

Case Number: 7-15-4-23-9-14-19

Authors/Creators:

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SUPERIOR COURT OF ARIZONA,

MARICOPA, ARIZONA

**Daniel Clayton Wood, Sui Juris
Joseph Michael Grimm, Sui Juris
Deborah Ann Boehm, Sui Juris
Brian Edward Steiner, Sui Juris;
Saints of Almighty God, pma 1-1000+,
Plaintiffs,**

vs.

**STATE OF ARIZONA PRESIDENT
OF THE SENATE, WARREN
PETERSEN ET. AL., STATE OF
ARIZONA SPEAKER OF THE
HOUSE, BEN TOMA ET. AL.,
Defendant**

Case No.: CV 2023-093987

Writ of Prohibition

**Plaintiff(s) Response to
Defendant(s) Motion(s)**

**[RULE 21]
[RULE 26]**

Notice of Affidavit

**EMERGENCY MATTER OUT OF
NECESSITY FOR THE
FURTHERANCE OF JUSTICE**

**NOTICE TO PRINCIPAL IS NOTICE TO AGENT AND NOTICE TO AGENT IS
NOTICE TO PRINCIPAL**

Plaintiff(s) Writ of Prohibition

Take Judicial Notice of all herein:

Now comes affiant(s), Plaintiff(s) each individually as one of the People as seen in the Arizona Constitution; Daniel Clayton Wood, Joseph Michael Grimm, Deborah Ann Boehm and Brian Edward Steiner herein Sui Juris. Plaintiff(s) here now move this judicial Court of Record in this matter filed and accepted under Original Writ as a Constitutional question. Plaintiff(s) hereon do set this matter in this constitutional judicial Court of Record, evoking their inherent God given rights to secure their constitutional jurisdiction as seen in the Original Writ filed in this judicial Court of Record. This court now and hereafter shall only observe and apply Constitutional law (common law) as the original jurisdiction for this matter. Plaintiff(s) set this judicial Court of Record back to its original jurisdiction and furthermore demand the usage of all legalese, legislature and rules be prohibited in this matter.

Plaintiff(s) object to appearance Defendant(s) of counsel who failed to provide lawful notification through motion to the court, in violation of [Rule 5.3]. Plaintiff(s) have repeatedly served the legislative counsels of both the House and the Senate with Notices and Affidavits. Each time, the counsel(s) received and signed for the Notices and Affidavits as representative counsel for the Defendant(s). The same, long-standing counsel has been in place and has signed for all service of Notices, Affidavits, and now Writs, since 2021. Plaintiff(s) state that Defendant(s) had representative counsel for the full duration of the 20 days under [Rule 12] affording the Defendant(s) adequate time to respond to the Plaintiff(s) Original Writ. This Court of Record shall take notice that Defendant(s) counsel has attempted to deceive the court by stating they were retained only 10 days before the required time to respond to Plaintiff(s) Original Writ. Plaintiff(s) have shown with fact and having first-hand knowledge, that Defendant(s) had already retained Counsel from the date of the Original Writ's filing with this Court of Record. This court shall find that Defendant(s) did deceive this court and any prior and current orders shall be reversed and declared null and void.

Plaintiff(s) further object to the dismissal of the Writ of Default Judgment without cause. This court was misled by the Defendant(s) and its counsel. Defendant(s), in its motion for extension of time, told the court that the Defendant(s) retained counsel only 10 days prior to the required date to respond. This was a fabrication presented to the court as truth. Therefore, the court must reconsider the Writ of Default Judgment in good faith knowing the truth of the matter.

Plaintiff(s) recognize the current practices by current and past official government servants, trustees, agent(s), agencies and including any registered or unregistered corporation(s) have been functioning as adversaries to the Arizona Constitution and its creator, the People of Arizona. Plaintiff(s) demand this court, shall take judicial notice of the blatant interference and usurpation of Constitutional authorities and powers granted only to the executive, judicial and legislative branches separately by the People and those authorities and powers not granted to “STATE BAR OF ARIZONA” is being USURPED knowingly by the corporate entity named, “**STATE BAR OF ARIZONA**” registration/License number # **02012292** and its members, registered with the Arizona Corporation Commission. This entity is absent of any charter or law in order to operate or function in our **Constitutional Republic**, which is ordained and established under **God**. Plaintiff(s) do show this judicial Court of Record, in and on the record, that “STATE BAR OF ARIZONA” is as of January 11, 1987, a corporation by its registration and by definition after being terminated on July 1, 1986, by an act of legislation. The original legislative name “*The State Bar of Arizona*”, terminated and is now unlawfully operating under the deceptive name style “STATE BAR OF ARIZONA” holding license/registration # 02012292. This is in direct violation of the Arizona Constitution and the Arizona Corporation Commissions regulation of registered names. The Arizona Supreme Court on July 1, 1986, also due to a act of their own in direct violation of the **Arizona Constitution Article 14 section 2 (SEE BELOW)** claim to absorb “*The State Bar of Arizona*” that legislatively terminated and that act alone by The Arizona Supreme Court is unconstitutional. The corporation entity “STATE BAR OF ARIZONA” is interfering with the Peoples affairs without authority to do so and is thus a crime. Plaintiff(s) state that all judges who have a membership with this said corporate entity shall be disqualified due to the conflict of interest by association that has and is creating a Advocate and Adversary to Plaintiff(s) in the same persons as a judge. Plaintiff(s) will be deprived of their Constitutional guaranteed right to fair and impartial judgements do to this conflict of interest and its continued unconstitutional acts and non-judicial proceedings, thus is a crime. (**See Below:**)

(**SEE ATTACHED EXHIBIT 11: Notice to the ACC**)

Arizona Constitution

Article 14 Section 4 - Restriction to business authorized by charter or law

4. Restriction to business authorized by charter or law

Section 4. No corporation shall engage in any business other than that expressly authorized in its charter or by the law under which it may have been or may hereafter be organized.

Article 14 Section 2 - Formation under general laws; change of laws; regulation

2. Formation under general laws; change of laws; regulation

Section 2. Corporations may be formed under general laws, **but shall not be created by special acts**. Laws relating to corporations may be altered, amended, or repealed at any time, and all corporations doing business in this state may, as to such business, be regulated, limited, and restrained by law.

Plaintiff(s) states that Defendant(s) allegedly filed and served an answer or otherwise pleading to Plaintiff(s) Original, Writ. Defendant(s) council states they could not file a brief by the required time stated in [Rule 12]. Defendant(s) and its counsel failed to respond or act under court rule [Rule 12], which is binding upon the Defendant(s) and its counsel by its voluntary act to be associated through registration, election, appointment or contract agreement to any of the state or federal political subdivisions. Defendant(s) are bound by the Arizona and United States Constitution and its framing of government.

This judicial Court of Record found herein, stated by this Writ of Prohibition which is in form of a sworn affidavit is the Plaintiff(s) response that shall move this court hereafter in the common law jurisdiction as delineated in Plaintiff(s) Original Writ as filed.

Plaintiff(s) **object** to all filings from Defendants and its counsel for unlawful service. Plaintiff(s) have not been afforded proper due process. Plaintiff(s) to date have not received any properly filed documents through this court. Furthermore, this court has mailed unenforceable administrative actions by minute entry, which is another example of the court usurping this constitutional judicial Court of Record. Defendant(s) and its counsel have shown this court that they fail to act in good faith and follow the rules and procedures by which they are bound. Defendants(s) are in direct violation of [Rule 4.1], by failing to comply with service to the Plaintiff(s) without consent to service otherwise and this court shall take judicial notice and consider all filings defective and having no effect, as they were never served or submitted respectfully.

Take notice, Plaintiff(s) stated facts are founded in law (constitutional and common law) and its fundamental principles being the highest law in Arizona. Defendant(s) challenges to

Plaintiff(s) claims referring to rules, procedures and legislature are not applicable to the Plaintiff(s) due to the individual constitutional right which is at question. Defendant(s), this court and its officers of the court continue impinging the Plaintiff(s) constitutionally expressed power and without consent. Defendant(s) and this court are unlawfully moving the court by administrative acts, rules and procedures and unlawfully attempting to set this court to a unconstitutional non-judicial proceeding, legislative or executive, ABSENT any judicial justice. These actions are not in compliance with the mandatory provisions seen in the Arizona Constitution. There is irrefutable evidence that the Plaintiff(s) constitutional inherent rights are being trespassed.

Plaintiff(s) point this court to take judicial notice and demand this court and Defendant(s) to read and adhere to the settled law by the Arizona Supreme Court stated in Plaintiff(s) Original Writ found in the case of *Miranda v. Arizona* pg.491. Plaintiff(s) show that we are not to be held to any form of rulemaking or legislation. Plaintiff(s) reinforce this whole matter which is based on a violation of the Arizona Constitution, causing Plaintiff(s) to be disfranchised and irreparably harmed individually.

Plaintiff(s), without consent, are being exposed to “legalese” language which is unconstitutional. As seen in Arizona Constitution Article 28 section 2, **English** is the official language in Arizona for all official matters. The practice of this court, its clerk, judges and all “STATE BAR OF ARIZONA” members or any counsel, is in direct violation of Article 28 of the Arizona Constitution, thus placing a unconstitutional handicap upon the Plaintiff(s), and knowingly causing irreparable harm and is a miscarriage of justice. (**SEE ATTACHED EXHIBIT 12**)

Plaintiff(s) demand this court and its officers, Defendant(s) and its council to Cease and Desist hiding the true identity of the Plaintiff(s). The court, Defendant(s) and its counsel are unlawfully converting Plaintiff(s) given names to corporate entity persons. The court and its officers are unauthorized to use of any Plaintiff(s) county recorded fictitious names or DBA’s because they are not associated to this cause. Plaintiff(s) own 100 percent of the fictitious names that this court, Defendant(s) and its counsel is unlawfully using without Plaintiff(s) consent or any lawful authority to use Plaintiff(s) DBA’s (Doing Business As). The court, Defendant(s) and its counsel are unlawfully sending electronic communications and official documents, by way of U.S.

Mail and emails and this is a crime. This court and its members, Defendant(s) and its council shall address Plaintiff(s) by their true name and style respectfully as filed and submitted in Plaintiff(s) Original Writ to this Court of Record. (SEE ATTACHED EEXHIBIT 13)

Plaintiff(s) remind this court that this matter is an **EMERGENCY** out of **NECESSITY** for the furtherance of justice. This court has not handled this matter as an Emergency as it is filed to be addressed. These delays directly interfered with the Plaintiff(s) speedy trial, further obstructing Plaintiff(s) Due Process. Plaintiff(s) remind this court that this matter is a Constitutional challenge and do accept your oath and bind you to it, while carrying out justice in this matter. (SEE BELOW)

Black’s Law Dictionary 4th Edition: Canon of Judicial Ethics With amendments to January 1, 1968;

3. “Constitutional Obligation”. “It is the duty of **all** judges in the United States to support the federal and that of the state whose laws they administer; in so doing, they should **fearlessly observe** and apply **fundamental limitations and guarantees**”.

Take notice; Any man or woman who denies these claims are true must rebut them under penalty of perjury in the form of a sworn affidavit. Any man or woman denying these claims are true must rebut these claims point by point. Failure to respond means that you agree by acquiescence, and you agree that all claims are true in fact and law.

Dated: the 21st day of September, in the year of our Lord, 2023.

This my solemn asseveration with God the Father as our witness.

By a living soul in the form of a man, one of the people created by God, the trinity of heart-mind-soul with my court of conscience, this instrument was prepared as my freewill act and deed, Executed below under my hand and seal.

_____ Date 9/21/2023

Autograph

Notary as JURANT CERTIFICATE

JURAT



State _____

County _____

Subscribed and sworn to (or affirmed) before me _____

On this _____ day of _____ 2023 before me,

A Notary Public personally appeared _____, who proved to me on the basis of satisfactory evidence to be the man/women whose name is subscribed to the within instruments and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her autograph(s) on the instrument the man/women executed the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of Arizona State and that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature of Notary / Jurat Seal

Certificate of Service

FILED this 21st day of September, 2023

with Maricopa County Superior Court

via www.turbocourt.com.

COPY of the foregoing emailed this 21st day of September, 2023 to:

Anthony R. Napolitano, #034586

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By _____ Date 9/21/2023