or lien that he knows is unlawful;
 - (2) intentionally denies or impedes another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing his conduct is unlawful; or
 - (b) For purposes of this section, a public servant acts under color of his office or employment if he acts or purports to act in an official capacity or takes advantage of such actual or purported capacity.”
- Texas Penal Code Section 39.03 Official Oppression
[emphasis added].

Class C Misdemeanor ≠ Crime

- **"(a) A person commits an offense if he:**
- **(1) impersonates a public servant with intent to induce another to submit to his pretended official authority or to rely on his pretended official acts; or**
- **(2) knowingly purports to exercise any function of a public servant or of a public office, including that of a judge and court, and the position or office through which he purports to exercise a function of a public servant or public office has no lawful existence under the constitution or laws of this state or of the United States.**
- **(b) An offense under this section is a felony of the third degree."** Texas Penal Code, Section 37.11 Impersonating Public Servant, [emphasis added];



When Liberty
and Freedom are at stake,
your silence isn't golden...
it's yellow.



**“Change will not come
if we wait for some
other person or some
other time. We are the
ones we’ve been
waiting for. We are the
change that we seek.”**