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AFFIDAVIT OF TRUTH, FACT AND LAW

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Karen A. Yarbrough
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Affiant-Sharon Alicia Burke-Anzaldi

2406 N. 76th. Court

Elmwood Park, Illinois, [60707-9998]

RE: 11CR 0820 Judge Harry Leinenweber

FILED

SEP 18 2013 *all*
9-18-13
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

**AFFIDAVIT OF TRUTH, FACT, LAW,
AND POINTS OF AUTHORITY**

1. **Affiant, Sharon Alicia Burke-Anzaldi, aver, I am competent, of sound mind, beyond the age of majority, and affirm the following facts are true, correct, and not meant to be misleading to the best of my knowledge, and understanding. I do not believe there is any evidence to the contrary.**
2. **Affiant, Sharon Alicia Burke-Anzaldi aver, I have absolutely no criminal background, and I do not believe there is any evidence to the contrary.**
3. **Affiant, Sharon Alicia Burke-Anzaldi aver, I was arrested on November 18th, 2011 at rifle point by some unknown agent without an Arrest Warrant, that refused to tell me where he was taking me. Even though, I requested a signed copy of the Warrant, and demanded to know where I was going. I was told " you will find out when you get there." I believe this was a violent act of aggression, cruel and unusual punishment, warring against the Constitution, and I do not believe there is any evidence to the contrary.**
4. **Affiant, Sharon Alicia Burke-Anzaldi aver, I was handcuffed, taken to the FBI building, fingerprinted, DNA swabbed, and**

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photographed without a verified Arrest Warrant or any validation of criminal activity, and I do not believe there is any evidence to the contrary.

- 5. Affiant, Sharon Alicia Burke-Anzaldi aver, I was detained for approximately eight hours without any further information, or indication of what was about to happen, and I do not believe there is any evidence to the contrary.**
- 6. Affiant, Sharon Alicia Burke-Anzaldi aver, later that afternoon, I was transferred to the Federal Building, and once again fingerprinted, photographed, and DNA swabbed. I was brought before Magistrate Judge, Martin C. Ashman,” who asked me if I was going to plead Guilty or Not Guilty,” at which time I responded, “ I am not pleading at all, because I am innocent.” At that point, Magistrate Judge Ashman stated“ I am entering a plea of Not Guilty on your behalf.” I immediately stated, “you are doing that without my consent,” and I do not believe there is any evidence to the contrary.**
- 7. Affiant, Sharon Alicia Burke-Anzaldi aver, I refused Judge Ashman’s suggestion that I retain one of their barred attorneys. I chose not to use one of their attorneys, however, i promptly reserved my right to reconsider at a later date, and I do not believe there is any evidence to the contrary.**
- 8. Affiant, Sharon Alicia Burke-Anzaldi aver, I was handed a Recognizance Bond to sign in the amount of \$10,000. I did authorize the Bond, however, I signed under duress, and consequently released. I managed to reserve my rights under UCC 1-308. As a condition for my release, and now required to report to a Pre Trial Officer on a monthly basis, and I do not believe there is any evidence to the contrary.**
- 9. Affiant, Sharon Alicia Burke-Anzaldi aver, I visited the Federal Building on November 23rd, 2011 to review the case file regarding case number 11 CR 0820, and found there were NO COMPLAINTS entered as a matter of record against SHARON**

ANZALDI, PHILLIP DESALVO, nor, STEVE LATIN (other defendants on the same indictment). The Court Summary was readily available on their PACER System at the time of review, which I photocopied for my records. I do not believe there is any evidence to the contrary.

10. **Affiant, Sharon Alicia Burke-Anzaldi aver, I was denied my Fourth Amendment right that protects people from unreasonable "Search and Seizure" of persons and or personal effects without a signed Warrant, and Complaint supported by an Affidavit of Fact, signed under penalty of perjury, by the "Real Party in Interest. FRCP 17, "Ratification of Commencement," more commonly known as the " Injured Party or Real Party in Interest." This procedure cannot be eliminated, and reflects a lawful requirement of " Probable Cause." Without probable cause there can be no case, and the case in question must be dismissed due to "*Fruit of the Poisonous Tree. Katz v. United States (1967)*, the US Supreme Court held that its protections extended to the privacy of individuals as well as physical locations. Law enforcement requires a Warrant for most search and seizure activities, but the Court has defined a series of exceptions for consent searches, motor vehicle searches, evidence in plain view, exigent circumstances, border searches, and other situations. This Amendment is enforced by the exclusionary rule. *Established by Weeks v. United States (1914)*, this rule holds that evidence obtained through a Fourth Amendment violation is generally inadmissible at criminal trials. Evidence discovered following an illegal search may also be inadmissible as "fruit of the poisonous tree" unless it would have inevitably been discovered by legal means. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrant shall issue, but upon "Probable Cause" supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. Again, there were no Complaints listed on the Court's Summary Report, nor, entered as a matter of record. A**

Verified Complaint should have been supported by a signed Oath or Affirmation, consequently there was no Injured party, nor due process of law. I was denied copies of the signed Verified Complaint, signed Arrest Warrant, and signed TRUE BILL, even though I had requested to see the documents several times. I contend the Prosecutions's procedural violations, aggression, and denial of due process of law are contrary to the Constitution, and do not believe there is any evidence to the contrary.

- 11. Affiant, Sharon Alicia Burke-Anzaldi aver, I have been denied due process of law, regarding a Grand Jury Hearing, protected under the Fifth Amendment. The Fifth Amendment requirement to the US Constitution is clear in that " no person shall be held to answer for a capital, or infamous crime, unless on a Presentment or Indictment by a Grand Jury, except in cases arising in the land or naval forces, or in the Militia when in actual service in time of War or public danger; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation. The accused must be aware of the Grand Jury Proceeding in order to refute a claim or waive his right by consent. I assure you, I did not waive consent, nor, aware a Grand Jury investigation was being conducted. This lawful procedure must take place to avoid an unjust action to innocent victims indicted under "color of law." If there had truly been a Grand Jury Assembly, the elements necessary would have dictated an open reading of the Minutes on the floor of the Court, and the Grand Jury Foreman would have signed a "TRUE BILL, plus there would have been a "Certificate of Concurrence." The Grand Jury Foreman's TRUE BILL has not been presented as a matter of record. I have requested all Grand Jury Material several times, however, always denied. I contend there was no Grand Jury Assembly, all actions were Administrative, and under "color of law" which are completely unlawful, unless by plea or consent. I did not consent, plea, nor, waive any protected rights. Grand Juries, must return indictments in Criminal cases without exception. The exclusionary rule does**

not apply to certain evidence presented to grand juries states “any evidence obtained in violation of the Fourth, Fifth or Sixth Amendments cannot be introduced in court.” I contend the Prosecutions’s procedural violations, aggression, and denial of due process of law are contrary to the Constitution, and I do not believe there is any evidence to the contrary.

- 12. Affiant, Sharon Alicia Burke-Anzaldi aver, I have been denied my Sixth Amendment right protected under the Constitution. Due process extends to the ability to face one’s accuser, which must be filed with the Court of Record by the “Real Party in Interest,” (initiates the complaint) which would be a natural man/ woman, and not a Private for Profit Corporation, or Agency, such as the, IRS, UNITED STATES, or DEPARTMENT OF JUSTICE (*per exhibits and filing for corporate status in the State of Delaware*). The concept of the real party in interest refers to Substantive Law, rather than the appearance or presumption of Law. Additionally, the concept of the real party in interest is to protect the basic principle of Separation of Powers, by preventing people from randomly suing on behalf of persons/corporations or things, in which they have no connection. Furthermore, the Prosecution intentionally precluded exculpatory evidence, and filed erroneous IRS statements, verified as admissible evidence as exhibits 1A and 2A. It is a fact that the PLAINTIFF/PETITIONER did not lawfully initiate the case, nor, were the Plaintiffs ever present, (FRCP 17) consequently, the Court never attained standing or jurisdiction. I contend the Prosecution’s procedural violations, and denial of due process of law are contrary to the Constitution, and I do not believe there is any evidence to the contrary.**

- 13. Affiant, Sharon Alicia Burke-Anzaldi aver, I believe the Prosecutorial Team violated the Eighth Amendment, and committed “Fraud upon the Court,” resulting in malicious prosecution, and prosecutorial misconduct, under “color of law” against all victims, more commonly known as defendants SHARON ANZALDI,, PHILLIP DESALVO, and STEVE LATIN. The**

court always lacked Subject Matter Jurisdiction, Political, and Personam Jurisdiction, therefore, lacking authority to move the case. Not only did the Prosecution withhold exculpatory evidence, they intentionally entered false documentation, and information onto the record. Additionally, the Prosecution's jaded version of the truth, made it impossible for any jury to reach an unbiased conclusion. Furthermore, the Jury reached a verdict within thirty-five minutes of deliberation, which means they did not review exculpatory evidence. During cross examination of the majority of witnesses, I personally asked each respective witness "if they had appeared before a Grand Jury prior to the Trial," some witnesses responded no, others responded yes, either way, due process had been denied. The no's would reflect there had never been a Grand Jury Hearing prior to the arrests, which is contrary to the Constitution. The yeas should be easily verifiable as there would have to be a "Certificate of Concurrence," Minutes would have been read on the open floor of the Court, and a TRUE BILL would have been signed by the Grand Jury Foreman as matter of Record.

Although, I had requested to view all Grand Jury Material, I have always been denied access, (due to my lack of procedural knowledge, I did not understand how to demand I view the record). The Prosecution/Plaintiff's false or misleading statements given under oath concerning issues regarding Case No. 11 CR 0820 amounted to fraud. *See Cox v. Burke, 706 So. 2d 43, 47 (Fla 5th DCA 1998)*. The Prosecution further violated all Defendant's Constitutional rights preserved under the Eighth Amendment under "cruel and unusual punishment in *Trop v. Dulles, 356 U.S. 86 (1958)*, the Supreme Court held that punishing a *natural-born citizen* for a crime by taking away his/her citizenship is unconstitutional, being "more primitive than *torture*" because it involved the "total destruction of the individual's status in an organized society, and unusual punishment."

It is a known fact that all defendants under Indictment 11 CR 0820 have exercised their unalienable right to expatriate from the Federal Zone (FOREIGN STATE) and repatriated into the State of Illinois, in which they were born, and not berthed. The right of Expatriation Act of 1868, is still in existence today, and

must be honored without question! Any hesitation or denial is contrary, and warring against the Constitution. Defendant SHARON ANZALDI expatriated in October of 2009 and filed an "Act of State" with the Secretary of State-Minnesota. Defendant's PHILLIP DE SALVO and STEVE LATIN, expatriated in March of 2011, and filed their "Act of State" with the Secretary of State-Indiana. The Prosecution entered an Indictment in the name of three State created Corporations, also known as *fictitious entities*, which in itself is a crime. The Prosecution also failed to state the Jurisdiction of the Court. I asked "if the Court was Administrative under Admiralty Law or Constitutional/ Common Law," however, my question went unanswered, so the jurisdictional question was denied. The Court, and all public officers, are defined under FRCP Rule 4(j) as a FOREIGN STATE, and as defined under Title 28, JUDICIAL AND JUDICIARY PROCEDURE. The Foreign Sovereign Immunities Act (FSIA of 1976 is a United States law codified at Title 28. 1330, 1332 1391(f) r 1441(d), and 1602-1611, and again jurisdictionally challenged, full disclosure as to the true jurisdiction of the Court is demanded. Any failure to disclose the true jurisdiction is a violation of 15 Statutes at Large, for this was passed to remove the people of the united States of America from the federal citizenship under the 14th. Amendment. Chapter 249 (section 1), enacted July 27th, 1868. Chapter CCXUX, An Act concerning the Rights of American Citizens in Foreign States. Whereas the right of expatriation is a natural and inherent right of all people. Indispensable to the enjoyment of rights of life, liberty, and the pursuit of happiness; and whereas in the recognition of this principle. This government has freely received immigrants from all nations, and invested them with the right of citizenship; and whereas it is claimed that such American citizens, with their descendants, are subjects of foreign states, owing allegiance to the government thereof; and whereas it is necessary to the maintenance of public peace this claim of foreign allegiance should be promptly and finally disavowed; Thereof. *Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, that any declaration, opinion, order, or decision of*

any officers of its government which denies, restricts, impairs, or questions the rights of expatriation, is hereby declared inconsistent with the fundamental principles of this government. As an American Citizen to hold the inherent right to invoke the 11th. Amendment, commenced or prosecuted by a Foreign State: the Judicial power shall not be construed to extend to any suit in law or equity, commenced or prosecuted by a Foreign State. The Court and the Prosecutor representing the UNITED STATES DISTRICT OF ILLINOIS are considered a FOREIGN STATE, as your office holds a position section (3) of the 14th. Amendment of the UNITED STATES Constitution, and under the Reconstruction Act of 1867, as federal citizens per Act of Congress, USC Title 8, Section 1483, Restriction on loss of nationality. The Prosecution are bastardizing the name of three American people, Sharon Alicia Burke-Anzaldi, Phillip Frank De Salvo, and Steven Gregory Latin, by placing these names in all capital letters, SHARON ANZALDI, PHILLIP DE SALVO, and STEVE LATIN. as a CORPORATION. FEDERAL PROSECUTORS are using the term person as a CORPORATION. The Court and its officers are aware that usage of CAPITALIZED names derive from Corporate Law and Administrative Law (Delaware Administrative Law, Title 8, Corporation Ch 6, section 617, and Texas Administrative Law, Corporations, Chapter 79, Section 79.31, Entity, and Delaware legislation March 10, 1899: An Act Providing General Corporate Law. This Act allowed the corporation to become a PERSON in Administrative and Corporate Law and NOT Common Law, and all Complaints and suits against such a CORPORATION fall under the FSIA and the DEPT OF STATE OFFICES in Washington, DC who are required to be notified pursuant to 22 CFR 92. 12-92.3-0. A copy of the FSIA notification paperwork has been filed with the Complaint to to the Affiants (defendant) chief executive officer of that CORPORATION, MUNICIPAL COURT. COUNTY OR STATE COURTS lack jurisdiction to hear any case under the FOREIGN STATE definitions. The jurisdiction of FOREIGN SOVEREIGN IMMUNITY ties with the UNITED STATES COURT under FSIA Statutes pursuant to 28 USC 1330, and not with a State Court. The Prosecutors aggression, and denial of "due process" are contrary to the Constitution, and I do not believe there is any evidence to

the contrary.

14. ***Affiant, Sharon Alicia Burke-Anzaldi aver, The Prosecutors Office violated the Eleventh Amendment to the Constitution, by their continued aggression of movement, and violation of due process of law, and loss of nationality through fraud and deception. Case Law; VAN BROCKLIN v. STATE OF TENNESSEE, 117 U.S. 151 1886 In the words of Chief Justice MARSHALL: "The United States is a Government, and consequently a body politic and corporate, capable of attaining the objects for which it was created, by the means which are necessary for their attainment. This great corporation was ordained, and established by the American people, and endowed by them with great powers for important purposes. Its powers are unquestionably limited; but while within those limits, it is as perfect a government as any other, having all the faculties and properties belonging to a government, with a perfect right to use them freely, in order to accomplish the objects of its institution." U.S. v. Maurice, 2 Brock. 96 109. Based upon the original Doctrine of Parity. Simplified; "Governments are corporations." Inasmuch as every Government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary-having neither actuality nor substance-is foreclosed from creating and attaining parity with the tangible (natural born people). The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. thereof, can concern itself with anything other than corporate artificial persons and the contracts between them. Furthermore, The Indictment was initiated in FICTIONAL CORPORATE NAMES of natural born Americans without full understanding or consent. As verified proof, the Prosecution intended to harm all defendants, which is why they initiated the case in all CAPITAL LETTERS, and subsequently communicated with them by using proper upper and lower case names. I contend this egregious, and deliberate action by the Prosecution is contrary to the Constitution and I do not believe there is any evidence to the contrary.***

- 15 The DEFENDANTS, SHARON ANZALDI, PHILLIP DE SALVO, and STEVE LATIN are non-corporate entities, and are not registered with any Secretary of State as a CORPORATION. The Indictment is a Capitalized version, or State created Corporation names of natural people, Therefore, The Prosecution FAILED to state "a claim to which relief can be granted." Rule 12 (b). Consequently, this matter must be dismissed for lack of Political, Personam and Subject Matter Jurisdiction. Venue, and Jurisdiction are now officially challenged by the official Court of Public Record, and filed in Cook County, Illinois. Every previous attempt to get the truth as a matter of record was denied, ignored, or deemed frivolous by the Executive Branch of the Admiralty Court, and I do not belie there is no evidence to the contrary.**
- 16. Affiant, Sharon Alicia Burke-Anzaldi aver, ALL Crime is COMMERCIAL, therefore CIVIL in Nature. The Uniform Commercial Code reveals the action is about revenue, regarding Contracts, encompassing, revealed, and unrevealed. According to Title 27 C.F.R., 72.11. Commercial Crimes, include any of the following (Federal and State): Offenses against Revenue Laws; burglary; counterfeiting; forgery; kidnapping; larceny; robbery; illegal sale or possession of deadly weapons; prostitution (including soliciting, procuring, pandering, white slaving, keeping house of ill fame, and like offenses); extortion; swindling and confidence games; and attempting to commit, conspiring to commit, or compounding any of the foregoing crimes. Addiction to narcotic drugs and use of marihuana will be treated as if such were commercial crimes, therefore they are civil in nature. Since the Federal Corporation is precisely that, It has no jurisdiction, except with those that contract with it. Also see Congressional act of 1871 and USC Title 28, Part VI, chapter 176, sub chapter 176, subsection A, 3002 (15) "UNTED STATES" means—(A) a Federal Corporation; The states illegally contracted with the federal corporation by passing the Uniform Commercial Code making themselves as well, as all unsuspecting people subject to the Federal Corporation, and also to the States in their new commercial capacities. Therefore all of the laws (color of law) are**

contractual commercial laws and the remedy is UCC 1-308. The Uniform Commercial Code makes all crimes commercial by contract as per 27 CFR 72.11. which would make the entire case void ab initio. I do not believe there is any evidence of an international Contract between the Defendants and the Federal Government.: Necessary elements of a valid contract must include the following; meeting of the minds by agreement, full disclosure, a date, consideration and signatures by consent. I assure you, I have no knowledge of an existing contract, so consent was not plausible. Furthermore, adhesion contracts are unlawful, as they lack all of the required elements of a valid contract. I believe, the Prosecutor's fraudulent action of identity theft by deception, and the conversion of nationality of all Defendants are heinous, malicious crimes, and contrary to the Constitution, and I do not believe there is any evidence to the contrary.

- 17. Affiant, Sharon Alicia Burke-Anzaldi aver, *The Federal Rule of Civil Procedure, and the State Court Rules dictate there is but one cause of action, and that is a Civil Action, as all crimes are commercial. Civil Action Rule 2. One Form of action-CIVIL. There shall be in this State but one form of action for the enforcement, or protection of private rights for the redress of private wrongs, which shall be denominated by a Civil Action. Federal or State Courts cannot force the defendant to enter a plea of guilty, or not guilty, (or with the courts consent), nolo contendere. In a Civil Action the rules do not allow it. The Prosecutor has failed to disclose that entering pleas comes under the jurisdiction of the State of Emergency Clause under Public Law, 48 stat Cl, and Public Law 73-10, 40 stat 411, and under Title 50 Trading with the Enemy Act of Oct 6, 1917 and the Bankruptcy Act under Public Law 10, Ch 48, 48 stat 112. I contend the Prosecutor's lack of full disclosure is denial of due process of law, heinous, contrary to the Constitution, and I do not believe there is any evidence to the contrary.***

- 18. Affiant, Sharon Alicia Burke-Anzaldi aver, *The Prosecutor has also failed to disclose that the Administrative Plaintiffs were***

appointed as TRUSTEES for all matters concerning STATE ISSUED BIRTH CERTIFICATES (CAPITALIZED VERSION) of names for all DEFENDANTS. The Administrative Plaintiffs are Trustees under the State of Emergency, and the Bankruptcy Act of UNITED STATES, per an Act of Congress, and by Public Law. I believe the above facts are true and correct, and I do not believe there is any evidence to the contrary.

- 19. Affiant, Sharon Alicia Burke-Anzaldi aver, there are three jurisdictions upon which the Court may operate. Article III, section 2, clause 1., But, by Act of Congress, and the States ratifying the 11th. Amendment, the Courts have no Judicial power to hear any case in Law, Equity, or controversy created by the State against any Citizen of the United States. This Court is clearly operating outside Article 111 capacity of the Constitution for the united States of America, and contrary to all Constitutionally Guaranteed protections. This Court does not have judicial jurisdiction as per Act of Congress. Administration jurisdiction which involves a USC Department Agency or, and Administrative Office as defined in Title 5 USC, Section 101 Executive Branch, 28 USC, Section 451, or NCGS 150 9b) (2) in which case the Defendants can only be a Plaintiff in such action per the intent and Act of Congress as an Administrative Hearing to hear complaints about such Executive Offices. Per Act of Congress under the Administrative Procedure Act of 1946, 57, 60 stat 237, and the Attorney General Manual Administrative Law 1947, and Title 5 USC. The State of Emergency and the Bankruptcy Act clauses create jurisdiction under Senate Report 93-549. "Trading with the Enemy Act, under Title 50 war and National Defenses. Section 23, Jurisdiction of the United States, Courts and Judges. Under the State of Emergency, the UNITED STATES is the TRUSTEE along with all public office, and officers. (See above cite 63C Am. Jur. 2d. Public Officers and Employees, 247). I believe the above to be true and accurate, and I do not believe there is any evidence to the contrary.***

- 20. I Sharon Alicia Burke-Anzaldi aver, I believe the Prosecutor's Office committed "Fraud upon the Court," through several***

methods, as enumerated, and protected under the Fourth, Fifth, Sixth, Eighth, and Eleventh Amendments to the Constitution: Whenever any officer of the court commits fraud during a proceeding in the court he/she is engaged in "fraud upon the court." In *Bullock v. United States*, 763 F. 3d 1115, 1121, (10th Cir. 1985), the Court stated "Fraud upon the Court" is fraud or fraudulent documents, false statements or perjury... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function...thus where the impartial functions of the court had been directly corrupted." "Fraud upon the Court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner, its impartial task of adjudging cases that are presented for adjudication. "*Kenner v. C.I.R.* 387 F 3d 689 (1968); 7 Moore's Federal Practice 2d ed., p. 512, 60.23 The 7th Circuit further stated " a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final." "Fraud upon the Court" makes void the orders and judgements of that court. It is also clear and well-settled Illinois Law that any attempt to commit "fraud upon the court" vitiates the entire proceeding. *The People of the State of Illinois v. Fred E. Sterling*. 357 Ill. 354; 192N.E. 229 (1934) ("The maxim that fraud vitiates every transaction which it enters applies to judgements as well to contracts and other transactions."); *Allen F. Moore v. Stanley F. Sievers*, 336 Ill, 316; 168 N.E. 259 (1929) ("The maxim that fraud vitiates every transaction into which it enters...") (It is axiomatic that fraud vitiates everything") *Skelly Oil Co. v. Universal Oil Products Co.*, 338 Ill. App. 79, 86 N.E. 2d 875 883-4 (1949); *Thomas Stasel v. The American Home Security Corporation*, 362 ill 350; 199 N.E. 798 (1935). Under Illinois and Federal Law, when any officer of the court has committed "of no force or effect. fraud upon the court", the orders and judgement of that court are void. Federal Law requires the automatic disqualification of a Federal judge under certain circumstances.

In 1993, the U.S. Supreme Court held that "Disqualification is

required if an objective observer would entertain reasonable questions about the judges's impartiality. If a judge's attitude or state of mind leads a detached observer to conclude that a fair and impartial hearing is unlikely, the judge must be disqualified. "[Emphasis added]. *Litkey v. U.S.* 114 S Ct. 1147, 1162, (1994). Courts have repeatedly held that positive proof of the partiality of a judge is not a requirement, only the appearance of partiality. *Litjeberg v. Health Services Acquisition Corp*, 486 U.S. 847, 108 S Ct. 2194 of bias or prejudice by its appearance); *United States v. Balistreri*, 779 F 2d 1191 (7th Cir. 1985) (Section 455 (a) of the Judicial Code. 28 U.S.C. 455 (a), is not intended to protect litigants from actual bias in their judge but rather to promote public confidence in the impartiality of the judicial process') The Court also stated that Section 455 (a) (a) "requires a judge to recuse himself in any proceeding in which impartiality might reasonably be questioned. "*Taylor v. O'Grady*, 888 F 2d 1189 (7th Cir 1989) In *Pfizer Inc. v. Lord* 456 F 2d 532 (8th Cir (1972), the Court stated that " it is important that the litigant not only receive justice, but that he believes that he has received justice. The Supreme Court has ruled and has reaffirmed the principle that "Justice must satisfy the appearance of justice," *Levine v. United States*, 362 U.S. 610, 80 S Ct. 1038 (1960), citing *Offult v. United States* 348 U.S. 11. 14, 75 S Ct. 11, 13 (1954). A judge receiving a bribe from an interested party which he is presiding, does not give the appearance of justice. "Recusal under Section 455 is self-executing: a party need not file affidavits in support of recusal and the judge is obligated to recuse himself sua sponte under stated circumstances "*Taylor v. O'Grady*. 888 F 2d 1189 (7th Cir 1989) Further, the Judge has a legal duty to disqualify themselves By law, they are bound to follow the law. Should a judge not disqualify himself as required by law, then the judge has given examples of his "appearance of partiality" which possibly, not further disqualifies the judge. Should another judge not accept the disqualification of the judge, then the second judge has evidenced an "appearance of partiality" and possibly disqualified himself. None of the orders issued by any judge who has been disqualified by law would appear to be valid. It would appear that they are void as a matter of law, and are of no legal

force or effect. Should a judge not disqualify himself, then the Judge is in violation of Due Process Clause of the U.S. Constitution. *United States v. Sciuto*, 521 F. 2d 842, F. 2d 842. 845 (7th. Cir. 1996) (The right to a tribunal free from bias or prejudice is based, not on section 144, but the Due Process Clause”). Furthermore, if one happened to be a non-represented litigant, and should the court not follow the law as to non-represented litigant then the judge has expressed an “ appearance of partiality”, and under the law. It would seem that he/she has disqualified himself. The Supreme Court held that if a judge was against the Constitution or if he acts without jurisdiction, he has engaged to treason to the Constitution. “ In all fairness to Judge Leinenweber, I believe he satisfied the basic appearance of a fair trial, however, the case itself, should never have gone to trial, due to flagrant violations of due process of law prior to the actual trial itself. All Constitutional violations were raised, and filed prior to the actual trial date. The true aggressors, and perpetrators of fraud upon the court, were the Prosecutors working from the Executive Branch, and the Administrative Branch of the Court, which were motivated by enrichment due to bonding of the case, and monetary gain, also known as prison bonds. This case is a true “miscarriage of justice, and cruel and unusual punishment.” it does not come close to satisfying the basic appearance of justice served, and I do not believe there is any evidence to the contrary.

FLAGRANT LACK OF AUTHORITY TO INITIATE A COMPLAINT:

- A. **WHO AND WHAT IS THE IRS:** The IRS is not the Government; it is in fact a “Private for Private Corporation” established as such in the State of Delaware in 1933, July 11th in the County of Kent, located at 15-17 Dover Green. and operates under International Treaty (see Public Law 94-564 Reorganization Plan #26) Their Corporate Charter reflects they are to analysis and maintain Corporation Records (which explains why they only have the ability to interact with other corporations-aka all capitalized

names-fictitious entities). The IRS is acting as the Agent of a Foreign Principal (Federal Reserve) under the terms of the Foreign Agents Registration Act of 1938. The IRS appears to be a collection agency operation out of Puerto Rico under color of the Federal Administration (FAA). But the FAA was promptly declared unconstitutional inside the 50 states by the U.S. Supreme Court in the case of U.S. v. Constantine, 296 U.S. 287 (1935), because prohibition had already been repealed.

In 1998, the United States Court of Appeals for the First Circuit identified a second "Secretary of the Treasury" as a man by the name of Manual Diaz-Saldana. See the definitions of "Secretary" and "Secretary or his delegate" at 27 CFR 26.11 (formerly 27 CFR 250.11), and the published decision in Used Tire International, Inc. v. Manual Diaz Saldana, court docket number 97-2348, September 11, 1998. Both definitions mention Puerto Rico.

The IRS does not have authority to operate within any of the 50 states unless by contract agreement or consent (which make them a third party debt collector). The IRS is not an agency as that term is legally defined in the Freedom of Information Act or in the Administrative Procedures Act. The governments of all federal Territories are expressly excluded from the definition "agency" by Act of Congress. See 5 U.S.C. 551 (1). Since the IRS is domiciled in Puerto Rico (RICO), it is thereby excluded from the definition of federal agencies which can be represented by the DOJ. The IRS Chief Counsel, appointed by the President under authority of 31 U.S.C 301 (f) (2), can appear, or appoint a delegate to appear in the federal court on behalf of IRS and IRS employees. The IRS operates under the protection of an International Federal Court (FOREIGN STATE), and the UNITED STATES, however is not an agency of the United States Government.

The DOJ has failed to establish the element that the IRS is an Agency of the United States Government, and since this is a case of "Defrauding the United States Government" the DOJ has, under FRCP 12 (b) (6) "Failed to State a Claim upon which Relief can be Granted" and failed to establish the basis for any "conspiracy" to exist against the United States Government. Venue and Jurisdiction are firmly challenged, as all crimes to

commit Conspiracy against the Government shall be heard in the District Court of the United States, located in Washington D.C. and not in the courts of limited jurisdiction, such as the DISTRICT COURT.

C. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW- DUE PROCESS OF LAW copied from the Department of Justice WEBSITE

Summary:

- **Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within the their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of this statute include police officers, prisons guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim.**

The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

TITLE 18, U.S.C., SECTION 242

- ***Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any***

rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnaping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to

D. CONSPIRACY AGAINST RIGHTS

COPIED FROM THE DEPARTMENT OF JUSTICE WEBSITE:

Summary:

- **Section 241 of Title 18 is the civil rights conspiracy statute. Section 241 makes it unlawful for two or more persons to agree together to injure, threaten, or intimidate a person in any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States, (or because of his/her having exercised the same). Unlike most conspiracy statutes, Section 241 does not require that one of the conspirators commit an overt act prior to the conspiracy becoming a crime.**

The offense is punishable by a range of imprisonment up to a life term or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

•

TITLE 18, U.S.C., SECTION 241

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same;... They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

Clearly, the IRC sections supported by 27 CFR for alcohol, tobacco, and firearms cannot be used for 26 CFR activities and subject matter. There are no penalty provisions in 26 CFR as regards to Income Taxes, nor conspiracy. There are no sections of 28 USC allowing the IRS to investigate or make submittal of criminal information and complaints to the USDJ as the Federal District Courts have no Criminal Subject Matter Jurisdiction for 26 CFR. Congress only gave the Federal District Courts Civil Jurisdiction of 26 CFR matters. The use of Book 68A sections which attach to 27 CFR, claiming they attach to 26 CFR issues is a clear violation of 18 USC 241,. The IRS making a Return of Information document USDJ to attempt illegal prosecution of a Citizen for a 26 CFR offense (of which there are none) knowingly falsely using IRS Sections (the Book 68A) which can only be used for 27CFR issues is a Felony, violating 18 USC 241 Conspiracy against citizen rights, 18 USC False writings and fraud, and 18 USC Chapter 73 Obstruction of Justice, and Executive Order 12630 March 15, 1988. No Treasury Order gives authority to the IRS to conduct investigations, secure "evidence by fraud, conduct searches and seizures, or make a Return of Information Complaint to the USDJ. The US District Courts cannot by Case Law make Statute Law, where Statute Law does not exist, nor can the Courts give themselves Jurisdiction where the Legislative body (Congress) by Public Law has not given specific Subject Matter Jurisdiction. 28 USC section 1340

confers only Civil Jurisdiction for 26 CFR. This ruling also applies to all third party agencies, and persons, and includes all administrative orders and directives. In conclusion; A close review of 31 U.S.C. disclosed that the Internal Revenue Service, a Private Corporation, is not shown as a division, bureau, or any part of the U.S. Treasury Department. All this can be verified at any time on Firstgov. 31 U.S.C. Chapter 3 does not list the IRS as an agency or part of the Treasury Department. 31 U.S.C. Subtitle VI section 9101 does not show the IRS as a Government Owned Corporation under Government Corporations. 31 U.S.C. Subtitle I Chapter 9 section 901 does not list the IRS as an authorized agency. I believe the prosecutions false claims are contrary to the Constitution and I do not believe there is any evidence to the contrary.

SUMMARY OF VIOLATIONS COMMITTED AGAINST NATURAL BORN PEOPLE INCLUDE THE FOLLOWING:

- A. NO VERIFIED COMPLAINT, NO APPEARANCE FOR ANZALDI**
- B. NO AFFIDAVIT FROM THE REAL PARTY IN INTEREST**
- C. NO SIGNED ARREST WARRANT**
- D. NO SIGNED TRUE BILL BY GRAND JURY FOREMAN**
- E. NO GRAND JURY MATERIAL**
- F. INDICTMENT IN FICTITIOUS NAMES-FRCP 17**
- G. LOSS OF NATIONALITY UNDER "COLOR OF LAW" (8TH. AMEN)**
- H. NO WARRANT SUPPORTED WITH AN AFFIDAVIT (PROBABLE CAUSE) INITIATING THE COMPLAINT FOR SEARCH AND SEIZURE OF MATERIAL**
- I. DENIAL OF EXCULPATORY EVIDENCE**

- J. ENTRY OF FALSE EVIDENCE ONTO THE RECORD**
- K. SLANTED VERSION OF FACTS PRESENTED TO JURY**
- L. THE PROSECUTION CONTRACTED WITH A PRIVATE CPA WHO FILED A FORM 2848 WITH THE IRS AND DIVERTED ALL COMMUNICATION BETWEEN THE IRS AND MYSELF FOR YEARS 2006-2013. THE LACK OF COMMUNICATION SEVERELY DAMAGED MY ATTEMPT TO GAIN INFORMATION DIRECTLY FROM THE IRS.**
- M. ALL IRS RETURNS WERE FILED THROUGH H.R. BLOCK, AS THE FIDUCIARY AGENT, BECAUSE THEY PROFESS TO STAND BEHIND THE FILING WITH THE IRS AND, DEPARTMENT OF TREASURY.**
- N. THE PROSECUTION ALSO FAILED TO ENTER ONTO THE RECORD THAT ALL RETURNS WERE APPROVED BY H.R. BLOCK, THE IRS AND THE TREASURY DEPARTMENT. ALL RETURNS WERE FILED OPENLY AND HONESTLY TO THE BEST OF OUR KNOWLEDGE AND UNDERSTANDING.**
- O. THE POINT OF AUTHORITY TO RECLAIM A TAX CREDIT COMES FROM "MEMORANDUM OF LAW" BY CONGRESSIONAL ACT UNDER PUBLIC POLICY HJR 192, PUBLIC LAW 73-10. PRIVATE PROPERTY (PROMISSORY NOTE) SHALL NOT BE TAKEN WITHOUT JUST COMPENSATION.**

THE PEOPLE ARE THE TRUE CREDITORS, AND MUST BE JUSTLY COMPENSATED FOR ALL USE OF CREDIT.

P. THE GOVERNMENT HAS NOW CONCEDED THE CONSTITUTIONAL ISSUE OF THE INVALIDITY OF TITLE 18, ACCORDING TO A CLASS ACTION SUIT FILED ON SEPTEMBER 27th, 2012, DOCKETED IN THE COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT COURT. NO QUARUM EXISTED ON MAY 12th, 1947 and JUNE 22 and 23, 1948, rendering 18 USC SECTION 3231, WHICH IS THE ONLY STATUTE THAT GIVES THE DISTRICT COURT JURISDICTION TO PROSECUTE ANY FEDERAL CRIME, INVALID. CONSEQUENTLY, TITLE 18 WAS NEVER RATIFIED. PUBLIC LAW 80-772 IS WITHOUT MERIT IN ALL CRIMINAL CASES. THE GOVERNMENT ALSO ADMITTED THAT NO PRIOR STATUTE GIVES THE FEDERAL COURTS JURISDICTION, THAT THE INDICTMENT IS VOID ON ANY FEDERAL CRIMINAL CASE; THAT THE UNITED STATES OF AMERICA IS A CORPORATION; AND THAT PURSUANT TO THE "ADMINISTRATIVE PROCEDURE ACT" (APA), THE GOVERNMENT WAS REQUIRED TO ANSWER THE CLAIM. SINCE THE PROSECUTOR HAS REFUSED TO ANSWER CLAIMS SUBMITTED BY NOTARY

PRESENTMENT, THEY VIOLATED APA, AND THEIR SILENCE CAN ONLY BE EQUATED WITH FRAUD. SEE U.S. v. PRUDEN, 424 F. 2d 1021 (1970), UNDER THE AUTHORITY OF THE ADMINISTRATIVE PROCEDURES ACT, 5 USC SECTION 556 (D) BURDEN OF PROOF “ THE PROPONENT OF A RULE OR ORDER BARES THE BURDEN OF PROOF.” THE SUPREME COURT HAS STATED THAT “IF ANY TRIBUNAL COURT FINDS ABSENCE OF PROOF OF JURISDICTION OVER PERSON OR SUBJECT MATTER, THAT CASE MUST BE DISMISSED.” LOUISVILLE & NASHVILLE R.R. v. MOTLEY, 211 U.S. 149 (1908).

- Q. THE PROSECUTION HAS FAILED TO RESPOND TO AFFIDAVITS OF FACT REGARDING MY STATUS, AFFIDAVIT OF NON APPEARANCE AND NON CONSENT, AN AFFIDAVIT OF NEGATIVE AVERMENT, RECORDED OBJECTION TO JURISDICTION, NOTICE OF “ACT OF STATE” (EXPATRIATION), NOTICE OF NON CORPORATE STATUS, AND NOTICE OF OATHS REQUIRED BY ALL FOREIGN AGENTS TO UPHOLD AND SUPPORT THE CONSTITUTION FOR THE united states of America.**
- THE PROSECUTION REPLIED ONE TIME, AFTER MANY FILED AFFIDAVITS, HOWEVER, SHE FAILED TO ADDRESS THE**

**MAJORITY OF FACTS, WHICH IS CONSIDERED A NON
RESPONSE. THE RECORD WILL REFLECT THAT ALL
ATTEMPTS TO PLACE THE TRUTH ON THE RECORD WERE
DEEMED FRIVOLOUS BY THE PROSECUTOR'S OFFICE.
REGISTERED MAIL NO. RA 429 798 021 US.**

- R. EACH ELECTED, APPOINTED, PERSON WHO HAS RECEIVED
A COPY OF THIS TRUTH AFFIDAVIT HAS SUBSCRIBED TO
AN OATH OF OFFICE PRIOR TO ASSUMING THEIR POSITION.
THEIR OATH OF OFFICE IS A BINDING CONTRACT BETWEEN
"WE THE PEOPLE" AND THE CONSTITUTION FOR THE united
states of America TO PROTECT, DEFEND AND UPHOLD THE
CONSTITUTIONAL RIGHTS OF all people.**
- S. HIERARCHY OF AUTHORITY IS GOD FIRST, MAN SECOND,
CORPORATIONS LAST.**
- T. I AM SURE, I WAS A "POLITICAL TARGET," BECAUSE I BELIEVE
THE "CONSTITUTION IS THE SUPREME LAW OF THE LAND,"
AND ONE OF THE People of the De jure Government, reseated,
restored, and reoccupied in March of 2010, " Republic for the
united States of America, " WHICH HAPPENED TO BE THE
SAME TIME THE IRS STARTED TARGETING CONSERVATIVE
GROUPS OF PEOPLE. I WAS TOLD, THE IRS QUESTIONED
SEVERAL PEOPLE ABOUT MY POLITICAL AFFILIATIONS, AND**

BELIEFS. CURRENTLY, THE IRS IS UNDER INVESTIGATION FOR THOUSANDS OF PRIVACY VIOLATIONS, EGREGIOUS ACTS OF AGGRESSION, AND CONSTITUTIONAL VIOLATIONS, AND I DO NOT BELIEVE THERE IS ANY EVIDENCE TO THE CONTRARY.

REMEDY:

IN CONCLUSION, I ATTEST TO THE FACT THAT THE IRS, DEPARTMENT OF JUSTICE, AND THE UNITED STATES DISTRICT FEDERAL COURT HAVE VIOLATED SO MANY CONSTITUTIONALLY PROTECTED RIGHTS , IT SHOCKS ONE'S CONSCIENCE.

THE COURT HAS NOT SATISFIED THE BASIC APPEARANCE OF JUSTICE SERVED. IN ORDER TO PRESERVE THE INTEGRITY OF THE COURT, AND RESTORE HONOR TO THE ENTIRE COURT SYSTEM, THIS CASE MUST BE DISMISSED WITH PREJUDICE, VOID AB INITIO, FOR LACK OF SUBJECT MATTER JURISDICTION, PERSONAM JURISDICTION, POLITICAL JURISDICTION, INCORRECT VENUE AND JURISDICTION FOR PROPOSED CRIMINAL/CONSPIRACY AGAINST THE UNITED STATES GOVERNMENT IS LOCATED IN THE District Court of

**the United States, which is in Washington, District of Columbia.
BECAUSE THIS CASE WAS PREDICATED AND INITIATED
UNDER FRAUDULENT CIRCUMSTANCES, ALL PERSONAL
DATA, FINGERPRINTS, DNA AND PHOTOS MUST BE
PERMANENTLY EXPUNGED FROM THE RECORD, AND ALL
NATURAL BORN DEFENDANTS MUST BE COMPLETELY
EXONERATED AS A MATTER OF JUSTICE.**

**INDICTMENT NUMBER 11 CR 0820 IS VOID ab initio, AS FRAUD
VITIATES THE ENTIRE CASE.**

EXHIBIT DOCUMENTS INCLUDE THE FOLLOWING:

- A. ACT OF STATE REGARDING EXPATRIATION**
- B. CERTIFICATE OF INCORPORATION OF THE IRS**
- C. DOCKET SUMMARY SHEET REFLECTING NO COMPLAINT**
- D. DIVISION OF CORPORATIONS-DELAWARE-ONLINE RECORD**
- E. APOSTOLIC LETTER DATED 11 JULY 2013 THAT REMOVED
ALL CORPORATIONS FROM THE PROTECTION ON 1 JULY
2013 UNDER THE ROMAN CURIA AND LOSS OF IMMUNITY
ON 1 SEPTEMBER 2013.**

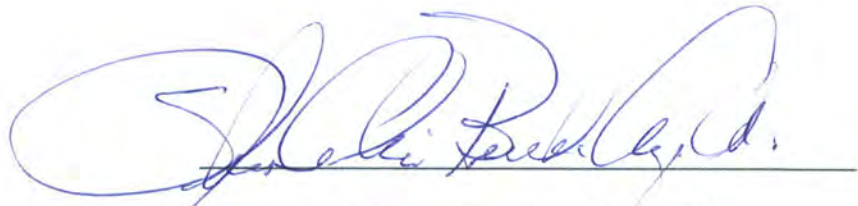
**NOTICE OF NON APPEARANCE, AND NON CONSENT!
IF THERE IS AN "APPEARANCE" OF RECORD, IT
WAS ENTERED WITHOUT MY KNOWLEDGE AND
CONSENT. CONSEQUENTLY, IT WOULD BE
CONSIDERED A FRAUDULENT ENTRY, AND FRAUD.**

**IN CONCLUSION; THE VERY FOUNDATION OF THE
INDICTMENT IS COMPLETELY WITHOUT MERIT, LAW AND
STANDING, AS IT WAS PREDICATED UPON FRAUD AND MUST
BE MADE VOID AB INITIO.**

**FURTHERMORE, I AM A STATE CITIZEN, NOT A FEDERAL
CITIZEN, AND BEYOND THE COURT'S JURISDICTION
PROTECTED UNDER THE 11TH. AMENDMENT, AND I DO NOT
BELIEVE THERE IS ANY EVIDENCE TO THE CONTRARY!**


**RESPONDENTS, THIS AFFIDAVIT MUST BE ADDRESSED
POINT FOR POINT, WITHIN TEN DAYS OF DELIVERY, IF NOT, IT
WILL BE CONSIDERED A NON RESPONSE, AND
INCONSISTENT WITH THE "ADMINISTRATIVE PROCEDURE
ACT."**

Without Prejudice UCC 1-308



Sharon Alicia Burke-Anzaldi

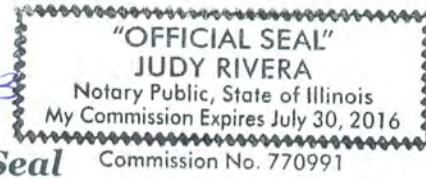
WITNESS my hand and official seal



NOTARY PUBLIC

19th day August 2013

DATE



Seal

My Commission expires July 30 **20** 16

RECEIVED

JUN 17 2013

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

THOMAS G BRUTON
CLERK, U S DISTRICT COURT

UNITED STATES)

Plaintiff)

v.)

Sharon Alicia Anzaldi)

Defendant)

Case Number: 11 CR 0820

Judge: Harry D. Leinenweber

Magistrate Judge: Gilbert and/or
Ashman (deceased)

Notice of Appeal

1. 4th Amendment violation regarding "Nature + Cause" Real Party in interest (Rule 17a)
2. 4th Amendment violation - No Verified Complaint according to your own Records on Pacer (1/23/2011)
3. 4th Amendment violation - No Affidavit of Fact Signed under "Penalty of Perjury" by the Real Party in interest.
4. 5th Amendment violation - No Grand Jury held prior to an Arrest and Indictment.
5. 5th Amendment violation - No Grand Jury Foreman signed the True Bill.
6. 5th Amendment violation - No Grand Jury Foreman read the decision on the open floor.
7. 5th Amendment violation - No "Certificate of Creation"

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

UNITED STATES)
Plaintiff)
v.)
Sharon Alicia Anzald)
Defendant)

Case Number: 11 CR 0820
Judge: Harry D. Leinenweber
Magistrate Judge:

Notice of Appeal

- 8. 6th Amendment violation - was not allowed to cross-examine the "Real Party" in Interest (prosecution) posing as the injured party.
- 9. 8th Amendment - malicious prosecution by Assistant District Attorney - Rachel M. Cannon by withholding exculpatory evidence in my favor.
 - A. Corrected 1040X in the amount of Four Million+/- in year 2009.
 - B. Power of Attorney - Michael Graf Jr. CPA that usurped my POA for years 2006-2013 w/o my knowledge or consent.
 - C. Communication from the IRS stating my returns filed for years 2006-2009 had been corrected and zeroed out due to amended filings

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

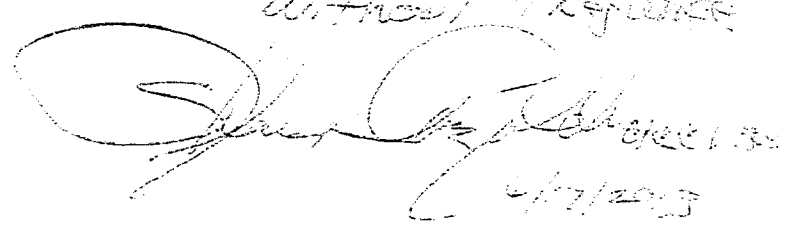
UNITED STATES)
)
 Plaintiff)
)
 v.)
)
 SHARON ALICIA ANZALDI)
 Defendant)

Case Number: 11 CR 0820
Judge: HARRY P. WENNEWEBER
Magistrate Judge: GILBERT AND/OR
ASHMAN (DECEASED)

Notice of Appeal

10. 11th Amendment Violation - Under Foreign
Sovereign Immunities Act. by the use
of a fictitious name - CORPORATION AAA.
SHARON ANZALDI.

11. Prosecutorial Misconduct For denying
the Court's True Jurisdiction AND
limited Authority, AS ALL CASES ARE
Commercial in Nature AND Civil NOT
CRIMINAL. TITLE 29-72.11. without Prejudice


4/17/2013

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES
Plaintiff(s)

CASE No. 11 CR 0820

vs.

JUDGE: Harry D. Campbell

SHARON ARZALDI
Defendant(s)

PROOF OF SERVICE

TO: Gary S. Shapiro - Atty General } Cert Mail No.
219 S. Dearborn St. 5th Floor } 7012 1010 0000 6451 7716
Chicago, Illinois 60604

TO: Archie M. Cannon } Cert Mail No.
219 S. Dearborn St. - 5th Floor } 7012 1010 0000 6451 7733
Chicago, Illinois 60604

I, the undersigned (plaintiff/defendant), certify that on the 17 day of June,
2013 I served a copy of this Notice of Arrest to each person whom it is
directed by way of Certified Mail

Signature [Signature]

Name Sharon Arzaldi

Address 2408 N. 76th Court

City/Zip 60707 - Elmwood Park, IL

Telephone 773-251-2833

The Corp. Co. of Del.

\$20,000 = 200 shares @ \$100 = 10

Certificate of Incorporation

Name First.—The name of this Corporation shall be

INTERNAL REVENUE TAX AND AUDIT SERVICE, INC.

Registered Office. Second.—Its principal office or place of business in the State of Delaware shall be located at 15-17 Dever Green in the City of Dover, County of Kent, and its resident agent shall be The Capital Trust Company of Delaware.

Objects and Powers. Third.—The nature of the business and the objects and purposes proposed to be transacted, promoted and carried on, are to do any or all of the things herein set forth, as fully and to the same extent as natural persons might or could do, and in any part of the world, viz:

To own, hold, sell and dispose of the right to the use, and in the sale of a Copyright Book, printed therein, new and improved Forms, for use of business and professional men, and for the purpose of compiling accounting records and figures, and other purposes, from which INCOME TAX RETURNS of any manner, kind, class and description may be prepared in conformity with the Internal Revenue Laws of the United States, and in conformity with any and all Taxing Laws enacted by any of the States, Counties, Municipalities, Cities, Towns, or other taxing divisions or subdivisions. Generally to conduct an Income Tax Accounting and Auditing business, and to act as Income Tax Accountants and Auditors for persons, firms, corporations, syndicates and others, and to make charges for the sale of said Income Tax Accounting Book of Forms, and for such other services as may be rendered.

To examine, audit and certify to the correctness of Corporation reports, Corporation books and accounts of persons, firms, partnerships, associations, public, quasi-public and private Corporations including any State or Government, estates and public and private institutions of all kinds, to install and maintain systems of Corporation analysis, and for other purposes, and for the keeping of records and accounts of all kinds, and to install and operate cost systems, and to make investigations as to the business affairs and property of any of the foregoing, and to render reports in connection therewith, and to make Corporation analysis, appraisals and valuations of all kinds, and to maintain, prepare and certify to the correctness of reports, balance sheets and statements, including Tax Reports and Tax Returns, for any and all purposes, State, Government or otherwise.

To manufacture, purchase or acquire in any lawful manner and to hold, own, mortgage, pledge, sell, transfer, or in any manner dispose of, and to deal and trade in goods, wares, merchandise, and property of any and every class and description, and in any part of the world.

To acquire the good will, rights and property, and to undertake the whole or any part of the assets or liabilities of any person, firm, association or corporation; to pay for the same in cash, the stock of this company, bonds or otherwise; to hold or in any manner to dispose of the whole or any part of the property so purchased; to conduct in any lawful manner the whole or any part of any business so acquired, and to exercise all the powers necessary or convenient in and about the conduct and management of such business.

To apply for, purchase, or in any manner to acquire, and to hold, own, use and operate, and to sell or in any manner dispose of, and to grant license or other rights in respect of, and in any manner deal with, any and all rights, inventions, improvements and processes used in connection with or secured under letters patent or copyrights of the United States or other countries, or otherwise, and to work, operate or develop the same, and to carry on any business, manufacturing or otherwise, which may directly or indirectly effectuate these objects or any of them.

EXHIBIT

EXHIBIT D

Liability of Stockholders.

Seventh.—The private property of the stockholders shall not be subject to the payment of corporate debts to any extent whatever.

Powers of Directors.

Eighth.—The Directors shall have power to make and to alter or amend the By-laws: to fix the amount to be reserved as working capital, and to authorize and cause to be executed, mortgages and liens without limit as to amount, upon the property and franchises of this Corporation.

Inspection of Corporate Books.

The By-laws shall determine whether and to what extent the accounts and books of this corporation, or any of them, shall be open to the inspection of the stockholders; and no stockholder shall have any right of inspecting any account, or book, or document of this Corporation, except as conferred by law or the By-laws, or by resolution of the stockholders or directors.

Meetings.

The stockholders and directors shall have power to hold their meetings and keep the books, documents and papers of the corporation outside of the State of Delaware, at such places as may be from time to time designated by the By-laws or by resolution of the stockholders or directors.

Executive Committee.

The directors shall have power by a resolution passed by a majority vote of the whole Board, under suitable provision of the By-laws, to designate two or more of their number to constitute an Executive Committee, which Committee shall for the time being, as provided in said resolution or in the By-laws, have and exercise any or all the powers of the Board of Directors which may be lawfully delegated in the management of the business and affairs of the Company, and shall have power to authorize the seal of the said Company to be affixed to all papers which may require it.

Amendments.

There shall be no preemptive right in the stockholders of subscribing to any additional issues of any class of stock of this corporation now or hereafter authorized unless hereafter conferred by resolution of the directors.

This Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in the manner now or hereafter prescribed by the statutes of the State of Delaware, and all rights conferred on officers, directors and stockholders herein are granted subject to this reservation.

It is the intention that each of the objects, purposes and powers specified in all the paragraphs of the Third Section hereof shall be regarded as independent objects, purposes and powers.

We, the Undersigned, for the purpose of forming a Corporation under the laws of the State of Delaware, do make, file and record this Certificate, and do certify that the facts herein stated are true; and we have accordingly hereunto set our respective hands and seals.

Dated at NEW YORK CITY, N.Y.

July 11th 1933

E. Clifton Barton (SEAL)
Helene Edle Barton (SEAL)
Lawrence Echevarria (SEAL)

In presence of

Francis W. [unclear]
[unclear]

X

State of

New York

County of

New York

11th day of July

Be It Remembered, That on this 11th day of July, A. D. 1933, personally appeared before me, the subscriber, a Notary Public for the State of New York, *Helene Edle Barton* and *Lawrence Echevarria*

parties to the foregoing Certificate of Incorporation, known to me personally to be such, and severally acknowledged the said Certificate of Incorporation to be their act and deed, and that the facts therein stated are truly set forth.

Given Under my hand and seal of office the day and year aforesaid.

[Signature]
Notary Public

a-m

Must be acknowledged before a Notary Public with seal.

To guarantee, purchase, hold, sell, assign, transfer, mortgage, pledge, or otherwise dispose of the shares of the capital stock of, or any bonds, securities or evidences of indebtedness created by any other corporation or corporations of this State or any other State, country, nation or government, and while owner of said stock may exercise all the rights, powers and privileges of ownership, including the right to vote thereon, to the same extent as natural persons might or could do.

To enter into, make and perform contracts of every kind with any person, firm, association or corporation, municipality, body politic, country, territory, State, government or colony or dependency thereof, and without limit as to amount to draw, make, accept, endorse, discount, execute and issue promissory notes, drafts, bills of exchange, warrants, bonds, debentures, and other negotiable or transferable instruments and evidences of indebtedness whether secured by mortgage or otherwise, as well as to secure the same by mortgage or otherwise.

To conduct business in any of the States, territories, colonies or dependencies of the United States, in the District of Columbia, and in any and all foreign countries, to have one or more offices therein, and therein to hold, purchase, mortgage and convey real and personal property, without limit as to the amount.

To do any or all of the things herein set forth to the same extent as natural persons might or could do and in any part of the world, as principals, agents, contractors, trustees, or otherwise, and either alone or in company with others.

To purchase, hold and reissue any of the shares of its capital stock.

In General to carry on any other business in connection therewith, whether manufacturing or otherwise, not forbidden by the laws of the State of Delaware, and with all the powers conferred upon corporations by the laws of the State of Delaware.

Strike out
1, 2, 3 or 4
if not desired.

Fourth.—The total authorized capital stock of this corporation consists of
~~..... shares of Common stock without nominal or par value AND~~
 Two Hundred (200) shares of Common stock with the par value
 of One Hundred Dollars (\$100.00) each ~~AND~~
~~..... shares of Preferred stock with the par value of~~
~~..... shares of Preferred~~
~~..... per value.~~

If preferred
stock is desired,
fill in these
blanks. If
only common
is wanted,
leave blank.

~~..... and when the Board of Directors shall determine to pay dividends to the holder thereof to receive out of the net earnings, and the Corporation shall be~~
~~..... dividends at the rate of per annum~~
~~..... the directors shall have power~~
 in their discretion to declare and pay a dividend ~~on~~ on the common stock.
~~The holders of unissued stock shall in case of liquidation of the Corporation~~
~~paid the amount payable on their shares and the dividends accumulated and unpaid thereon, but~~
~~..... at the discretion of the Company shall be subject to redemption at~~
~~..... or any dividend day thereafter.~~

Strike out if
not desired.

Not less
than \$1000.

Incorporators.

This corporation will commence business with a capital of at least One
 Thousand Dollars.

Fifth.—The names and places of residence of the incorporators are as follows:

| Name | Residence |
|----------------------|----------------|
| E. CLIFTON BARTON | NEW YORK, N.Y. |
| HELEN E. DELE BARTON | NEW YORK, N.Y. |
| LAWRENCE BOHVARRIA | NEW YORK, N.Y. |

6/3/13

Division of Corporations - Online Services

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Department of State: Division of Corporations

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* Match found

Corporate Fees

SERVICES

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- File UCC's
- Delaware Laws Online
- Name Reservation
- Entity Search
- Status
- Validate Certificate
- Customer Service Survey

Entity Name: _____ or File Number: 0325720
 This field is not case sensitive.

Search

| FILE NUMBER | ENTITY NAME |
|-------------|----------------------------------------------|
| 0325720 | INTERNAL REVENUE TAX AND AUDIT SERVICE, INC. |

INFORMATION

- Corporate Forms
- Corporate Fees
- UCC Forms and Fees
- Taxes
- Expedited Services
- Service of Process
- Registered Agents
- Get Corporate Status
- Submitting a Request
- How to Form a New Business Entity
- Certifications, Apostilles & Authentication of Documents

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SECRETARY OF STATE

APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: United States of America

This Public Document: Act of State

2. has been signed by Robert S McMinn Jr

3. acting in the capacity of Notary Public, State of Minnesota

4. bears the seal/stamp of Robert S McMinn Jr, Notary Public, State of Minnesota

CERTIFIED

5. at St. Paul, Minnesota

6. Date: October 29, 2009

7. by Secretary of State, State of Minnesota

8. File No: KB20091029004

9. Seal/Stamp:

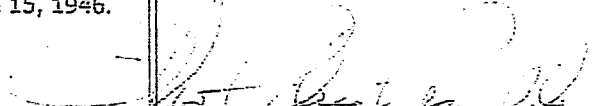
10. Signature

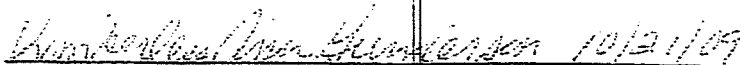
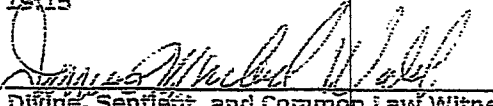
Mark Ritchie
Mark Ritchie

EXHIBIT II

Act of State
Reaffirmation of Character
And Renunciation of Attempted Expatriations

I, Sharon Alicia Anzaldi, by International Common Law Registration, being of the age of majority, complete in my faculties, a natural born Divine creation, and a Private, Sentient, Sovereign within the constitutional Public survey boundaries within Illinois, a Republic, of the constitutional Township, Melrose Park, within the body of a constitutional county, Cook, the proper jurisdiction of a Common Law thereto, do solemnly make this Reaffirmation of Character, pursuant to my absolute freedom of religion, of an Ambassador and Subject-Citizen of the Kingdom of Heaven under its King, Jesus the Christ; and an American Sovereign Citizen-Principal in good standing and Behavior, Public Minister (Ambassador), and "dominium" (absolute owner) inhabitant of the organic United States ("a more perfect union") under the Constitution for the United States of America (1791 to date) as ordained and established, with reservation of all Divinely created and inherent unalienable Rights/Privileges. It is, at the same time that I renounce and declare void, ab initio, any and all attempts (De Facto / Renegade / Corporate) by means of fictions or otherwise, of any changes in my lawful Citizenship Status to that of a Corporate Statutory / Military / Maritime / Admiralty / Fictitious U.S.: "person", "consumer", "individual", "citizen", "citizen-subject", "plaintiff/defendant", "resident", "whoever", "taxpayer", "driver", "gun/firearm owner", "DEBTOR", et al, subject to the seizure of Alien Properties by the hypothecated, Corporate/Legislative/Military/Admiralty/Fictitious Democracy UNITED STATES, et al. Such corporations, fraudulent and non-existent in the Law, include, but are not limited to, the UNITED STATES, U.S., US, STATE OF ILLINOIS, COUNTY OF COOK, CITY OF MELROSE PARK, SHARON ALICIA ANZALDI, SHARON A ANZALDI, S ALICIA ANZALDI, SHARON ANZALDI, or any variation thereof, 323-38-XXXX, etc. This doctrine of "Piercing the Corporate Veil", with its "Instrumentality Rule", will serve Notice, (judicial, presidential or otherwise), that all acting as Corporate officers, etc., whether by color of law or color of official right, are acting or have acted without the usual immunities afforded in lawful civil/judicial proceedings. For the peace of and safety of all Corporate officers, etc., as well as myself, I have identified all my guaranteed, absolute properties ("Life, Liberty, and the Pursuit of Happiness"), until such times as the present De Facto / Renegade / Corporate government can make the necessary changes to its structure to insure the same. These identifications will list the International Record (Seal) Number (Apostille Number), as has been recognized, received, recorded, and issued by the De Facto / Renegade / Corporate government. As this number is the International registration, National authentication, and State certification of a Public Document of the United States of America, my Nations, and my Citizenships, as well as identification of all guaranteed, properties, whether Public or Private, are and have been in Lawful possession of me. Any confiscation or seizure of any kind of any of the guaranteed, Private or Public properties by any of the De Facto/Corporate officers, etc. will result in damages of Ten Million Dollars of United States Treaty States, nation-state specie Money (United States Dollars silver) that being enumerated in Article I, Section 10, Clause 1 as "gold and silver coin" in the Constitution for the United States of America (1791 to date) to be multiplied by not only the damaging party(ies), but all those in concert and cause of action. This Declaration is made absolute by the enclosed Apostille (the State of Minnesota), copy and pursuant to 15 Stat. Ch. 249 pg. 223 (1868), shall be made final, adopted, and accepted by the Doctrines of Estoppel (by acquiescence), Law of the Record, (Apostille), Moral Obligation (peremptory mandamus), and the Divine Law (380 U.S. 163; The Bible is law to be applied nationally); or upon the passing of a customary and reasonable time of ten (10) consecutive calendar days from receipt of the service guaranteed U.S. Mail (Certified) or otherwise. It will be the President's absolute ministerial duty to identify, restore, and correct any and all errors, injuries, wrongs, and damages at any time applied and/or attached to Me pursuant to Congressional demand within 15 Stat. Ch 249. Dates: spiritual "In the Beginning" plus Six days: Announcement of Diplomatic Arrival: June 15, 1946.

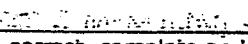

Me, American, Private, Christian, Sentient; Date 10/21/2009
Sovereign; Divine Inhabitant within North America; within Illinois, a Republic;
"within" a constitutional county and a constitutional township republic.
"... at the mouths of two, or at the mouths of three the matter is established."
Deuteronomy 19:15

 10/21/09
Divine, Sentient, and Common Law Witness Date
 10/21/09
Divine, Sentient, and Common Law Witness Date

Archetype

Form: publici sui juris / Affidavit
Session: one Supreme Court

Act of State
Primary Signature Certification
(Convention de La Haye du 5 October 1961)
TIAS 10072, 33 UST 883, 527 UNTS 189. (Convention # 12)

I, , do hereby certify the Sentient signature on the Archetype document enclosed to be a true, correct, complete and not misleading original, containing the primary signature as sealed below. This notarization is for the purpose of signature (autograph) certification only, for foreign use (i.e., United States of America) of the U.S. originated document. This is pursuant to the Hague Conference on Private International Law dated October 5th, 1961, at the Convention Abolishing the Requirement of Legislation for Foreign Public Documents. It was on 15 October, 1981 in which the United States declared as being a signatory to this Convention, and this procedure is required for the legalization of administrative/judicial documents as herein enclosed.

The State of Minnesota Acknowledged before me the 23rd day of October, 2009 A.D.

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SECRETARY OF STATE

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EXHIBIT IV

Felony

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Plaintiff

USA

represented by **Rachel Marie Cannon**

United States Attorney's Office (NDIL)
219 South Dearborn Street
Suite 500
Chicago, IL 60604
(312) 353-5300
Email: rachel.cannon2@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

AUSA

United States Attorney's Office (NDIL)
219 South Dearborn Street
Suite 500
Chicago, IL 60604
(312) 353-5300
Email: USAILN.ECFAUSA@usdoj.gov
ATTORNEY TO BE NOTICED

Pretrial Services

435-5545
Email:
ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov
ATTORNEY TO BE NOTICED

Department of State: Division of Corporations

INDEX

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- Newsroom
- Frequent Questions
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Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

[File Number:](#) 0325720 [Incorporation Date:](#) 07/12/1933
[Formation Date:](#) (mm/dd/yyyy)

[Entity Name:](#) INTERNAL REVENUE TAX AND AUDIT SERVICE, INC.

[Entity Kind:](#) CORPORATION [Entity Type:](#) GENERAL

[Residence:](#) DOMESTIC State: DE

[REGISTERED AGENT INFORMATION](#)

[Name:](#) INACTIVE AGENT ACCOUNT

[Address:](#) SECRETARY OF STATE TOWNSEND BLDG

[City:](#) DOVER [County:](#) KENT

[State:](#) DE [Postal Code:](#) 199011234

[Phone:](#) (302)739-3138

Additional information is available for a fee. You can receive Status for a fee of \$10.00 or more detailed information including current franchise fee assessment, current filing history and more for a fee of \$20.00.

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Please storm Heaven for the soul of
New Catholic's mother

Benedictines of Nursia (Norcia, Italy)
celebrate one year of their brewery

The "American Pantheon"

Traditional Pilgrimage to the Luján
Basilica, Argentina

COMMUNIQUE DE PRESSE OFFICIELLE DU SAINT-SIÈGE - COMUNICAZIONE UFFICIALE DELLA SANTA SEDE

Motu Proprio of Pope Francis, updating norms on criminal matters and administrative sanctions



APOSTOLIC LETTER
ISSUED *MOTU PROPRIO*
OF THE SUPREME PONTIFF
FRANCIS
ON THE JURISDICTION OF THE
JUDICIAL AUTHORITIES OF VATICAN CITY STATE
IN CRIMINAL MATTERS



In our times, the common good is increasingly threatened by transnational organized crime, the improper use of the markets and of the economy, as well as by terrorism.

It is therefore necessary for the international community to adopt adequate legal instruments to prevent and counter criminal activities, by promoting international judicial cooperation on criminal matters.

In ratifying numerous international conventions in these areas, and acting also on behalf of Vatican City State, the Holy See has constantly maintained that such agreements are effective means to prevent criminal activities that threaten human dignity, the common good and peace.

With a view to renewing the Apostolic See's commitment to cooperate to these ends, by means of this Apostolic Letter issued *Motu Proprio*, I establish that:

1. The competent Judicial Authorities of Vatican City State shall also exercise penal jurisdiction over:

a) crimes committed against the security, the fundamental interests or the patrimony of the Holy See;

b) crimes referred to:

- in Vatican City State Law No. VIII, of 11 July 2013, containing Supplementary Norms on Criminal Law Matters;

- in Vatican City State Law No. IX, of 11 July 2013, containing Amendments to the Criminal Code and the Criminal Procedure Code;

when such crimes are committed by the persons referred to in paragraph 3 below, in the exercise of their functions;

c) any other crime whose prosecution is required by an international agreement ratified by the Holy See, if the perpetrator is physically present in the territory of Vatican City State and has not been extradited.

- New Catholic
- Al Trovato
- Rev. Fr. L. Demets, FSSP
- Mornac
- Jordanes
- Augustinus
- Adfero
- Francesca Romana
- Joseph Shaw
- Kenneth J. Wolfe
- Bartłomiej K. J. Krzych, IBP

PURGATORIAL
SOCIETY

SUMMORUM
PONTIFICUM

2. The crimes referred to in paragraph 1 are to be judged pursuant to the criminal law in force in Vatican City State at the time of their commission, without prejudice to the general principles of the legal system on the temporal application of criminal laws.

3. For the purposes of Vatican criminal law, the following persons are deemed "public officials":

a) members, officials and personnel of the various organs of the Roman Curia and of the Institutions connected to it.

b) papal legates and diplomatic personnel of the Holy See.

c) those persons who serve as representatives, managers or directors, as well as persons who even de facto manage or exercise control over the entities directly dependent on the Holy See and listed in the registry of canonical juridical persons kept by the Governatorate of Vatican City State;

d) any other person holding an administrative or judicial mandate in the Holy See, permanent or temporary, paid or unpaid, irrespective of that person's seniority.

4. The jurisdiction referred to in paragraph 1 comprises also the administrative liability of juridical persons arising from crimes, as regulated by Vatican City State laws.

5. When the same matters are prosecuted in other States, the provisions in force in Vatican City State on concurrent jurisdiction shall apply.

6. The content of article 23 of Law No. CXIX of 21 November 1987, which approves the Judicial Order of Vatican City State remains in force.

This I decide and establish, anything to the contrary notwithstanding.

I establish that this Apostolic Letter issued Motu Proprio will be promulgated by its publication in *L'Osservatore Romano*, entering into force on 1 September 2013.

Given in Rome, at the Apostolic Palace, on 11 July 2013, the first of my Pontificate.

FRANCISCUS

[Introduction: communiqué of the Holy See Press Office]

1. Today His Holiness Pope Francis has issued a Motu proprio on criminal law matters.

On this same date, the Pontifical Commission for Vatican City State has adopted the following laws:

- Law No. VIII containing Supplementary Norms on Criminal Law Matters;
- Law No. IX containing Amendments to the Criminal Code and the Criminal Procedure Code;
- Law No. X containing General Provisions on Administrative Sanctions.

2. The Motu proprio makes the criminal laws adopted by the Pontifical Commission for Vatican City State applicable also within the Holy See.

3. The criminal laws adopted today are a continuation of the efforts to update Vatican City State's legal system, building upon the measures adopted since 2010 during the pontificate of Benedict XVI.

4. These laws, however, have a broader scope, since they incorporate into the Vatican legal system the provisions of numerous international conventions including: the four Geneva Conventions of 1949, on the conduct of war and war crimes; the 1965 Convention on the elimination of all forms of racial discrimination; the

Today's Mass: *Missa Romanum*
Today's Office: *Breviarium Romanum*
Catholic Tradition
Cérémoniaire (Fr.)
Confraternity of St. Peter
DICI (Fr./En.)
Le Forum Catholique (Fr.)
Live Mass
Live Office
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Ordo (France)
Ordo (O.S.B. - Le Barroux)
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Salve Regina (Fr.)
St. René Goupil - Chant
Traditional Sermons: Audio Sancto
Vulgata Clementina
WikkiMissa (Fr./En.)

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The Most Rev. Abp. T. E. Gullickson

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Chant Café

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Clay and Spittle

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Creative Minority

The Curt Jester

Cusack

D. Werling

Dallas Area Catholics

Disputationes (It.)

Dom Kirby

Dominican Liturgy

Edward Feser

El Sacristán Serrano (Sp.)

Eponymous Flower

1984 Convention against torture and other cruel, inhuman or degrading treatment or punishment, the 1989 Convention on the rights of the child and its optional protocols of 2000.

5. Of particular note in this context is the introduction of the crime of torture and a broader definition of the category of crimes against minors (including: the sale of children, child prostitution, the recruitment of children, sexual violence and sexual acts with children, and the production and possession of child pornography).

6. A section of the legislation introduces a list of crimes against humanity, in particular, the crimes of genocide and apartheid, following broadly the definitions adopted in the 1998 Statute of the International Criminal Court. The section of the Criminal Code regarding offences committed in the exercise of public administration has also been revised in light of the 2003 United Nations Convention against corruption. With regard to penalties, that of life imprisonment has been abolished and it has been replaced with a maximum penalty of 30 to 35 years of imprisonment.

7. In line with the most recent developments at the international level, the new legislation also introduces a system of penalties for juridical persons who profit from the criminal activities of their constituent bodies or personnel, establishing their direct liability and providing as penalties a set of interdictions and pecuniary sanctions.

8. In the area of criminal procedure, the general principles of presumption of innocence and due process within a reasonable time have been recognized explicitly, while the power of the judicial authorities to adopt precautionary measures has been increased by bringing up to date the provisions for confiscation and the freezing of assets.

9. Also of importance is the modernization of the rather dated norms governing international judicial cooperation, with the adoption of measures in line with the standards of the most recent international conventions.

10. The law on administrative sanctions is of a general nature so as to serve as a common framework that provides for the possibility of sanctions in different areas intended to promote respect for the norms, to render them effective and to protect the public interests.

11. As a whole, these normative efforts form part of broader process aimed at modernizing further the Vatican legal system with a view to enhancing its consistency and effectiveness.

[Presentation of the motu proprio by the Secretary for Relations with States Abp. Dominique Mamberti]

The laws approved by the Pontifical Commission for Vatican City State bring about a broad-ranging normative change, necessary for the function that this State, entirely

sui generis, is called upon to carry out for the benefit of the Apostolic See. The original and foundational aim of the Vatican, which consists of guaranteeing the freedom of the exercise of the Petrine ministry, indeed requires an institutional structure that, the limited dimensions of the territory notwithstanding, assumes a complexity in some respects similar to that of contemporary States.

Established by the Lateran Pacts of 1929, the State adopted the judicial, civil and penal structures of the Kingdom of Italy in their entirety, in the conviction that this would be sufficient to regulate the legal relationships within a State whose reason for existence lies in the support of the spiritual mission of Peter's Successor. The original penal system – constituted by the Italian Penal Code on 30 June 1889 and the Italian Penal Code of 27 February 1913, in force from 7 June 1929 – has seen only marginal modifications and even the new law on sources of law (No. 71 of 1 October 2008) confirms the criminal legislation of 1929, while awaiting an overall redefinition of the discipline.

The most recently approved laws, while not constituting a radical reform of the penal system, revise some aspects and complete it in other areas, satisfying a number of requirements. On the one hand, these laws take up and develop the theme of the evolution of the Vatican judicial structure, continuing the action undertaken by Pope Benedict XVI in 2010 to prevent and combat money-laundering and the financing of terrorism. In this regard, the provisions contained in the 2000 United Nations Convention Against Transnational Organised Crime, the 1988 United Nations Convention Against

- Ex Orbe (Sp.)
- Father Brown
- Father Carota
- Father Cusick
- Father Dickson
- Father Finigan
- Father Finnegan
- Father Gonzales
- Father Henry
- Father Moi (Nor.)
- Father Richtsteig
- Father Scalse (It.)
- Father Secci (It.)
- Father Waldstein OCist
- Father Zerrudo
- Fides et Forma (It.)
- Filipino blog versus anti-life bills
- Flos Carmeli
- Foretaste of Wisdom
- Fratres in Unum (Pt.)
- Germinans (Sp.)
- Holy Card heaven
- In Caelo
- The Inn
- Introibo.net: *Pressespiegel* (Ger.)
- Itē ad Thomam
- Katolsk Observator (Swed.)
- Kreuzfahrten (Ger.)
- Lamentably sane
- Laudem Glorīae
- The Lion & the Cardinal
- LMS Chairman
- Lux Occulta
- S. Magister (Settimo Cielo) (It.)
- Maranatha (It.)
- Messa in latino (It.)
- Mon. di San Benedetto in Norcia (It.)
- Mon. of St. Benedict in Nursia
- Mundabor
- Mysterium Fidei (Dutch)
- New Liturgical Movement
- New Theological Mov.
- Nowy Ruch Liturgiczny (Pol.)
- Orbis Catholicus
- Oriens Journal
- Osservatore Vaticano (Fr.)
- Página Católica (Sp.)
- Panorama Católico (Sp.)
- Papa Stronsay
- Pertinacious Papist
- Pinoy Catholic

Illicit Traffic in Narcotic Drugs and Psychotropic Substances, and the 1999 International Convention for the Suppression of Financing of Terrorism, are to be implemented, along with other conventions defining and specifying terrorist activity.

The new laws also introduce other forms of crime indicated in various international conventions already ratified by the Holy See in international contexts and which will now be implemented in domestic law. Among these conventions, the following are worthy of mention: the 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, the 1989 International Convention on the Rights of the Child and the 2000 Optional Protocols, the 1949 Geneva Conventions on War Crimes, etc. A separate section is dedicated to crimes against humanity, including genocide and other crimes defined by international common law, along the lines of the 1998 Rome Statute of the International Criminal Court. From a substantial point of view, finally, further items of note are the revision of crimes against the public administration, in line with the provisions included in the 2003 United Nations Convention Against Corruption, as well as the abolition of the life sentence, to be substituted by a maximum custodial sentence of 30 to 35 years.

While many of the specific criminal offences included in these laws are undeniably new, it would however be incorrect to assume that the forms of conduct thereby sanctioned were previously licit. These were indeed punished, but as broader, more generic forms of criminal activity. The introduction of the new regulations is useful to define the specific cases with greater certainty and precision and to thus satisfy the international parameters, calibrating the sanctions to the specific gravity of the case.

Some of the new categories of criminal activity introduced (for instance, crimes against the security of air or maritime navigation or against the security of airports or fixed platforms) may appear excessive considering the geographic characteristics of Vatican City State. However, such regulations have on the one hand the function of ensuring respect for international anti-terrorism parameters, and on the other, they are necessary to ensure compatibility with the condition of so-called "dual criminality", to enable the extradition of persons charged or convicted of crimes committed abroad should they seek refuge in Vatican City State.

Special emphasis is given to the discipline of "civil responsibility of juridical persons derived from a criminal violation" (arts. 46-51 of the law containing complementary regulations on criminal matters), introducing sanctions for juridical persons involved in criminal activities as defined by the current international legal framework. To this end an attempt has been made to reconcile the traditionally cautious approach observable also in the canonical order, according to which "societas puniri non potest" with the need, ever more evident in the international context, to establish adequate and deterrent penalties also against juridical persons who profit from crime. The solution adopted was therefore that of establishing administrative responsibility of juridical persons, obviously when it is possible to demonstrate that a crime was committed in the interests of or to the advantage of that same juridical person.

Significant modifications are introduced also in terms of procedure. These include: updates in the discipline of requisition, strengthened by measures regarding the preventative freezing of assets; an explicit statement of the principles of fair trial within a reasonable time limit and with the presumption of innocence; the reformulation of regulations regarding international judicial cooperation with the adoption of the measures established by the most recent international conventions.

From a technical and regulatory point of view, the plurality of sources available to experts was organised by means of their combination in a harmonious and coherent body of legislation which, in the frameworks of the Church's magisterium and the juridical-canonical tradition, the principal source of Vatican law (Art. 1, Para. 1, Law No. 71 on the sources of law, 1 October 2008) takes into account simultaneously the norms established by international conventions and the Italian juridical tradition, reference to which has always been made by the Vatican legal order.

In order to better order a legislative work with such broad-ranging content, it has been drafted as two distinct laws. One brings together all the legislation consisting of modifications to the penal code and the code of criminal procedure; the other will instead consist of legislation of a nature which does not permit a homogeneous section within the code structure and is therefore gathered in form of

a later complementary penal code.

Finally, the penal reform hitherto presented is completed with the adoption by the Holy Father Francis of a specific

- Raffaella (It.)
- RAI Vaticano (It.)
- Rinascimento Sacro (It.)
- St. Conleth's
- St.Louis Catholic
- Le Salon Beige (Fr.)
- Schola Sainte-Cécile (Fr.)
- Secretum Meum Mihi (Sp.)
- Sint-Agneskerk (Dutch)
- Summa Catholica (Dutch)
- Te Igitur
- Thoughts from a Catholic Oasis
- Una Fides (It.)
- Unam Sanctam
- UV Casablanca / Chile (Sp.)
- UV Málaga: Acción Litúrgica (Sp.)
- UV in the Philippines
- Vatican Watcher
- Vox Cantor
- Wangaratta/Aus. L.M.S
- Yves Daoudal (Fr.)



- ▼ 2013
- August
- July
- June
- May

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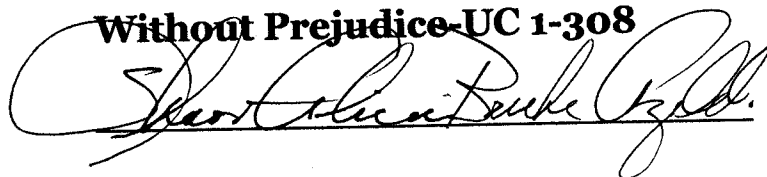
CERTIFICATE OF SERVICE

I, Sharon Alicia Burke-Anzaldi, do hereby certify that a true and exact copy of the foregoing documents, Affidavit of Truth, Fact Law and Points of Authority, Act of State-Expatriation, IRS Certificate of Incorporation, Docket Summary sheet-reflects No Complaint, Apostolic Letter, Notice of Appeal. Documents were served by the Unites States mail, postage prepaid, addressed as follows;

- 1. Gary S. Shapiro-District Attorney General-RE 366 181 099 US**
- 2. Rachel M. Cannon-Asst Attorney General- RE 366 181 108 US**
- 3. Judge Harry D. Leinenweber RE 366 181 111 US**
- 4. Chief Judge Ruben Castillo RE 366 181 125 US**
- 5. Court of Appeals No. 13-2440 Rm. 2722 RE 366 181 139 US**

Without Prejudice-UC 1-308

Date August 19th, 2013



Sharon Alicia Burke Anzaldi

**2406 N. 76th. Court
Elmwood Park, Illinois
[60707-9998]**

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| TO | Elmwood Park IL 60707 | |
| | Chief Judge Castano | |

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| | Rachel Cannon Post M.A. | |

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| | <input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance | |
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| | Received by | |
| To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed | Customer Must Declare Full Value \$ | |
| | <input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance | |
| FROM | Sharon Alicia Burke Appeal | |
| | 2406 N. 76th Court | |
| TO | Elmwood Park IL 60707 | |
| | Court G. Appeals #2722 | |

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| To Be Completed By Post Office | Reg. Fee \$ | Special Delivery \$ |
| | Handling Charge \$ | Return Receipt \$ |
| | Postage \$ | Restricted Delivery \$ |
| | Received by | |
| To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed | Customer Must Declare Full Value \$ | |
| | <input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance | |
| FROM | Sharon Alicia Burke Appeal | |
| | 2406 N. 76th Court | |
| TO | Elmwood Park IL 60707 | |
| | Judge Leitenweber | |

Domestic Insurance Is Limited To \$25,000; International Indemnity Is Limited (See Reverse)

PS Form 3806, Receipt for Registered Mail (Customer Copy) February 1995 (See Information on Reverse)

1615420351-0057
08/19/2013 (708)453-4390 06:09:00 PM

===== Sales Receipt =====

| Product Description | Sale Unit Qty | Price | Final Price |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------|-------------|
| \$5.60 Arlington Green Bridge Priority Mail PSA CHICAGO IL 60604 Zone-0 First-Class Mail Large Env 7.50 oz. Scheduled Delivery Day: Wed 08/21/13 Return Rcpt (Green Card) Registered Insured Value : \$0.00 Article Value : \$0.00 Label #: RE366181139US Customer Postage Subtotal: | 15 | \$5.60 | \$84.00 |
| \$2.32 CHICAGO IL 60604 Zone-0 First-Class Mail Large Env 8.20 oz. Scheduled Delivery Day: Wed 08/21/13 Return Rcpt (Green Card) Registered Insured Value : \$0.00 Article Value : \$0.00 Label #: RE366181111US Customer Postage Subtotal: | | \$2.32 | \$2.52 |
| \$2.52 CHICAGO IL 60604 Zone-0 First-Class Mail Large Env 8.10 oz. Scheduled Delivery Day: Wed 08/21/13 Return Rcpt (Green Card) Registered Insured Value : \$0.00 Article Value : \$0.00 Label #: RE366181108US Customer Postage Subtotal: | | \$2.52 | \$2.52 |
| \$2.52 CHICAGO IL 60604 Zone-0 First-Class Mail Large Env 8.70 oz. Scheduled Delivery Day: Wed 08/21/13 Return Rcpt (Green Card) Registered Insured Value : \$0.00 Article Value : \$0.00 Label #: RE366181125US | | \$2.52 | \$2.52 |

Return Rcpt (Green Card)
Registered \$11.20
Insured Value : \$0.00
Article Value : \$0.00
Label #: RE366181139US
Customer Postage -\$16.80
Subtotal: \$0.00

Total: \$84.00
Paid by: Cash \$100.00
Change Due: -\$16.00

For tracking or inquiries go to USPS.com or call 1-800-222-1811.

BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.

Save this receipt as evidence of insurance. For information regarding insurance and requirements for filing a claim, visit our website at usps.com/insurance/postoffice.htm.

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clicknship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at usps.com/poboxes.

Bill#: 1000301600283
Clerk: 06

All sales final on stamps and postage
Refunds for guaranteed services only
Thank you for your business

HELP US SERVE YOU BETTER

Go to:
<https://postalexperience.com/Pos>

TELL US ABOUT YOUR RECENT
POSTAL EXPERIENCE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chief Judge Castillo
 219 S. Dearborn St
 Room 2548
 Chgo, IL 60604

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *J. Kennedy* Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery
 8-21-13

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

Yes

DOMESTIC RETURN RECEIPT February 2004 Domestic Return Receipt

102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Judge Leiveruebe
 219 S. Dearborn
 Room 1946
 Chgo, IL 60604

COMPLETE THIS SECTION ON DELIVERY

A. Signature
J. Kennedy Agent Addressee

B. Received by (Printed Name)
 J. Kennedy

C. Date of Delivery
 8/21/13

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*EMMY S. SHADIRO
DISTRICT ATT
219 S. Dearborn St
5th Floor
Chicago, IL 60604*

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature
X J Jall Agent Addressee
- B. Received by (Printed Name) *J Jall* Agent Addressee
- C. Date of Delivery *8/21/13*
- D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

RE 366 181 0994S

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Rachel M. Cannon
Asst. D.A.
1 01*

COMPLETE THIS SECTION ON DELIVERY

- A. Signature *X J Jall* Agent Addressee
- B. Received by (Printed Name) *J Jall* Agent Addressee
- C. Date of Delivery *8/21/13*
- D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below: