

EXHIBIT "1"

EXHIBIT "1"

1 Code: 1520
2 Pro Se Litigant
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5 Dayton , NV 89403
6 (775) 232-5583
7 rhillygus@gmail.com

8 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
9 **IN AND FOR THE COUNTY OF WASHOE**

10
11
12 Case No. PR14-00025/GR14-00159
13 Dept. No. 7

13 In the Matter of the
14 HILLYGUS FAMILY TRUST
15 Dated August 17, 1993

16 In the Matter of the Guardianship of
17 The Person and Estate of
18 SUSAN L. HILLYGUS

19 **DECLARATION**

20
21 **Notice** of Right to a Jury being applied to this case per The Nevada Constitution
22 Article 1 Section 3 "inviolable forever".

23 **LEGAL ARGUMENTS:**

24
25 Arguments why the State, the Court, and the Petitioners feel
26 they are justified and COMPELLED to keep Susan L. Hillygus
27 incarcerated and isolated in a Private locked facility denying a
28 mother son relationship.

1 Case Number: GR14-00159.
2 Second Judicial District Court—Probate and Guardianship Court.
3 Removal of Trustee, and Power of Attorney.
4 Judge/Commissioner: Judge Eagan Walker Department 7
5 Ref. opposing position statements.
6 Note: The court has discretion to furnish their own jury.

7 ¶1 As previously noticed, this case shall be decided by a Jury per Article 1 Section 3 of
8 the Nevada Constitution this right is “inviolable forever”. The Second Judicial District Court
9 has declined to provide a Jury as formally requested by the Hillygus Family; so that
10 responsibility falls to the son Roger Hillygus per the 10th Amendment. At any time the
11 Court may schedule a Jury hearing which would render a Jury provided by We The People
12 Court Services, void. Nothing in the NRS Statutes or Nevada District Court Rules prohibits
13 the Court from providing a Jury.
14

15 ¶2 Petitioners assert that the Son is dangerous, mentally ill, and exploiting his mother.
16 The petitioners have failed to prove any mental defect, or any of their slanderous
17 accusations. Petitioners when ORDERED produced “zero” discovery evidence. There is NO
18 opinion, testimony, or affidavit by a licensed health care provider in this case. This case is
19 ripe for DUE PROCESS! Which is lacking in this case.
20

21 ¶3 Petitioners assert that the Son who was residing in the familial home caring for the
22 Parent is unfit, and/or incapable of providing care and supervision.
23

24 ¶4 The Nevada Attorney General has until COB Wednesday June 5, 2019 to propose
25 additions or subtractions from Paragraphs 2 and 3. No response shall be considered consent
26 with the arguments made herein and the evidence shall be presented immediately to a Jury.
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28 ¶5 Petitioners have failed to provide any clear and convincing evidence.

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Respectfully submitted,

AFFIRMATION: This document contains no social security numbers. Per NRS 239.

Respectfully submitted,

/s/ Roger Hillygus

Roger Hillygus (son)

Retired NV Public Safety Civil Servant

This document is being submitted with guidance from;

We the People

Court Services

<https://www.wtpcs.org>

Thursday May 30, 2019



Liberty and Justice for All

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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of May, 2019, I served a copy of the following

Documents: Declaration of Jury Process by E-flex, mail,
Sufficient paid Fees, and /or by hand delivery, as follows:

1. Attorney Todd L. Torvinen, 232 Court Street, Reno Nevada 89501;
2. Attorney Keith Tierney Esq. 527 California Ave. Reno, NV 89501;
3. Attorney Ryan Earl, 548 West Plum Lane, Suite B, Reno Nevada 89509;
4. Attorney David Spitzer 199 So. Arlington lane, Reno, Nevada 89502
5. Gunderson Law Firm John Funk 236 Warren Way Reno, NV 89502
6. Professor of Constitutional Law Martin Lynch WTPCS, 1120 W. Broadway RD. Apt 55,
Tempe, AZ 85282

The above entitled document has been disseminated to the parties listed below as either named parties in the above entitled litigation or as persons with interest in said outcome.

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Reno, Nevada 89501

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3 Elder Protective Services
4 Attorney for Aging and Disabilities Service Division
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10 Administrator of Aging and Disabilities Service Division
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13 Carson City, NV 89706

14 Nevada State Supreme Court
15 Guardianship Compliance Office
16 Guardianship Compliance Manager Kate McCloskey
17 201 S Carson Street
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19 Washoe County Sheriff's Office
20 Sheriff Darin Balaam
21 911 East Par Blvd
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23 Governor of the State of Nevada
24 The Honorable Steve Sisolak
25 Carson City State Capital Building
26 101 N Carson Street
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28 Nevada State Attorney General
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33 **Nevada State Senate**
34 President of Nevada State Senate
35 Lt Governor Kate Marshall
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38 Nevada State Senate Majority Leader
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17 **Nevada State Assembly**

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13 Nevada State Senator Jacky Rosen
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19 Congressman Mark Amodei
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21 Congresswoman Susie Lee
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24 Congressman Steve Horsford
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22 250 Sinclair Street
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25 Jon Ralston
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2 c/o Chairman Commission on Guardianship
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4 Carson City, Nevada 89701-4702

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

Case No. PR14-00025/GR14-00159

Dept. No. 7

In the Matter of the
HILLYGUS FAMILY TRUST
Dated August 17, 1993

In the Matter of the Guardianship of
The Person and Estate of
SUSAN L. HILLYGUS

NOTICE

NOTICE of the Right to a Jury is being applied to this case per the Nevada Constitution Art 1 Sect 3 "inviolable forever".

Why Petitioners have NOT MET THE BURDEN OF PROOF to hold Susan L. Hillygus isolated and drugged from her son Roger Hillygus in a Private locked facility, which constitutes false imprisonment NRS 200.460 & 42 U.S.C. 1983.

1 Case Number: GR14-00159.
2 Second Judicial District Court--Probate Court
3 Removal of Trustee, Removal of POA.
4 Judge/Commissioner: Judge Eagan Walker Department 7
5 Ref. opposing position statements.
6 Note: The court has discretion to furnish their own jury.

7 **LEGAL ARGUMENT**

8 ¶1 As previously noticed, this case shall be decided by a Jury per Art 1 Sect 3 of the
9 Nevada Constitution this right is "inviolate forever". The Second Judicial District Court has
10 declined to provide a Jury as formally requested by the Hillygus Family; so that
11 responsibility falls to the son Roger Hillygus per the 10th Amendment. At any time the
12 Court may schedule a Jury hearing which would render a Jury provided by We The People
13 Court Services, void. Nothing in the NRS Statutes or Nevada District Court Rules prohibits
14 the Court from providing a Jury.

15 ¶2 I have submitted exculpatory evidence from Licensed Neurologists, and Physicians,
16 regarding my parents mental capacity. I have provided Notarized Trust Documents that my
17 Mother and Father placed, me their son in a legal position of authority. I am the legal
18 Successor Trustee of their Trust, Guardian, and I am the legal excreiser of medical and
19 Financial Power of Attorney for their benefit. I have been denied due process and been
20 illegally removed. I am a 52 year old professional firefighter/EMT, retired, who graduated
21 with a degree in Business from UNR. All of this and other exculpatory evidence is being
22 suppressed by the Petitioners. I have been with my wife for 22 years with three children and
23 four grandsons. I have never been criminally arrested or indicted. I have faithfully served
24 my State as a firefighter and public servant for 30 years.

1 ¶3 My wife and I engaged the help and support of the Washoe County Senior Services,
2 Meals on Wheels, Retired Senior Volunteer Program, and The UNR Sanford Center
3 Alzheimer's Center for training with psychologist's. We even attended seminars regarding
4 proper care for my parents. Every member of my extended Family are gainfully employed,
5 and married. Never has there been any evidence of abuse, neglect, or harm regarding my
6 parents while under our care. Evidence of abuse does exist while under the care of the
7 Petitioners. Exculpatory evidence including; Bank statements, medical records, reports,
8 have been suppressed by the Petitioners and the Court. The only people being financially
9 exploited are Susan L. Hillygus, The Hillygus Family Trust, and me her son. I purchased
10 airline tickets, and other incidentals over time, as Trustee and POA for the benefit of my
11 Mother for a family vacation in California to visit her family. Petitioners in retaliation to my
12 legal authority have; filed false statements, perjured testimony, filed false police reports,
13 filed false medical reports, committed theft, had me falsely arrested, illegally searched and
14 seized my personal property without legal authority.

15 ¶4 This case calls out for DUE PROCESS! The personal cost, to date, to my family for
16 litigating this frivolous action, including the items of stolen property exceeds \$700,000.00
17 Dollars. The cost to Susan L. Hillygus and her Trust EXCEEDS \$1,000,000.00 dollars.

18 ¶5 This along with other exculpatory evidence and reports will be presented to the jury.
19 All evidence shall be redacted as required by 42 USC § 5106a.

20 ¶6 The State, the Court, and the Petitioners have failed to meet the Burden of Proof, as
21 required by law, as no clear and convincing evidence exists in this case against Mr. Roger
22 Hillygus. Although clear and convincing evidence does exist regarding illegal actions of the
23 Petitioners, Guardians, and appointed court insiders.

1 AFFIRMATION: This document contains no social security numbers. Per NRS 239.

2 Respectfully submitted,

3
4 /s/Roger Hillygus

5 Roger Hillygus (son)

6 Retired NV Public Safety Civil Servant

7
8
9 *This document is being submitted with guidance from;*

10
11
12 **We Be People**

13 *Court Services*

14
15 <https://www.wtpcs.org>

16 Liberty and Justice for All

17 Thursday May 30, 2019



23 Liberty and Justice for All

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CERTIFICATE OF SERVICE

I hereby certify that on this 30TH day of May, 2019, I served a copy of the following Documents: Notice of Demand of Jury Process by E-flex, mail, Sufficient paid Fees, and /or by hand delivery, as follows:

1. Attorney Todd L. Torvinen, 232 Court Street, Reno Nevada 89501;
2. Attorney Keith Tierney Esq. 527 California Ave. Reno, NV 89501;
3. Attorney Ryan Earl, 548 West Plum Lane, Suite B, Reno Nevada 89509;
4. Attorney David Spitzer 199 So. Arlington lane, Reno, Nevada 89502
5. Gunderson Law Firm John Funk 236 Warren Way Reno, NV
6. Professor of Constitutional Law Martin Lynch WTPCS, 1120 W. Broadway RD. Apt 55, Tempe, AZ. 85282

The above entitled document has been disseminated to the parties listed below as either named parties in the above entitled litigation or as persons with interest in said outcome.

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13 Nevada State Senator Jacky Rosen
14 144 Russell Senate Office Building
15 Washington DC 20510

16 **State of Nevada US Congress Representative**

17 Congresswoman Diana Titus
2464 Rayburn House Office Building
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19 Congressman Mark Amodei
104 Cannon House Office Building
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21 Congresswoman Susie Lee
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23 Congressman Steve Horsford
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26 **News and Media**

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Washington, D.C. 20543-0001

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1 Chief Justice James Hardisty Nevada Supreme Court
2 c/o Chairman Commission on Guardianship
3 201 South Carson Street Suite 201
4 Carson City, Nevada 89701-4702

5 Roger Hillygus
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7 Dayton, NV 89403
8 (775) 232-5583
9 Pro Se litigant
10 rhillygus@gmail.com

11 /s/Roger Hillygus

1 If opposing Counsel disagrees and wishes to change the following items of which
2 Son is being accused then those changes must be submitted by COB Friday June 28,
3 2019. Whatever accusations against Son result, shall be submitted to the jury thereafter.
4

5 ¶1 Son is accused of squandering funds. \$400 hunting equipment, \$400 plane tickets
6 for family trip to CA with parents. Both occurred prior to son becoming the trustee.
7

8 ¶2 Co-mingling funds \$1300. Son's disability check was cashed at Father's bank.
9

10 ¶3 Son did not have a house to live in.

11 ¶4 Son was not disabled and was falsely collecting disability.

12 ¶5 Adult Protective Services regarding complaint of Mothers misidentification while
13 she was in the hospital.

14 ¶6 R/N Debra Fredericks wrote an 11 page report accusing Son of Medical and
15 Financial abuse. Nurse Fredericks did not file a sworn affidavit nor was she ever examined
16 under oath.
17

18 ¶7 Four complaints made to Sheriff that son was stealing from Parents. No charges were
19 brought.
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22 All complaints were made by the Petitioner accusing Son of crimes and misconduct.

23 Closing Arguments: Son is dangerous and unfit based upon allegations listed above.
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1 **A) Why no Clear and Convincing Evidence exists which Compels the State to**
2 **protect surviving Mother from her Son.**

3 **To Remove the Son as Trustee PR14-0025 and**
4 **Institutionalize and Isolate Mother by Court Order GR14-0159.**

5
6 ¶1 Squandering funds. \$400 + \$400 = \$800. The Lawyers have charged \$500,000 to
7 litigate this case.

8 ¶2 Co-mingling funds \$1300. Son cashing his check at Fathers bank is not comingling.
9 The accusation is non-sense. Son was never accused or charged with a crime.

10
11 ¶3 Son's residence was, has been and still is as listed above. Refinancing and
12 homelessness are not the same thing.

13 ¶4 Son was injured on the job and determined to be disabled by an MD. Allegations to
14 the contrary was investigated and determined by the State AG to be false.

15
16 ¶5 Complaint to Adult Protective Services regarding Mothers misidentification while in
17 the hospital was investigated by APS and determined to be frivolous and false.

18 ¶6 The report by Nurse Debra Fredericks was created based upon hearsay evidence.
19 Son was never interviewed. This is in keeping with other reports fabricated by Nurse
20 Fredericks in numerous similar cases. Nurse Fredericks has a \$900 financial conflict of
21 interest.

22
23 ¶7 As the Trustee, Son moved household furnishings to where they were needed to
24 provide for Mother. The Lawyers have charged over \$500,000 to litigate this dispute.
25 Everyone is being impoverished except for the 20 Lawyers who have worked on this case.
26 Therefore, the only people who can rationally be accused of stealing are the Lawyers.
27
28

1 Closing Arguments: Son is a 52 year old professional firefighter/EMT, retired, who
2 graduated with a degree in Business from UNR. Exculpatory evidence is being suppressed.
3 Son has never been criminally charged or arrested. Son was a firefighter and public servant
4 for 30 years.

5 Son asserts that the purpose of this litigation is for the Lawyers to plunder Mother's
6 estate. This is based on the evidence of the \$500,000 which has already been consumed by
7 the Lawyers and their friends. Mother still owns her home but the Lawyers are trying to sell
8 that so they may then plunder "everything". In addition, both Son and his Sister have been
9 manipulated into this endless conflict resulting in financial ruin of everyone, both Parents
10 and their Children. Please see 18 USC § 1341 and 18 USC Chapter 96.

11 Son seeks a Jury verdict that **OVERTURNS all Judicial orders that nullify the**
12 **original trust documents and powers of attorney and appoints Lawyers or other third**
13 **parties to these two cases** (PR14-0025/GR14-0159). The Lawyers will then be free to
14 plunder the estates of other Parents and their Children.

15 AFFIRMATION: This document contains no social security numbers per NRS 239.

16 Respectfully submitted,

17 *Roger Hillygus*

18 _____
19 /s/Roger Hillygus (son)

20 Retired NV Public Safety Civil Servant

21 The Jury is being processed in this case per the attached "Notice to Judges"

We Be People Court Services



Liberty and Justice for All

<https://www.wtpcs.org>
June 24, 2019

Notice to Judges - Limited Supplemental Jury Process in all State Civil, Family, Juvenile, Guardianship and Probate Courts - Self Effectuating

Absolute Power corrupts absolutely. So the Founders created a system of intricate checks and balances. Did the Founders forget about Judges? Where is the limit of the power of any Judge to 1) Take your Children 2) Take all your money 3) Throw you in jail? It's right here!

¶1 Command Authorities:

¶1.1 NV Constitution Art 1, Sect 3, Right to a Jury is Inviolable. (All States use "inviolable".)

¶1.2 US Constitution 7th Amendment, Right to a Jury is Preserved, shall not be reexamined.

¶1.3 US Constitution 10th Amendment, where Govt has discretion, rights become self-effectuating.

¶2 Supporting Authorities:

¶2.1 State Statutes, no law prohibits juries in these courts, if it did, it would be irrelevant.

¶2.2 Federal and State Rules of Civil Procedure, 38 and 39, affirm Jury Rights are inviolable.

¶2.3 Family, Juvenile, and Probate Rules of Procedure contain no prohibitions to a Jury.

¶2.4 Federalist 83, Juries are the check on the power of Civil Courts meant to prevent corruption.

¶2.5 Case Law, Minneapolis & St. Louis R. Co. v Bombolis, 241 U.S. 211 (1916); United Gas Public Service Co. v. Texas, 303 U.S. 123 (1938) affirm the Courts discretion to furnish a Jury.

There is no prohibition of Juries in Civil Courts. Any notions of prohibition, are false.

¶3 Jurisdiction: A) The Courts and then B) the People (WTPCS.org) (10th Amendment)

The People prefer a Bench Trial. It is efficient and Justice is usually rendered without intervention.

¶3.1 Unjust infringement on Parental or Familial Rights. Presumption of shared parenting.

¶3.2 Unjust taking of property or money by judicial order.

¶3.3 Unjust or excessive incarceration or detention.

¶3.4 Gag Orders – The Purpose of the 1st Amendment is to criticize the Government.

For any of the above lingering matters, a Litigant should petition the Court to schedule a hearing where the People exert their just authorities over these matters via a Jury furnished by the Court.

¶3.5 At the Courts discretion, the People via WTPCS may furnish their own Juries in a scheduled Court hearing or otherwise per Rules established by the People to best preserve due process.

¶3.6 WTPCS has discretion to provide or not provide a Jury based on the merits of the case. Judges are encouraged to apply findings of fact and conclusions of law to Judicial Orders so that Juries are more likely to affirm their orders.

¶4 Limits on the Power of a Jury: Court hearings conducted with a Jury are subject to normal Court Rules. Jury verdicts rendered outside of a Court hearing may only either affirm the Judicial Order or Strike down a Judicial Order and provide advice to the Court. The verdict may be filed into the case. This supplemental jury panel may not change the order or otherwise make law.

¶4.1 The Judge may do nothing if the order was affirmed, or nothing was filed into the case.

¶4.2 Revise the order to the satisfaction of the parties or in keeping with guidance from the Jury.

¶4.3 Schedule a hearing with a Jury whose verdict would then be superior.

¶4.4 Defy a Jury Verdict which is the just and guaranteed authority of the People to govern themselves, creating a breach of the Supremacy Clause and the Oath per Art 6 Clauses 2 & 3. No judge is required to be a judge and may resign at any time. This would necessitate notifying the Governor of a vacancy and seeking a replacement be appointed. Notification of POTUS to avoid a Federal appointment since the Judge has resigned and is no longer authorized to exercise Judicial Powers Law enforcement (the Sheriff) may not enforce orders issued by a former judge or anyone else who is not a judge. The new status of the judge shall be made public so the People may avoid being subjected to a judge who openly defies their oath and the Constitution. These remedies shall become effective on the dated indicated in the Notice.

¶5 This process is designed to enhance the confidence of the People in their Judiciary with minimal cost and intervention. Most Judges are competent and just, and their docket is expected to decrease as cases settle more readily as opportunities for corruption are reduced. This has been our experience. Over time a small number of Judges may end up finding something else to do.

Thank-you for your service to the People in your official capacity as a Judicial Officer.

Sincerely,

/s/Martin Lynch

General Manager – We the People Court Services - Phoenix Office

© This Limited Supplemental Jury Process and associated documents is the product of years of study, development, and testing. It is the intellectual property of We the People Court Services LLC.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that by 25th day of June, 2019, the copies will be served upon:
3 Notice of Jury sent by E-flex, mail, and /or by hand delivery, as follows:

- 4
- 5 1. Attorney Todd L. Torvinen, 232 Court Street, Reno Nevada 89501;
 - 6 2. Attorney Keith Tierney Esq. 527 California Ave. Reno, NV 89501;
 - 7 3. Attorney Ryan Earl, 548 West Plum Lane, Suite B, Reno Nevada 89509;
 - 8 4. Attorney David Spitzer 199 So. Arlington lane, Reno, Nevada 89502;

9 Roger Hillygus
10 90 Wells Fargo Ave.
11 Dayton, NV 89403
12 (775) 232-5583
13 Pro Se litigant
14 rhillygus@gmail.com

15 /s/Roger Hillygus
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Code: 4245 (A verdict is filed)

1 Roger Hillygus
2 90 Wells Fargo Ave, Dayton NV 89403
3 775-232-5583
4 rhillygus@gmail.com

Documents meet confidentiality requirements of 42 U.S.C. § 5106a

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SECOND JUDICIAL COURT STATE OF NEVADA
COUNTY OF WASHOE

In the Matter of
HILLYGUS FAMILY TRUST
Dated August 17, 1993
PR14-0025

In the Matter of the Guardianship of
The Person and Estate of
SUSAN L. HILLYGUS Mother
GR14-0159

Case No.: PR14-0025 / GR14-0159

Dept. No. 7

JURY VERDICT AND OPTIONS
AVAILABLE TO THE COURT

Honorable Judge Egan Walker

This is notice to the Court that a Jury has examined the evidence which was approved by the Opposing Counsels via acquiescence and they have determined and stated in their unanimous verdict that there is NOT Clear and Convincing Evidence that Familial Rights must be terminated to protect the Parents, and that all orders of this Court that interfere with Familial rights as stated in the Hillygus Family Trust Documents are "void and unenforceable".

Options 1) order the immediate release of Mother to Son's custody and conform to all Trust Documents as ordered, 2) convene your own Jury to decide this matter. No law prohibits a Jury. 3) or provide findings of fact and conclusions of law explaining how this court is not subject to the authorities listed in Paragraphs 1 and 2 of the attached "Notice to Judges". All other legal authorities are subordinate to the NV Constitution "INVIOATE" and the Jury has made their decision. The court has until COB Friday July 26, 2019 to respond to preclude actions described in §4.4. Affirmation: NRS 239 No Social Security Numbers are anywhere.

/s/ Roger Hillygus - Son

Dated this 19th day of July 2019

JURY VERDICT AND OPTIONS AVAILABLE TO THE COURT - 1 OF 1

We the People Court Services



Liberty and Justice for All

<https://www.wtpcs.org>
July 11, 2019

Notice to Judges NV - Limited Supplemental Jury Process in all State Civil, Family, Juvenile, Guardianship and Probate Courts - Self Effectuating

Absolute Power corrupts absolutely. So the Founders created a system of intricate checks and balances. Did the Founders forget about Judges? Where is the limit of the power of any Judge to 1) Take your Children 2) Take all your money 3) Throw you in jail? It's right here!

¶1 Command Authorities:

- 1.1 NV Constitution Art 1, Sect 3, Right to a Jury is Inviolable. (All States use "inviolable".)
- 1.2 US Constitution 7th Amendment, Right to a Jury is Preserved, shall not be reexamined.
- 1.3 US Constitution 10th Amendment, where Govt has discretion, rights become self-effectuating.

¶2 Supporting Authorities:

- 2.1 State Statutes, NRS 16.030 (4) 8 Jurors. No law prohibits juries in these courts.
- 2.2 Federal and State Rules of Civil Procedure, 38, 39 and 48, affirms "INVIOLE", 8 jurors.
- 2.3 Family, Juvenile, and Probate Rules of Procedure contain no prohibitions to a Jury.
- 2.4 Federalist 83, Juries are the check on the power of Civil Courts meant to prevent corruption.
- 2.5 Case Law, Minneapolis & St. Louis R. Co. v Bombolis, 241 U.S. 211 (1916); United Gas Public Service Co. v. Texas, 303 U.S. 123 (1938) affirm the Courts discretion to furnish a Jury. There is no prohibition of Juries in Civil Courts. Any notions of prohibition, are false.

¶3 Jurisdiction: A) The Courts and then B) the People (WTPCS.org) (10th Amendment) The People prefer a Bench Trial. It is efficient and Justice is usually rendered without intervention.

- 3.1 Unjust infringement on Parental or Familial Rights. Presumption of shared parenting.
- 3.2 Unjust taking of property or money by Judicial order.
- 3.3 Unjust or excessive incarceration or detention.
- 3.4 Gag Orders – The Purpose of the 1st Amendment is to criticize the Government.
For any of the above lingering matters, a Litigant should petition the Court to schedule a hearing where the People exert their just authorities over these matters via a Jury furnished by the Court.
- 3.5 At the Courts discretion, the People via WTPCS may furnish their own Juries in a scheduled Court hearing or otherwise per Rules established by the People to best preserve due process.

3.6 WTPCS has discretion to provide or not provide a Jury based on the merits of the case. Judges are encouraged to apply findings of fact and conclusions of law to Judicial Orders so that Juries are more likely to affirm their orders.

¶4 Limits on the Power of a Jury: Court hearings conducted with a Jury are subject to normal Court Rules. Jury verdicts rendered outside of a Court hearing may only either affirm the Judicial Order or Strike down a Judicial Order and provide advice to the Court. The verdict may be filed into the case. This supplemental jury panel may not change the order or otherwise make law.

4.1 The Judge may do nothing if the order was affirmed, or nothing was filed into the case.

4.2 Revise the order to the satisfaction of the parties or in keeping with guidance from the Jury.

4.3 Schedule a hearing with a Jury whose verdict would then be superior.

4.4 Defy a Jury Verdict which is the just and guaranteed authority of the People to govern themselves, creating a breach of the Supremacy Clause and the Oath per Art 6 Clauses 2 & 3. No judge is required to be a judge and may resign at any time. This would necessitate notifying the Governor of a vacancy and seeking a replacement be appointed. Notification of POTUS to avoid a Federal appointment since the Judge has resigned and is no longer authorized to exercise Judicial Powers. Law enforcement (the Sheriff) may not enforce orders issued by a former judge or anyone else who is not a judge. The new status of the judge shall be made public so the People may avoid being subjected to a judge who openly defies their oath and the Constitution. These remedies shall become effective on the dated indicated in the Notice.

¶5 This process is designed to enhance the confidence of the People in their Judiciary with minimal cost and intervention. Most Judges are competent and just, and their docket is expected to decrease as cases settle more readily as opportunities for corruption are reduced. This has been our experience. Over time a small number of Judges may end up finding something else to do.

Thank-you for your service to the People in your official capacity as a Judicial Officer.

Sincerely,

/s/Martin Lynch

General Manager – We the People Court Services - Phoenix Office

© This Process for Implementation of Juries after the Bench Trial and associated documents is the product of years of study, development, and testing. It is the intellectual property of We the People Court Services LLC.

We the People Court Services



Liberty and Justice for All

<https://www.wtpcs.org>

Thursday July 11, 2019

Right to a Jury being applied to these cases per NV Const Art 1 Sect 3 "inviolable".

The Jury Verdict.

Case Numbers: PR14-0025 GR14-0159

Second Judicial District Court - Nevada - County of Washoe

Guardianship and Estate of Susan Hillygus

Judge: Egan Walker

Ref Documents For and Against Termination of Familial Rights dated June 25, 2019

Documents meet the confidentiality requirements of 42 U.S.C. § 5106a

¶1 This Court has been duly noticed of Defendant's Right to have a Jury decide this case. The Judge declined to furnish a jury leaving that responsibility to Defendant per the attached "Notice to Judges". The above mentioned documents have been presented to an 8 Person Jury Panel and they have produced a unanimous verdict as follows:

¶2 **Jury Verdict:** The State has not met the standard of Clear and Convincing evidence that the Son is dangerous or abusive to his parents such that the State is compelled to intervene in this Family. Wherefore: All orders that diminish the force of law established by the Family Trust Documents are void and unenforceable. This Verdict is effective immediately and may be overturned only by a Jury provided by the Court under its authorities per Article 3. The court has discretion to utilize its own Jury at any time. The Right to a Jury Remains INVIOABLE regardless of the results of the Court's Discretion.

¶3 This Court now has the discretion to choose any of the options in Section 4 Page 2 of the attached Notice to Judges, 4.2 Issues Orders that conform to Jury Verdict, Return Mother 4.3 Convene the court's own Jury, 4.4 Deal with defiance of the Constitution noted.

¶4 7th Amendment - "no fact tried by a jury, shall be otherwise re-examined in any Court of the United States". No- place does it say "a judicial order may not be re-examined by a Jury". Only the word "Inviolable" controls in this matter.

Sincerely and respectfully, /s/ Martin Lynch
We the People Court Services - Arizona Manager

©WTPCS Rules for Juries in Civil Courts after the Bench Trial are protected intellectual property.

1
2
3 **CERTIFICATE OF SERVICE**

4 I hereby certify that by 19th day of July, 2019, the copies will be served upon:
5 Jury Verdict sent by E-flex, mail, and /or by hand delivery, as follows:

- 6 1. Attorney Todd L. Torvinen, 232 Court Street, Reno Nevada 89501;
7 2. Attorney Keith Tierney Esq. 527 California Ave. Reno, NV 89501;
8 3. Attorney Ryan Earl, 548 West Plum Lane, Suite B, Reno Nevada 89509;
9 4. Attorney David Spitzer 199 So. Arlington lane, Reno, Nevada 89502;

10 Roger Hillygus
11 90 Wells Fargo Ave.
12 Dayton, NV 89403
13 (775) 232-5583
14 Pro Se litigant
15 rhillygus@gmail.com

16 /s/Roger Hillygus
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Code: 2535 (Notice of Judgement)

Roger Hillygus
90 Wells Fargo Ave, Dayton NV 89403
775-232-5583
rhillygus@gmail.com

Documents meet confidentiality requirements of 42 U.S.C. § 5106a

SECOND JUDICIAL COURT STATE OF NEVADA

COUNTY OF WASHOE

In the Matter of
HILLYGUS FAMILY TRUST
Dated August 17, 1993
PR14-0025

In the Matter of the Guardianship of
The Person and Estate of
SUSAN L. HILLYGUS - Mother
GR14-0159

Case No.: PR14-0025 / GR14-0159

Dept. No. 7

NOTICE OF JUDGEMENT,
THE ENCUMBERENCE OF
2685 KNOB HILL DRIVE, RENO NV 85906

Presiding Judge Egan Walker

This is notice to all concerned that the Real Property, 2685 Knob Hill Dr, Reno, Nevada 85906 is subject to sole and exclusive ownership by the Hillygus Family Trust of which Roger Hillygus is the sole Successor Trustee. All orders to the contrary and prior to the verdict rendered on July 11, 2019 are "void and unenforceable".

Any actions or transfer of title to this property without the current, expressed written consent of the Trustee Mr Roger Hillygus may either be negotiated to the satisfaction of the Trustee or a satisfactory resolution shall be adjudicated in a Court of Law.

Affirmation: NRS 239. No Social Security Numbers are listed herein.

Reference MLS #190010358. Copies also sent to:

Listing Agent Robin Renwick, 11380 Parma Court Reno NV, 89511;

Keller Williams Realty 10539 Professional Circle Suite 100, Reno NV 89521.

Title Companies Reno Nevada

/s/ Roger Hillygus – Successor Trustee

Dated this 19th day of July 2019

NOTICE OF JUDGEMENT, THE ENCUMBERENCE OF 2685 KNOB HILL - 1 OF 1

1 Roger Hillygus
2 90 Wells Fargo Ave.
3 Dayton, NV 89403
4 (775)232-5583
5 rhillygus@gmail.com
6 In Pro Se



7 **IN THE SECOND JUDICIAL DISTRICT COURT STATE OF NEVADA**

8 **IN AND FOR WASHOE COUNTY**

9
10
11 In the Matter of the
12 HILLYGUS FAMILY TRUST
13 Dated August 17, 1993

Case No. PR14-00025/GR14-00159
Dept. No. 7

14 In the Matter of the Guardianship of)
15 The Person and Estate of)
16 SUSAN L. HILLYGUS)

17
18 **NOTICE OF FEDERAL LIS PENDENS FILED WITH NINTH CIRCUIT COURT AND**
19 **SCOTUS**

20
21 1. PLEASE TAKE NOTICE THAT Roger Hillygus, Movant herein has a claim for the real
22 property commonly known as 2685 Knob Hill Drive, Reno, NV 89506,
23

24 The legal description of the property is:

25 **LOT 47, AS SHOWN ON THE MAP OF MEDALLION ESTATES NO. 2, FILED IN**
26 **THE OFFICE OF THE COUNTY RECORDER OF WASHOE COUNTY, STATE OF**
27 **NEVADA, ON FEBRUARY 6, 1969**
28

Subject to:

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

APN: 552-171-04

Commonly known as:
2685 Knob Hill Drive
Reno, Nevada 89506

FEDERAL CASE #3:18-00212-MMD-WGC NINTH CIRCUIT CASE #19-15137
SCOTUS # No. 19-A

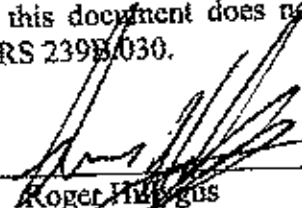
The Second Judicial District Court Judge Egan Walker has NO JURISDICTION over this Federal Case. The Supreme Court of Nevada as STAYED the Sale of the Trust home and not REMITTED THE CASE TO THE DISTRICT COURT.

This notification is executed, delivered and recorded for the purpose of providing constructive NOTICE to ALL Interested Parties that the undersigned has filed an Appeal against said Judgement, Decree, and Order and is seeking relief from said Order together with any and all related Cross-Claims and Third Party Claims, affecting the herein described property, set forth in Exhibit "A" attached hereto and made a part hereof...

This notification shall apply and insure to all rights and appurtenances to the subject property and shall apply to all successors in interest, all heirs, executors, under the aforementioned Judgement, decree and Order, and any person whoever claims or to claim any interest in the property described in said Exhibit "A".


PURSUANT TO NRS SECTION 111.312, THE ABOVE LEGAL DESCRIPTION IS THE SAME PROPERTY CONVEYED IN DEED ON September 28, 2009 as document No. 3806088

The undersigned does hereby affirm that this document does not contain the Social Security Numbers of any persons pursuant to NRS 239B.030.
Dated the _____ day of June 2018.

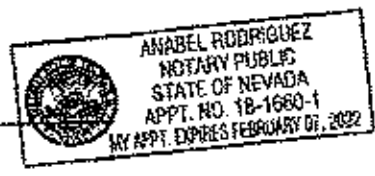


Roger Hilligus

SUBSCRIBED AND SWORN to before
Me this 29 day of JULY 2019



NOTARY PUBLIC



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AFFIRMATION

I affirm the foregoing document does not contain the Social Security number of anyone.

Subscribed and sworn to before me this 29 day of JULY, 2019.


Roger Hillygus
90 Wells Fargo Ave.
Dayton, NV 89403
(775) 232-5583
Pro Se litigant

Roger Hillygus

SUBSCRIBED AND SWORN to before
Me this 29 day of July 2019

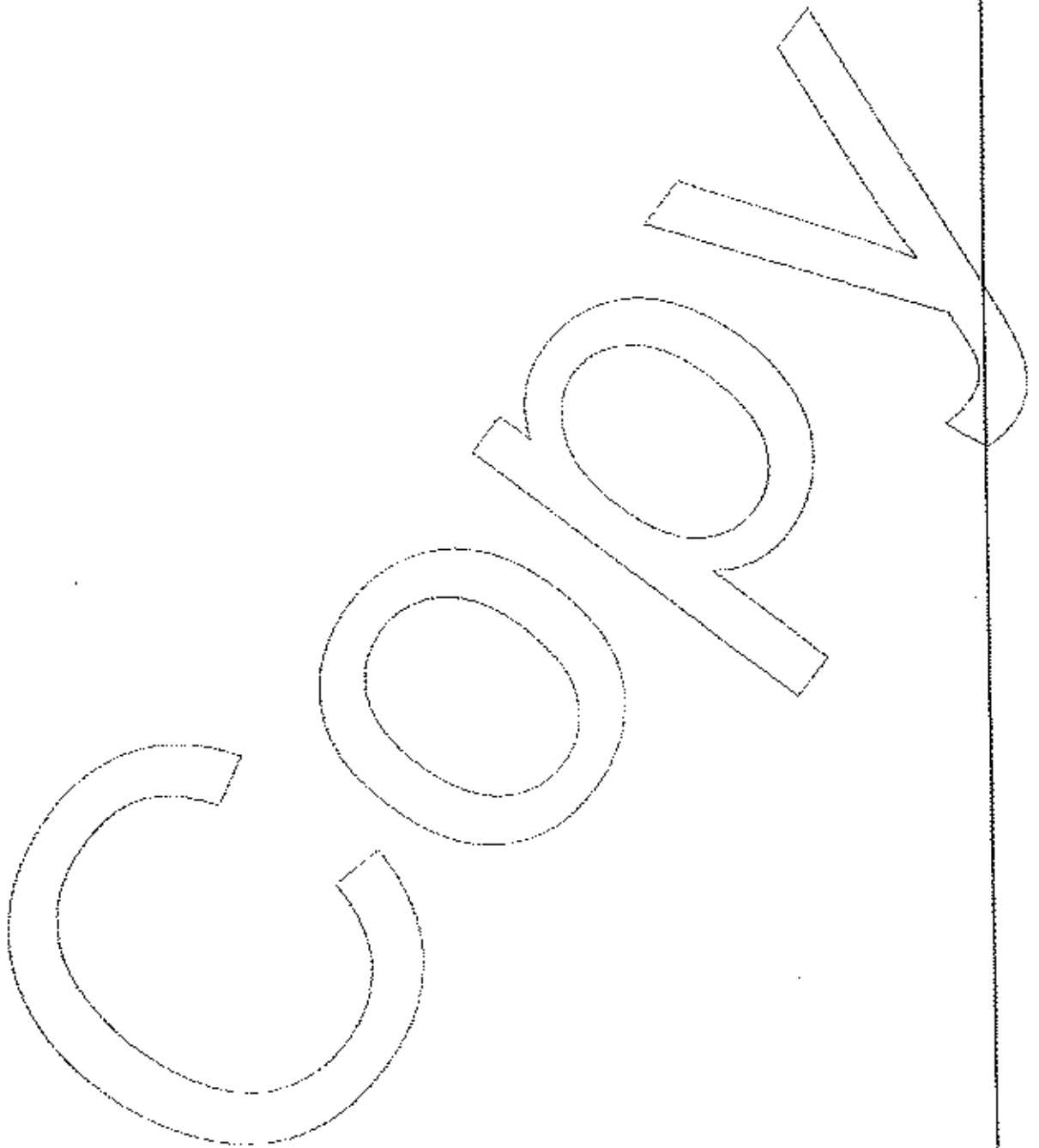
Anabel R.

NOTARY PUBLIC

 ANABEL RODRIGUEZ
NOTARY PUBLIC
STATE OF NEVADA
APPT. NO. 18-1680-1
MY APPT. EXPIRES FEBRUARY 07, 2022

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EXHIBIT "A"



ROGER HILLYGUS
90 Wells Fargo Ave.
Dayton NV 89403
(775) 232-5583
rhillygus@gmail.com

July 26, 2019

SUPREME COURT OF THE UNITED STATES
Office of the Clerk
C/o Scott Harris
Washington, D.C. 20543-0001
(202) 479-3019

RE: Hillygus v. Renwick, et al.

Dear Supreme Court Clerk "Harris":

Please find included in the packet everything you have asked for, and more, to grant me an extension of time to file my Writ of Cert. I included most all filings from the Nevada Court of Appeals, and the Nevada Supreme Court regarding these cases which are related and have been combined by the Nevada Supreme Court, see order. I have also filed this with the Nevada Supreme Court as directed as well.

Also included is a JURY VERDICT, JUDGEMENT, and SWORN AFFIDAVIT regarding this case. Making this case a moot point. However, the fact remains uncertain as the opposing counsel Todd Torvinen Esq. continues to defy the verdict, and is attempting to sell the home of Susan Hillygus who remains disabled and under the authority of Mr. Roger Hillygus as her POA (power of Attorney) and Successor Trustee of the Hillygus Family Trust as noted in the JURY VERDICT.

Also, Judge Frances Doherty, from the Second Judicial District of Nevada is under criminal investigation by the DOJ, FBI, and state and local authorities for her involvement in a RICO conspiracy. These investigations are based upon a verified Criminal Complaint with the Attorney General William Barr through Antoinette Bacon with the DOJ. Over the last year Judge Doherty has been removed from adjudicating all adult guardianships, through an administrative order, by the Chief Justice of the Court, been forced into an eight year early retirement, and had all orders voided by a Jury Verdict see attached.

Sincerely yours, Roger Hillygus



EXHIBIT "2"

EXHIBIT "2"

Code: 3370

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IN THE FAMILY DIVISION
OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

IN THE MATTER OF THE

HILLYGUS FAMILY TRUST,
dated August 17, 1993

Case No: GR14-00159

In the Matter of the Guardianship
of the Person and Estate of:

Dept No: 7

SUSAN HILLYGUS,

A Protected Person.

ORDER STRIKING DOCUMENTS FILED BY ROGER HILLYGUS

This matter came before this Court on August 9, 2019, as a result of the *THIRD & FOURTH ANNUAL ACCOUNTS, THIRD ANNUAL REPORT OF THE GUARDIAN AND REQUEST FOR PROFESSIONAL FEES*, filed by Lund Enterprises, LLC dba Fiduciary Services of Nevada, Trustee, by Deborah S. Bowers ("Trustee"), Trust officer and Trustee of the Hillygus Family Trust Dated August 17, 1993 ("Trust").

At the hearing it was ordered that the documents filed by Roger Hillygus on May 30, 2019, June 25, 2019, July 19, 2019, July 24, 2019 and August 8, 2019 are stricken from the record. Said documents and pleadings filed by Roger Hillygus on the dates

1 listed above, violate the protocol ordered September 7, 2018, where Mr. Hillygus was
2 found to be a "vexatious litigant" under statute. Further said pleadings are generally
3 irrelevant, scurrilous, and detrimental to the administration of justice.

4
5 DATED: October 14, 2019.

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8 _____
9 DISTRICT JUDGE

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EXHIBIT 3

EXHIBIT 3

Defiance of Jury Verdicts in State Courts

The Right to a Jury Cannot be Violated per All State Constitutions

Forfeiture of Judicial Powers per the Supremacy Clause and Oath (Art 6, §2 and §3)

Distribution:

POTUS:

- 1 Notice to the President
- 2 HHS Rule 81.87 - Due Process is Required
- 3 HHS Rule 160.560 - Due Process is Required
- 4 Jury Verdict - Notarized
- 5 Notice to Judges – **Legal Authorities** – 2 Pages
- 6 Notice to the Governor
- 7 Notice to State Law Enforcement

Nevada State Court Judge Egan Walker, State Governor, Chief Justice, Media, etc:

- 1 Notice to the Governor
- 2 Notice to the President
- 3 Notice to State Law Enforcement
- 4 Jury Verdict - Notarized
- 5 Notice to Judges - **Legal Authorities** – 2 Pages

State Law Enforcement: Do Not Enforce the Orders of a Fake Judge

- 1 Notice to State Law Enforcement
- 2 Notice to the President
- 3 Notice to the Governor
- 4 Jury Verdict - Notarized
- 5 Notice to Judges – **Legal Authorities** – 2 Pages

This is what happens when the People know more about the Constitution than our Ruling Elites. Art 6 makes the Constitution(s) an employment contract. Judges are always free to resign at their discretion. We merely replace them and carry on. We replace some 5000 judges per year in State Courts, so a few extra doesn't make much difference.

We the People Court Services



Liberty and Justice for All

<https://www.wtpcs.org>
September 23, 2019

Notice to Nevada Governor – Judicial Vacancy Judge Egan Walker has Voluntarily Surrendered Judicial Powers It Has Now Become Necessary for the Governor to Appoint a Replacement

¶1 Absolute Power corrupts absolutely so the Founders created checks and balances to limit power and prevent corruption. The limit on the power of a judge is explained in Federalist 83 and begins with the State Constitution – The Right to a Jury May Not be Violated.

¶2 We asked this Judge to furnish a Jury. The answer was “no” and we all agree, that the Judge is not required to furnish a Jury in Civil Court. This is not a problem because the responsibility falls to the People to furnish their own Jury as specified in the 10th Amendment. NOWHERE is it specified that a Judge (or the People if necessary) are PROHIBITED from furnishing a Jury at any time. We prefer that the Courts would do their job, but if not, we will exercise our Rights and responsibilities ourselves without complaint.

¶3 We have followed Due Process and produced the Jury Verdict as you can see attached. Even now, the Court has discretion to schedule a hearing and furnish their own Jury, or recognize our Jury Verdict. The Court has NO DISCRETION to prohibit a Jury of any kind, because “may not be Violated” means exactly what it says.

¶4 This Judge seems to have declared for themselves “absolute unlimited power”. The Founders called this “Absolute Despotism”. The “Supremacy Clause” eliminates the excuse of court rules, or lack of court rules or Statutes. Art 6 Sect 3 “The oath to follow the Constitution” renders the Constitution an “Employment Contract”. No Judge is forced to be a Judge and is free to resign and give up their Judicial Powers. All Judges do this at least once.

¶5 “RULE of LAW” requires a replacement be appointed so please do so. This Judge may try to present a false image of legitimacy but as word spreads that this Judge is a “Fake Judge”, no reasonable person would allow their case controversy to be settled by a completely unaccountable despot. We are Americans who have bled many beaches red to defend Liberty. The idea that anyone in Government has absolute, unlimited power over us is non-sense.

Sincerely,

/s/Martin Lynch

General Manager – We the People Court Services - Phoenix Office

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We the People Court Services



<https://www.wtpcs.org>
September 23, 2019

Liberty and Justice for All

Another Notice to the **President of the United States**
Nevada Judge Egan Walker has Voluntarily Surrendered his Judicial Powers
The **State Courts** are in **Open Defiance of the Constitutional Limits on their Power**

¶1 Absolute Power corrupts absolutely so the Founders created checks and balances to limit power and prevent corruption. The limit on the power of a judge is explained in Federalist 83 and begins with the State Constitution – **The Right to a Jury May Not be Violated.**

¶2 The State Courts are a TRAIN WRECK simply because of **unchecked judicial power.** State Court Judges have **unlimited power to destroy families,** take children and all of your money, and garnish your wages for any reason, or no reason. We ask these Judges to furnish a Jury and they reply **“No. I am not required to furnish you a Jury.”** which is correct. **But what happened to my right to bear arms if the Judge refuses to furnish me a firearm?**

¶3 **Do our Rights disappear merely because a Judge refuses to furnish us anything? NO.** It simply **becomes our own job to take care of ourselves and we are doing exactly that** by furnishing our own Juries and Jury verdicts. If the Judges don't like it they have 100% discretion to furnish their own Juries using their own rules. The idea that STATE COURT JUDGES have unlimited power to do absolutely anything is the most ridiculous of non-sense.

¶4 The Court of Appeals? Only offers us more Judges. We don't care what the Judges think. **We ultimately care what the Jury thinks because that is what the Constitution requires.** **The buck stops here! What part of the word “INVIOATE” do these people not understand?**

¶5 **Our President is in charge of IHHS.** Why would the Federal Government give \$Billions to States who have demonstrated routine violations of fundamental civil rights of its own People? **Please consider an Executive Order** requiring State Courts to follow the **RULE of LAW** or the States **forfeit their eligibility to receive Federal money.** **Please see the attached proposed IHHS rule changes.** And please don't appoint this fake Judge to a Federal Bench.

¶6 How many of these notices do we need to produce? 100? 1000? We don't care. We look Omaha Beach and Iwo Jima to defend Liberty. If we have to create an entirely new Court System from scratch, to **restore Liberty and the Rule of Law here at home,** it's not a big deal.

Sincerely,

/s/Martin Lynch

General Manager - We the People Court Services - Phoenix Office

© This Limited Supplemental Jury Process and associated documents is the product of years of study, development, and testing. It is the intellectual property of We the People Court Services LLC.

We the People Court Services



Liberty and Justice for All

<https://www.wtpcs.org>

September 23, 2019

Notice to Sheriff of Washoe County Nevada Judge Egan Walker has Voluntarily Surrendered Judicial Powers State Law Enforcement must be Notified

¶1 It is necessary to inform Law Enforcement since this Judge has demonstrated contempt for the Rule of Law and recognizes no limits upon Judicial Power. Common sense tells us that Checks and Balances apply to everybody in Government. This State Court Judge recognizes no limits plainly stated in the Constitution, therefore we now have a Rogue Judge to deal with.

¶2 This Judge will likely try to continue this charade of unlimited power by issuing orders which Law Enforcement is expected to follow. The biggest reason for separation of powers is to protect the People from other Branches who go astray. Law Enforcement swears an oath to the Constitution and to protect the People.

¶3 No law requires Law Enforcement to participate in violating the rights of the people or enforcing illegal orders. Law Enforcement has prosecutorial discretion which is separate from the Judicial branch. If Law Enforcement exercises their authority to do nothing, this Rogue Judge becomes nothing more than a crooked lawyer wearing a robe. What are you going to do? Arrest yourself? Charge yourself with following your oath and the Constitution?

¶4 Our nation is at a crossroads. We no longer consent to be ruled by unchecked Judicial Power which can only result in Tyranny. This is what the State Courts have descended into by deceiving most people into believing FALSEHOODS. Our right to a Jury in these State Courts cannot be violated. We are awake now. If a Judge declines to furnish us a Jury we furnish our own. The alternative is no Jury at all, and Judicial Tyranny. Those days are over.

¶5 Be careful. Do you want to be ruled by a crooked lawyer who wears a robe and openly defies your Constitutional Right to a Jury? If you are married, have kids, have money, or have elder parents with money, **YOU'RE NEXT!** How much money do crooked lawyers need? Answer: EVERYTHING. Without a Jury you have no protection at all.

Sincerely,

/s/Martin Lynch

General Manager – We the People Court Services - Phoenix Office

© This Limited Supplemental Jury Process and associated documents is the product of years of study, development, and testing. It is the intellectual property of We the People Court Services LLC.

We the People Court Services



<https://www.wtpcs.org>
Thursday July 23, 2019

Liberty and Justice for All

Right to a Jury being applied to these cases per NV Const Art 1 Sect 3 "inviolable".

Jury Verdict - Sworn Affidavit

Case Numbers: PR14-0025 GR14-0159

Second Judicial District Court - Nevada - County of Washoe

Guardianship and Estate of Susan Hillygus

Judge: Egan Walker

Ref Documents For and Against Termination of Familial Rights dated June 25, 2019

Documents meet the confidentiality requirements of 42 U.S.C. § 5106a

- ¶1 This Court has been duly noticed of Defendant's Right to have a Jury decide this case. The Judge declined to furnish a jury leaving that responsibility to Defendant per the attached "Notice to Judges". The above mentioned documents have been presented to an 8 Person Jury Panel and they have produced a unanimous verdict as follows:
- ¶2 Jury Verdict: The State has not met the standard of Clear and Convincing evidence that the Son is dangerous or abusive to his parents such that the State is compelled to intervene in this Family. Wherefore: All orders that diminish the force of law established by the Family Trust Documents are void and unenforceable. This Verdict is effective immediately and may be overturned only by a Jury provided by the Court under its authorities per Article 3. The court has discretion to utilize its own Jury at any time. The Right to a Jury Remains INVIOABLE regardless of the results of the Court's Discretion.
- ¶3 This Court now has the discretion to choose any of the options in Section 4 Page 2 of the attached Notice to Judges. 4.2 Issues Orders that conform to Jury Verdict. Return Mother 4.3 Convene the court's own Jury. 4.4 Deal with defiance of the Constitution noted.
- ¶4 7th Amendment - "no fact tried by a jury, shall be otherwise re-examined in any Court of the United States". No place does it say "a judicial order may not be re-examined by a Jury". Only the word "Inviolable" controls in this matter.

I swear and affirm under penalty of Perjury that the contents stated herein are true and complete.

/s/ Martin Lynch - Manager We the People Court Services

©WTPCS Rules for Juries in Civil Courts after the Bench Trial are protected intellectual property.



Holly Lindgren
Notary Public
Maricopa County, Arizona
My Comm. Expires 10-19-2021

Notary

We the People Court Services



Liberty and Justice for All

<https://www.wtpcs.org>

July 23, 2019

Notice to Judges NV - Limited Supplemental Jury Process in all State Civil, Family, Juvenile, Guardianship and Probate Courts - Self Effectuating

Absolute Power corrupts absolutely. So the Founders created a system of intricate checks and balances. Did the Founders forget about Judges? Where is the limit of the power of any Judge to 1) Take your Children 2) Take all your money 3) Throw you in jail? Here it is.

¶1 Command Authorities:

- 1.1 NV Constitution Art 1, Sect 3, Right to a Jury is Inviolable. (All States use "inviolable".)
- 1.2 US Constitution 7th Amendment, Right to a Jury is Preserved, shall not be reexamined.
- 1.3 US Constitution 10th Amendment, where Govt has discretion, rights become self-effectuating.
- 1.4 US Constitution Art 6 § 2 & 3, Supreme Law of the Land which Judges MUST follow.

¶2 Supporting Authorities:

- 2.1 State Statutes, NRS 16.030 (4) 8 Jurors. No law prohibits juries in these courts.
 - 2.2 Federal and State Rules of Civil Procedure, 38, 39 and 48, affirms "INVIOLE", 8 jurors.
 - 2.3 Family, Juvenile, and Probate Rules of Procedure contain no prohibitions to a Jury.
 - 2.4 Federalist 83, Juries are the check on the power of Civil Courts meant to prevent corruption.
 - 2.5 Case Law, Minncapolis & St. Louis R. Co. v Bombolis, 241 U.S. 211 (1916); United Gas Public Service Co. v. Texas, 303 U.S. 123 (1938) affirm the Courts discretion to furnish a Jury.
- There is no prohibition of Juries in Civil Courts. Any notions of prohibition, are false.

¶3 Jurisdiction: A) The Courts and then B) the People (WTPCS.org) (10th Amendment) The People prefer a Bench Trial. It is efficient and Justice is usually rendered without intervention.

- 3.1 Unjust infringement on Parental or Familial Rights. Presumption of shared parenting.
- 3.2 Unjust taking of property or money by Judicial order or Civil Asset Forfeiture.
- 3.3 Unjust or excessive incarceration, excessive bail, or detention.
- 3.4 Gag Orders - The Purpose of the 1st Amendment is to criticize the Government.

For any of the above lingering matters, a Litigant should petition the Court to schedule a hearing where the People exert their just authorities over these matters via a Jury furnished by the Court.

3.5 At the Courts discretion, the People via WTPCS may furnish their own Juries in a scheduled Court hearing or otherwise per Rules established by the People to best preserve due process.

3.6 WTPCS has discretion to provide or not provide a Jury based on the merits of the case. Judges are encouraged to apply findings of fact and conclusions of law to Judicial Orders so that Juries are more likely to affirm their orders.

¶4 Limits on the Power of a Jury: Court hearings conducted with a Jury are subject to normal Court Rules. Jury verdicts rendered outside of a Court hearing may only either affirm the Judicial Order or Strike down a Judicial Order and provide advice to the Court. The verdict may be filed into the case. This supplemental jury panel may not change the order or otherwise make law.

4.1 The Judge may do nothing if the order was affirmed, or nothing was filed into the case.

4.2 Revise the order to the satisfaction of the parties or in keeping with guidance from the Jury.

4.3 Schedule a hearing with a Jury whose verdict would then be superior.

4.4 Defy a Jury Verdict which is the just and guaranteed authority of the People to govern themselves, creating a breach of the Supremacy Clause and the Oath per Art 6 Clauses 2 & 3. No judge is required to be a judge and may resign at any time. This would necessitate notifying the Governor of a vacancy and seeking a replacement be appointed. Notification of POTUS to avoid a Federal appointment since the Judge has resigned and is no longer authorized to exercise Judicial Powers. Law enforcement (the Sheriff) may not enforce orders issued by a former judge or anyone else who is not a judge. The new status of the judge shall be made public so the People may avoid being subjected to a judge who openly defies their oath and the Constitution. These remedies shall become effective on the date indicated in the Notice. We prefer 4.2 or 4.3, we prefer to do nothing.

¶5 This process is designed to enhance the confidence of the People in their Judiciary with minimal cost and intervention. Most Judges are competent and just, and their docket is expected to decrease as cases settle more readily as opportunities for corruption are reduced. This has been our experience. Over time a small number of Judges may end up finding something else to do.

Thank-you for your service to the People in your official capacity as a Judicial Officer.

Sincerely,

/s/Martin Lynch

General Manager – We the People Court Services - Phoenix Office

© This Process for Implementation of Juries after the Bench Trial and associated documents is the product of years of study, development, and testing. It is the intellectual property of We the People Court Services LLC.

EXHIBIT "4"

EXHIBIT "4"

Code: 3790
1 Roger Hillygus – Pro Se
2 90 Wells Fargo Ave.
3 Dayton, NV 89403
4 (775) 232-5583
5 rhillygus@gmail.com

6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF**
7 **NEVADA IN AND FOR THE COUNTY OF WASHOE**

8
9 Defendants

10 Robin Renwick
11 Deborah Bowers
12 Todd Torvinen

13 Affiant

14 Roger Hillygus
15 Lawful Trustee of Mother
16 Susan Hillygus & POA

) Case No.
) TPO19-01462 and TPO19-01463

) Dept. No. 7

) **REPLY IN OPPOSITION TO**
) **APPLICATION FOR TPO**

) Judge Eagan Walker
)

17 ¶1 This document is supported by the Sworn Affidavit of Attesting Witnesses. There
18 are two applications for TPO Temporary Protective Order that contain information
19 which is false thus establishing probable cause that the crimes of Perjury and
20 Subornation of Perjury have been committed. State criminal statutes include
21 NRS199.145 category D felony and NRS199.150. Federal criminal statutes are 18 USC
22 § 1621 and 18 USC § 1622, 5 years for each. The Younger Exclusion Doctrine requires
23 that Affiant advise the defendants that should these matters not be resolved via
24 mediation or in State Courts, then standing is established in US District Court and is
25 actionable per 42 USC § 1983; et al. Please be advised that no State actors have any sort
26 of immunity in Federal Court.

27 ¶2 The only immunity in this case will be extended to my Sister Robin Renwick who
28 I believe has been manipulated into this endless conflict for the purpose of stealing her
parents money and their legacy. The motive of the Legal profession appears to be the

1 financial annihilation of the middle class and the Hillygus Family is merely another
2 victim. The corruption seems so pervasive that the attached (Exhibit 1) "Executive
3 Order" reasonably applies to this case.

4 ¶3 Regardless, this matter is no longer about whether or not to issue a TPO. The
5 Court cannot render justice without truth. We have two versions of truth that vary
6 widely, one appears to be a shoddy Subornation by Defendant Torvinn. The other is a
7 sworn and notarized affidavit. The Defendants have a short window to recant the noted
8 lies and non-sense. When they don't, a criminal complaint with the attached documents
9 will be immediately directed to the Nevada State Attorney General. Somebody is lying
10 to the Court and there are ways of determining what the truth is. We have two nearly
11 identical sets of non-sense that looks to be crafted by the same lawyer. It is illegal to
12 suborn perjury.

13 ¶4 On going remedies shall include whatever else is necessary to achieve Justice;
14 Bar Complaints, Notice of Appeal, Private Professional Guardianship License,
15 Commission on Judicial Discipline, Motion to Recuse, Criminal complaint to AG Barr.
16 Whatever everything lawful is, that is what we will do.

17 ¶5 As a friendly reminder, this Court has the discretion to schedule a hearing where
18 the evidence may be evaluated by, and a verdict rendered by a Jury in a manner to the
19 liking of the Judge. Otherwise this Court has no discretion to violate any Rights which
20 are "INVIOLATE". (sec NV Const Art 1 § 3) If it is any consolation, the criminal
21 prosecutors are also having a tough time with that pesky "INVIOLATE". It is quite
22 inconvenient for the courts after lawful checks and balances have been restored.

23 AFFIRMATION: This document contains no social security numbers per NRS 239.

24
25 *Roger Hillygus*

26 _____
27 /s/Roger Hillygus (son)
28 Retired NV Public Safety Civil Servant

CERTIFICATE OF SERVICE

I hereby certify that by September 9, 2019, the copies will be served upon:

Reply in opposition to TPO sent by E-flex, and/or mail, as follows:

1. Attorney Todd L. Torvinen, 232 Court Street, Reno Nevada 89501;
2. Attorney Keith Tierney Esq. 527 California Ave. Reno, NV 89501;
3. Attorney Ryan Earl, 548 West Plum Lane, Suite B, Reno Nevada 89509;
4. Attorney David Spitzer 199 So. Arlington lane, Reno, Nevada 89502;

Roger Hillygus
90 Wells Fargo Ave.
Dayton, NV 89403
(775) 232-5583
Pro Se litigant
rhillygus@gmail.com

/s/Roger Hillygus

INDEX OF EXHIBITS

EXHIBIT #	DESCRIPTION	PAGE #'s
1.	EXECUTIVE ORDER SIGNED BY THE PRESIDENT	1-2
2.		
3.		
4.		

Code: 1035
1 Roger Hillygus -- Pro Se
2 90 Wells Fargo Ave.
3 Dayton, NV 89403
4 (775) 232-5583
rhillygus@gmail.com

5 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF**
6 **NEVADA IN AND FOR THE COUNTY OF WASHOE**

7
8
9 Defendants

10 Robin Renwick - Sister
11 Deborah Bowers - Takes Money
12 Todd Torvinen - Lawyer Takes Money

13 Affiant

14 Roger Hillygus
15 Lawful Trustee of Mother
16 Susan Hillygus & POA

} Case No.
} TPO19-01462 and TPO19-01463

} Dept. No. 7

} **SWORN AFFIDAVIT**
} **OF ATTESTING WITNESS**

} Judge Eagan Walker

17 ¶1 I, Roger Hillygus do hereby swear and affirm that everything stated in this
18 document is true, accurate, and complete. In regards to both applications for TPO, the
19 following falsehoods exist. Some items rise to the level of criminality, others do not.

20 Item #5: I am not disabled. I am retired.

21 Item #6: Mother is not a minor child.

22 Item 9(b): I have never used a gun to threaten anybody, ever. This is criminal perjury.

23 Both documents make the same ridiculous accusations. This is criminal subornation of
24 perjury.

25 Item 10(a): There is no foundation for this false accusation.

26 Narrative: Nowhere does it say that I went to the Reno Police and contacted the Sheriff
27 to advise law enforcement prior to taking any action. Failure to disclose this is fraud by
28 omission.

Narrative Line 20: "Alice" is false. "Susie" is correct. Mother's name is Susan.

1 Narrative Line 26: "Drag her across the street" is false. Mother was asked and she said
2 yes, and she walked to the car holding hands with her son. This is criminal perjury.
3 Both documents make the same ridiculous accusations. This is criminal subornation of
4 perjury.

5 Narrative: Nowhere did they state that I showed the documents to Stone Valley staff
6 who registered no objections. More fraud by omission.

7 Narrative Page 5 Line 1: "He does not have either." This statement is false because it
8 has yet to be adjudicated. There is also a criminal charge for kidnapping and the
9 prosecutor is desperate because they have no evidence that contradicts the documents.
10 We expect the charges to be dropped.

11 Narrative Line 3: "police report 19-15652" No copy of said report has been furnished
12 to the accused. This is a Constitutional violation of due process but attorneys and a
13 court who declare themselves to have unlimited and unchecked power to plunder the
14 estate of \$1 million and to lock up Mother, it is no surprise.

15 Narrative Line 11: "incontinent" is false. In the "care" facility Mother is left to use
16 nothing but a diaper. When with son, she uses the toilet and not forced to lie in filth.

17 Narrative Line 12: "cannot make decisions for her well-being" is false. When asked to
18 go with her son, Mother said yes in front of witnesses. If Mother escapes from captivity
19 then the flow of money to Defendants Torvinen and Bowers would cease. It is true that
20 Mother might not make good decisions for the well-being of these criminals.

21 Narrative Line 13: "cannot adequately feed herself" false. While with her son Mother
22 ate fruits, vegetables and juices and mostly fed herself.

23 Narrative Line 14: "cannot express her wishes" false. Mother asked to see her brother
24 Roger so we went there.

25 Narrative Line 14: "Cannot speak and has trouble with mobility" false. This was lack
26 of exercise and the use of psychotropic drugs to get her compliance to being locked up.
27 When with her son she was witnessed by others walking outdoors regularly. She was
28 speaking much better as the drugs wore off.

1 Narrative Line 17: Judge Walker advised "active mental health issues" "concern as to
2 his stability"? False and hearsay. It is reasonable to presume that Judge Walker believes
3 that he has absolute, unchecked, and unlimited power. The Founders clearly understood
4 that "absolute power corrupts absolutely". For this reason they applied checks and
5 balances to everyone. They did not forget about judges who are also human beings. The
6 lawful application of these checks are now being applied in this case, so it is no wonder
7 that Judge Walker has diagnosed Son with "active mental health issues" because what
8 else can he do to preserve the absolute power illegitimately usurped from the people?

9 Narrative Line 19: Mother "does not have her medications". Son made arrangements to
10 have the care center forward the medications.

11 Item 13 (A)(B)(C): There is no probable cause or history of Son harassing or being
12 dangerous in any way to these two women. Since these two complaints are nearly exact
13 duplicates Son asserts this constitutes probable cause of Subornation of Perjury by
14 Defendant Torvinen. Son has no recent history of contacting or harassing anyone.

15 Item 13(G)(H)(I)(J)(K): Son is content to let the legal processes play out because in the
16 criminal case, there is no evidence that Son has committed an illegal act. After that case
17 resolves, the Civil Court will be in the same position and the court will have no authority
18 to restrain Son from visiting his Mother. Whatever the Civil Court decides to do until
19 then is of little concern. Mother's house is being sold to pay Defendant Torvinen and
20 other Lawyers. If it is sold unlawfully then the assets can be recovered from the Title
21 Insurance Company so Son has no reason to harass anyone.

22 Son asserts that there exists no probable cause to restrict Son who has no intentions of
23 doing anything wrong or illegal. As a friendly reminder, "INVIOATE" is the supreme
24 law of the land and the Court still has the discretion to convene a hearing where the
25 evidence may be presented to, and decided by a Jury. Otherwise the existing documents
26 control. The subject petitions are based upon allegations which are false and are thus
27 perjury and likely subornation of perjury. Offenders may immediately recant false
28 statements, or be subject to criminal referrals and complaints to licensing bodies.

1 AFFIRMATION: This document contains no social security numbers per NRS 239.


2 I Roger Hillygus do hereby swear, affirm, and attest that everything contained in this
3 Sworn Affidavit is true and correct to the best of my knowledge. I have not threatened
4 anyone with firearms or in any other manner and have no intentions of doing any such
5 thing. No Probable Cause exists.

6
7 Respectfully Submitted,

8
9 September 9, 2019

10
11
12 
13 Roger Hillygus (Son)
14 Retired NV Public Safety Civil Servant



18
19 
20 Notary

21 CERTIFICATE OF SERVICE

22 I hereby certify that by Sept 9, 2019, copies will be served upon:
23 by E-flex, and/or mail, as follows:

- 24
25
26
27
28
1. Attorney Todd L. Torvinich, 232 Court Street, Reno Nevada 89501;
(Represents the other two Defendants)
 2. Attorney Keith Tierney Esq. 527 California Ave. Reno, NV 89501;
 3. Attorney Ryan Earl, 548 West Plum Lane, Suite B, Reno Nevada 89509;
 4. Attorney David Spitzer 199 So. Arlington Lane, Reno, Nevada 89502;

Roger Hillygus
90 Wells Fargo Ave.
Dayton, NV 89403
(775) 232-5583
Pro Se litigant
hillygus@gmail.com

/s/Roger Hillygus

1 **CODE 2700**

2
3
4
5
6
7 **IN THE FAMILY DIVISION**
8 **OF THE SECOND JUDICIAL DISTRICT COURT THE STATE OF NEVADA**
9 **IN AND FOR THE COUNTY OF WASHOE**

10
11 **ROBIN RENWICK OBO**
12 **SUSAN HILLYGUS,**

Applicant,

Case No. TPO19-01463

13 **vs.**

Dept. No. DM3

14 **ROGER HILLYGUS,**

Adverse Party.

15
16
17 **Applicant Present: NO**

Applicant Attorney: N/A

18 **Adverse Party Present: YES**

Adverse Party Attorney: PRO PER.

19 **Presiding Judge/Court Master: EGAN WALKER**


Hearing Date: September 9, 2019.

20 **ORDER AFTER HEARING**

21 The Court has considered the filings, testimony and evidence presented at hearing, and having
22 jurisdiction over the parties enters the following:

23 It is hereby ORDERED that the Order for Protection Against Domestic Violence originally issued
24 on August 29, 2019 in the above entitled case is dissolved based upon Applicant's failure to appear.

25 Dated September 9, 2019

26 
EGAN WALKER/ DISTRICT JUDGE

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Transmitted to the State Repository: September 9, 2019.



COURT CLERK

CASE NO. TPO19-01463

ROBIN RENWICK OBO VS. ROGER LILLYGUS

Date, Judge, Officers
of Court Present

APPEARANCES/HEARING

SEPTEMBER 9, 2019

HEARING- EXTENSION HEARING

The HONORABLE
EGAN WALKER
DISTRICT JUDGE

Applicant was not present or represented by Counsel. Adverse Party was present, pro per. The court explained the nature of proceedings. Based on Applicant's failure to appear the Court entered the following:

Dept. No. D7

COURT ORDERED:

J. CAIN,

The Court, having considered the filings, testimony and evidence presented at hearing, and having jurisdiction over the parties, enters the following:

Clerk

Reporter-

STEPHAIE

It is hereby ORDERED that the Order for Protection Against Domestic Violence originally issued on, August 29, 2019 in the above entitled case is: **DISSOLVED**.

KOETTING

Based on the Applicant's failure to appear, the request for an extension is **DENIED**.

Deputy:

J. GHIGLIERI,

See Order filed September 9, 2019.

Completed:

J. Cain

09/09/2019

The Clerk's minutes are not an order of the Court, and may be altered, amended or superseded by a written order. Parties/Counsel may obtain a copy of the JAVS recording of any proceeding through the Second Judicial District Court Filing Office located at 75 Court Street, Reno, Nevada 89501.

1 Code: 2810
2
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6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**

8 *****

9
10 In the Matter of the Guardianship
of the Person and Estate of:

Case No. GR14-00159

11 Dept No: 7

12 SUSAN HILLYGUS,

13 A Protected Person.
14 _____/

15 **ORDER CONFIRMING SALE OF REAL PROPERTY**

16
17 This matter came before this Court as a result of the Petition for Confirmation of
18 Sale of Real Property ("Petition for Confirmation") filed by Lund Enterprises, LLC dba
19 Fiduciary Services of Nevada, Trustee, by Deborah S. Bowers ("Trustee"), Trust officer
20 and Trustee of the Hillygus Family Trust Dated August 17, 1993 ("Trust"). The Petition
21 for Confirmation was properly noticed pursuant to NRS 164.030 and NRS 155.010. The
22 Court is satisfied with the notice, and finds that the Petition should be granted.

23 Accordingly, good cause exists and this Court FINDS AND ORDERS:

24 1. The real property with a situs address of 2685 Knob Hill Drive, Reno, Nevada
25 89506 ("Knob Hill Residence") is a Trust asset. The Trustee of Trust is granted broad
26 discretionary power.

27 2. Pursuant to the terms of the Trust, Notice of Sale of the real property by
28 publication in a newspaper is waived as the trust property may be sold "for cash or on

1 credit, at public or private sale". Lawful and proper notice was provided pursuant to
2 NRS 164.030 with the service performed in the manner provided in NRS 155.010.

3 3. The appraised value of the Trust real property, the Knob Hill residence, is
4 \$400,000.

5 4. The Residential Offer and Acceptance Agreement lists the sale/purchase
6 price as \$415,000. The sale/purchase price exceeds the appraised value, and therefore
7 it is in the best interests of the primary trust beneficiary, Susan L. Hillygus to complete
8 the sale.

9 5. The Court hereby confirms the sale of the real property pursuant to the
10 Residential Offer and Acceptance agreement in the amount of \$415,000.

11 6. Pursuant to the Order After February 23, 2017 Hearing, filed 08-14-2017 and
12 the Order of Reconveyance and Lien Grant, filed 09-06-2017, the following shall occur
13 through escrow, and Ticor Title is ordered to:

14 a. Issue a check in the amount of \$22,500 to Gunderson Law Firm and Debbie
15 Hillygus;

16 b. Issue a check in the amount of \$22,500 to Deborah S. Bowers, Trustee, of the
17 Hillygus Family Trust Dated August 17, 1993. The Trustee shall follow the Court's
18 previous Orders and establish a blocked interest-bearing account.

19 c. Upon the issuance of the checks totaling \$45,000, as specified in items a and
20 b above, those payments will reflect payment in full satisfaction and release of the lien
21 recorded as document #4870175 recorded on November 30, 2018.

22 7. The sale of the Knob Hill property with a legal description of:

23 LOT 47, AS SHOWN ON THE MAP OF MEDALLION ESTATES NO. 2, FILED IN
24 THE OFFICE OF THE COUNTY RECORDER OF WASHOE COUNTY, STATE
OF NEVADA, ON FEBRUARY 6, 1969. A.P.N. 552-171-04

25 is hereby confirmed to Richard E. Williams and Gail L. Williams, pursuant to the
26 Residential Offer and Acceptance Agreement.

27 8. Brokerage fees shall be paid pursuant to the Residential Offer and Acceptance
28

1 Agreement.

2 9. Finally, the Court finds that as a matter of fact and as a matter of law, the
3 buyers, Richard E. Williams and Gail L. Williams are good faith purchasers of real
4 property, and upon closing of the transaction are entitled to take title to the Knob Hill
5 property in fee simple with no encumbrances other than those contemplated in the
6 Residential Offer and Acceptance Agreement. Accordingly, any objection to the sale
7 shall be directed to the Trustee holding the net proceeds in the Trust, and not the
8 buyers.

9 IT IS SO ORDERED. This is a final order.

10 DATED: August 22, 2019.

11

12



DISTRICT JUDGE

13

14

15

16

17

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19

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25

26

27

28

Code: 2535 (Second Notice)

1 Roger Hillygus
90 Wells Fargo Ave, Dayton NV 89403
2 775-232-5583
3 rhillygus@gmail.com

Documents meet confidentiality requirements of 42 U.S.C. § 5106a

4 SECOND JUDICIAL COURT STATE OF NEVADA

5
6 COUNTY OF WASHOE

7
8 In the Matter of
HILLYGUS FAMILY TRUST
Dated August 17, 1993
9 PR14-0025

10 In the Matter of the Guardianship of
The Person and Estate of
11 SUSAN L. HILLYGUS - Mother
GR14-0159

Case No.: PR14-0025 / GR14-0159

Dept. No. 7

2ND NOTICE OF JUDGEMENT,
THE ENCUMBERENCE OF
2685 KNOB HILL DRIVE, RENO NV 85906

Presiding Judge Egan Walker

13
14 Corrupt attorney Torvinen seems to be ignoring being properly noticed July 19, 2019 and is
15 now in violation of Ethical Rule ER 1.1 "Professional incompetence" and ER 8.4 "Willful
16 misrepresentation". This case obviously revolves around one simple word "INVOLATE". We
17 know that they do not teach the Constitution in Law School so that is not his fault. However
18 there is nothing preventing him from looking at the Nevada State Constitution Art I Sect 3. It
19 DOES NOT grant unlimited power to any court to sell anything and turn the money over to
20 corrupt lawyers. It DOES say that the People reserve the final authority to make such decisions
21 via a Jury and no court has discretion to "VIOLATE" that right.

22
23 Per the attached legal authorities nobody disputes that a civil court has the discretion to
24 furnish, or not to furnish a Jury. On this we all agree. This is not a problem since we also agree
25 that NOTHING prohibits the Court from furnishing a jury, and if necessary the tenth amendment
26 authorizes the People to furnish their own jury, if this is made necessary by the Courts discretion
27 not to furnish a Jury of their own. We have done so in this case under the simple and clear
28 authorities of "INVOLATE" and the 10th amendment.

2ND NOTICE OF JUDGEMENT, THE ENCUMBERENCE OF 2685 KNOB HILL - 1 OF 2

1 A Jury has been convened and rendered a verdict, see attached. The Jury failed to
2 understand how a dispute over \$800 should reasonably result in the Hillygus Estate being
3 plundered of \$900,000 and Mother being drugged and incarcerated and isolated from her family.
4 How shameful, or shameless?

5 This court has no discretion to override a Jury verdict. Per the 7th amendment "a Jury verdict
6 shall not be reexamined in any court of the United States". Regardless of orders issued by any
7 court, Keller Williams has a fiduciary and legal responsibility to protect their clients from being
8 defrauded by the likes of corrupt attorney Torvinen. If this scheme to defraud the Williams
9 Family per 18 USC § 1341 succeeds, then the Hillygus trust will have a cause of action against
10 the Williams Family, who will then have a cause of action against Keller Williams, who can then
11 try to recover \$400,000 from corrupt attorney Torvinen and his friends. Keller Williams has "in
12 house" counsel and can easily read Art 1 Sect 3 of the Nevada State Constitution and explain to
13 the corrupt attorney Torvinen which part of "INVIOLETTE" he does not understand.
14

15 The eager anticipation by the corrupt attorney Torvinen and his friends to split up the
16 \$400,000 in their scheme to defraud the Williams and the Hillygus Families should soon be
17 overshadowed by pending actions to recover the \$500,000 already stolen by them. Complaints
18 are pending at various Federal agencies regarding fraud, 18 USC Chapter 96, et al; the details of
19 which may not be discussed. The crime of international money laundering is subject to the
20 jurisdiction of the UCMJ. Beyond that civil actions under § 1983 should be obvious.
21

22 Affirmation: NRS 239. No Social Security Numbers are listed herein.

23 Reference M.I.S #190010358.
24

25
26
27 /s/ Roger Hillygus – Successor Trustee

August 8, 2019

Certificate of Distribution
PR14-0025 / GR14-0159

Todd Torvenin

David Spitzer

Ryan Earl

Danielle Christenson

(These and 16 other lawyers have billed to this case)

Richard and Gail Williams
231 Britton Lane
Sun Valley, NV 89433
Delivered

Justin Hertz
Keller Williams Realty
10539 Professional Circle Suite 100
Reno NV 89521
Delivered

Exhibit A

PR14-0025 / GR14-0159 Jury Verdict - Again



<https://www.wtpcs.org>
Thursday July 23, 2019

Liberty and Justice for All

Right to a Jury being applied to these cases per NV Const Art 1 Sect 3 "inviolable".

Jury Verdict - Sworn Affidavit

Case Numbers: PR14-0025 GR14-0159
Second Judicial District Court – Nevada – County of Washoe
Guardianship and Estate of Susan Hillygus
Judge: Egan Walker
Ref Documents For and Against Termination of Familial Rights dated June 25, 2019
Documents meet the confidentiality requirements of 42 U.S.C. § 5106a

¶1 This Court has been duly noticed of Defendant's Right to have a Jury decide this case. The Judge declined to furnish a jury leaving that responsibility to Defendant per the attached "Notice to Judges". The above mentioned documents have been presented to an 8 Person Jury Panel and they have produced a unanimous verdict as follows:

¶2 Jury Verdict: The State has not met the standard of Clear and Convincing evidence that the Son is dangerous or abusive to his parents such that the State is compelled to intervene in this Family. Wherefore: All orders that diminish the force of law established by the Family Trust Documents are void and unenforceable. This Verdict is effective immediately and may be overturned only by a Jury provided by the Court under its authorities per Article 3. The court has discretion to utilize its own Jury at any time. The Right to a Jury Remains INVIOABLE regardless of the results of the Court's Discretion.

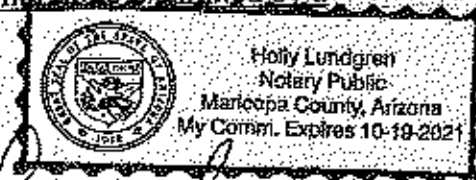
¶3 This Court now has the discretion to choose any of the options in Section 4 Page 2 of the attached Notice to Judges. 4.2 Issues Orders that conform to Jury Verdict. Return Mother 4.3 Convene the court's own Jury. 4.4 Deal with defiance of the Constitution noted.

¶4 7th Amendment – "no fact tried by a jury, shall be otherwise re-examined in any Court of the United States". No place does it say "a judicial order may not be re-examined by a Jury". Only the word "Inviolable" controls in this matter.

I swear and affirm under penalty of Perjury that the contents stated herein are true and complete.

/s/ Martin Lynch - Manager We the People Court Services

©WTPCS Rules for Juries in Civil Courts after the Bench Trial are protected intellectual property.



Notary

Exhibit B

PR14-0025 / GR14-0159 Legal Authorities - Again

We the People Court Services



<https://www.wtpcs.org>
July 29, 2019

Liberty and Justice for All

Notice to Judges NV - Limited Supplemental Jury Process in all State Civil, Family, Juvenile, Guardianship and Probate Courts - Self Effectuating

Absolute Power corrupts absolutely. So the Founders created a system of intricate checks and balances. Did the Founders forget about Judges? Where is the limit of the power of any Judge to 1) Take your Children 2) Take all your money 3) Throw you in jail? Here it is.

¶1 Command Authorities:

- 1.1 NV Constitution Art 1, Sect 3, Right to a Jury is Inviolable. (All States use "inviolable".)
- 1.2 US Constitution 7th Amendment, Right to a Jury is Preserved, shall not be reexamined.
- 1.3 US Constitution 10th Amendment, where Govt has discretion, rights become self-effectuating.

¶2 Supporting Authorities:

- 2.1 State Statutes, NRS 16.030 (4) 8 Jurors. No law prohibits juries in these courts.
- 2.2 Federal and State Rules of Civil Procedure, 38, 39 and 48, affirms "INVIOLE", 8 jurors.
- 2.3 Family, Juvenile, and Probate Rules of Procedure contain no prohibitions to a Jury.
- 2.4 Federalist 83, Juries are the check on the power of Civil Courts meant to prevent corruption.
- 2.5 Case Law, Minneapolis & St. Louis R. Co. v Bombolis, 241 U.S. 211 (1916); United Gas Public Service Co. v. Texas, 303 U.S. 123 (1938) affirm the Courts discretion to furnish a Jury. There is no prohibition of Juries in Civil Courts. Any notions of prohibition, are false.

¶3 Jurisdiction: A) The Courts and then B) the People (WTPCS.org) (10th Amendment)

The People prefer a Bench Trial. It is efficient and Justice is usually rendered without intervention.

- 3.1 Unjust infringement on Parental or Familial Rights. Presumption of shared parenting.
- 3.2 Unjust taking of property or money by Judicial order.
- 3.3 Unjust or excessive incarceration, excessive bail, or detention.

3.4 Gag Orders – The Purpose of the 1st Amendment is to criticize the Government.

For any of the above lingering matters, a Litigant should petition the Court to schedule a hearing where the People exert their just authorities over these matters via a Jury furnished by the Court.

3.5 At the Courts discretion, the People via WTPCS may furnish their own Juries in a scheduled Court hearing or otherwise per Rules established by the People to best preserve due process.

3.6 WTPCS has discretion to provide or not provide a Jury based on the merits of the case. Judges are encouraged to apply findings of fact and conclusions of law to Judicial Orders so that Juries are more likely to affirm their orders.

¶4 Limits on the Power of a Jury: Court hearings conducted with a Jury are subject to normal Court Rules. Jury verdicts rendered outside of a Court hearing may only either affirm the Judicial Order or Strike down a Judicial Order and provide advice to the Court. The verdict may be filed into the case. This supplemental jury panel may not change the order or otherwise make law.

4.1 The Judge may do nothing if the order was affirmed, or nothing was filed into the case.

4.2 Revise the order to the satisfaction of the parties or in keeping with guidance from the Jury.

4.3 Schedule a hearing with a Jury whose verdict would then be superior.

4.4 Defy a Jury Verdict which is the just and guaranteed authority of the People to govern themselves, creating a breach of the Supremacy Clause and the Oath per Art 6 Clauses 2 & 3. No judge is required to be a judge and may resign at any time. This would necessitate notifying the Governor of a vacancy and seeking a replacement be appointed. Notification of POTUS to avoid a Federal appointment since the Judge has resigned and is no longer authorized to exercise Judicial Powers. Law enforcement (the Sheriff) may not enforce orders issued by a former judge or anyone else who is not a judge. The new status of the judge shall be made public so the People may avoid being subjected to a judge who openly defies their oath and the Constitution. These remedies shall become effective on the date indicated in the Notice. We prefer 4.2 or 4.3, we prefer to do nothing.

¶5 This process is designed to enhance the confidence of the People in their Judiciary with minimal cost and intervention. Most Judges are competent and just, and their docket is expected to decrease as cases settle more readily as opportunities for corruption are reduced. This has been our experience. Over time a small number of Judges may end up finding something else to do.

Thank-you for your service to the People in your official capacity as a Judicial Officer.

Sincerely,

/s/Martin Lynch

General Manager – We the People Court Services - Phoenix Office

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CASE NO. GR14-00159
CASE NO. PR14-00025

GUARD: SUSAN E HILLYGUS
TRUST: HILLYGUS FAMILY TRUST

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

8/09/19
HON. EGAN
WALKER
DEPT. NO. 7
H. Lujan
(Clerk)
JAVS
Courtroom 12
(Reporter)

ANNUAL ACCOUNTING AND PET/CONF/SALE/REAL/PROP

Court Appointed Attorney, David Spitzer, Esq., was present on behalf of the Protected Person, who was not present in court. Guardian Ad Litem, Ryan Earl, Esq., was present. Co-Guardian/Trustee, Deborah Bowers, and Co-Guardian, Robin Renwick were present with counsel, Todd Torvinen, Esq.,

The Court advised of ex-parte communication received; discussed the status of the Protected Person's safety; and, addressed the reason for this hearing.

Discussion ensued regarding jurisdiction to go forward with the proposed sale.

Counsel Torvinen responded regarding the sale of real property and stated he believes the Court has jurisdiction to approve the sale and that the Supreme Court granted no stay.

Counsel Spitzer informed that proper notice of the sale was provided and had no objection to proceed with the sale.

Counsel Earl had no position as to the sale.

Counsel Torvinen requested additional information be placed in the Order to better facilitate the process of the sale.

Counsel Spitzer had no objection.

COURT ORDER: The Court noted that the remittitur has not been received from the Supreme Court; however, confirmed the sale of property. Counsel Torvinen to submit the order.

Discussion ensued regarding the safety of the Protected Person; the issuance of a TPO; and, authority pursuant to NRS: Chapter 159.

Respective counsel were in accordance with the filing of the TPO.

Robin Renwick was sworn and testified regarding the incident that occurred at the Stone Valley facility; that Roger Hillygus removed the Protected Person by false pretense; and informed of the potential risks to the Protected Person based on her medical condition.

The Court took judicial notice of the testimony and directed Counsel Torvinen to assist his clients with filing of an application for a TPO; should it be approved, it should be transferred to Department 7 after processing.

COURT ORDERED: Pursuant to Chapter 159 Roger Hillygus and Debbie Hillygus shall have no contact with Susan Hillygus and directed counsel Torvinen to draft the Order. The Annual Report of the Person is hereby APPROVED. The Court found that the accounting was incomplete; however, the Court acknowledged that there are no concerns and therefore APPROVED the accounting. Discussion ensued regarding the Fiduciary Services fees; respective counsel had no objection to the amount requested.

COURT ORDERED: The Fiduciary Services fees and Mr. Torvinen fees are hereby APPROVED. It was further Ordered that the documents filed by Mr. Hillygus on May 30, 2019; June 25, 2019; July 19, 2019; and August 7, 2019 shall be stricken from the record. Counsel Torvinen to prepare the Order.

Typed by T. Travers

EXHIBIT "5"

EXHIBIT "5"

We the People Court Services



<https://www.wtpcs.org>
September 23, 2019

Liberty and Justice for All

Another Notice to the President of the United States Nevada Judge Egan Walker has Voluntarily Surrendered his Judicial Powers The State Courts are in Open Defiance of the Constitutional Limits on their Power

¶1 Absolute Power corrupts absolutely so the Founders created checks and balances to limit power and prevent corruption. The limit on the power of a judge is explained in Federalist 83 and begins with the State Constitution - The Right to a Jury May Not be Violated.

¶2 The State Courts are a TRAIN WRECK simply because of unchecked judicial power. State Court Judges have unlimited power to destroy families, take children and all of your money, and garnish your wages for any reason, or no reason. We ask these Judges to furnish a Jury and they reply "No. I am not required to furnish you a Jury." which is correct. But what happened to my right to bear arms if the Judge refuses to furnish me a firearm?

¶3 Do our Rights disappear merely because a Judge refuses to furnish us anything? **NO.** It simply becomes our own job to take care of ourselves and we are doing exactly that by furnishing our own Juries and Jury verdicts. If the Judges don't like it they have 100% discretion to furnish their own Juries using their own rules. The idea that STATE COURT JUDGES have unlimited power to do absolutely anything is the most ridiculous of non-sense.

¶4 The Court of Appeals? Only offers us more Judges. We don't care what the Judges think. We ultimately care what the Jury thinks because that is what the Constitution requires. The buck stops here! What part of the word "INVIOLATE" do these people not understand?

¶5 Our President is in charge of HHS. Why would the Federal Government give \$Billions to States who have demonstrated routine violations of fundamental civil rights of its own People? Please consider an Executive Order requiring State Courts to follow the **RULE of LAW** or the States forfeit their eligibility to receive Federal money. Please see the attached proposed HHS rule changes. And please don't appoint this fake Judge to a Federal Bench.

¶6 How many of these notices do we need to produce? 100? 1000? We don't care. We took Omaha Beach and Iwo Jima to defend Liberty. If we have to create an entirely new Court System from scratch, to restore Liberty and the Rule of Law here at home, it's not a big deal.

Sincerely,

/s/Martin Lynch

General Manager - We the People Court Services - Phoenix Office

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EXHIBIT

6

We the People Court Services



Liberty and Justice for All

<https://www.wtpcs.org>

October 12, 2019

Juries are allowed in State Civil Courts in any manner, and at any time the People see fit. Judges are not required to furnish a Jury, neither is there any "prohibition". There is ONLY the Right to a Jury which "May NOT be Violated".

Key Points of Federalist 83 - Hamilton - To the People of the State of New York

- A) The purpose of a Jury in Civil Court is to "prevent corruption". If Juries are removed the result must inevitably be corruption. (§17, §23)
- B) Silence on how Juries are to be implemented IS NOT PROHIBITION. (§1, §2, §10, §11)
- C) Civil Court Juries should be implemented in a manner least burdensome. (§15, §18, §25)
- D) The States have discretion to apply juries in whatever manner that pleases them and may freely adapt to changing needs and circumstances. Juries are not required to be seated in every case, nor required to settle every element of a complex equity proceeding. Juries may be applied in a subsequent hearing to determine facts. (§7, §19, §20, §23, §35, §36)
- E) A Jury Verdict is superior to a Judicial order, or else why have juries anywhere? The stated threshold for implementing a Jury is \$20. (7th Amendment)
- F) All State Constitutions contain the language "The Right to a Jury in Civil Courts "MAY NOT BE VIOLATED". (All State Constitutions)

If all men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. Madison - Federalist 51

Sincerely,

/s/Martin Lynch

General Manager – We the People Court Services - Phoenix Office

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Alexander Hamilton - To the People of the State of New York - 1787

¶1 **THE objection to the plan of the convention**, which has met with most success in this State, and perhaps in several of the other States, is **THAT RELATIVE TO THE WANT OF A CONSTITUTIONAL PROVISION for the trial by jury in civil cases**. The **disingenuous** form in which this objection is usually stated has been repeatedly adverted to and exposed, but continues to be pursued in all the conversations and writings of the opponents of the plan. **The mere silence of the Constitution in regard to CIVIL CAUSES, is falsely represented as an abolition of the trial by jury**, and the declamations to which it has afforded a pretext are artfully calculated to induce a persuasion that this pretended abolition is complete and universal, extending not only to every species of civil, but even to CRIMINAL CAUSES. To argue with respect to the latter would, however, be as vain and fruitless as to attempt the serious proof of the EXISTENCE of MATTER, or to demonstrate any of those propositions which, by their own internal evidence, force conviction, when expressed in language adapted to convey their meaning.

¶2 With regard to civil causes, subtleties almost too **contemptible** for refutation have been employed to countenance the surmise that **a thing which is only NOT PROVIDED FOR, is entirely ABOLISHED?** Every man of discernment must at once perceive the **wide difference between SILENCE and ABOLITION**. But as the inventors of this fallacy have attempted to support it by certain **LEGAL MAXIMS** of interpretation, which they have perverted from their true meaning, it may not be wholly useless to explore the ground they have taken.

¶3 The maxims on which they rely are of this nature: "A specification of particulars is an exclusion of generals"; or, "The expression of one thing is the exclusion of another." Hence, say they, as the Constitution has established the trial by jury in criminal cases, and is silent in respect to civil, **this silence is an implied prohibition of trial by jury** in regard to the latter.

¶4 The rules of legal interpretation are rules of **COMMON-SENSE**, adopted by the courts in the construction of the laws. The true test, therefore, of a just application of them is its conformity to the source from which they are derived. This being the case, let me ask if it is consistent with **common-sense** to suppose that a provision obliging the legislative power to commit the trial of criminal causes to juries, is a privation of its right to authorize or permit that mode of trial in other cases? Is it natural to suppose, that a command to do one thing is a prohibition to the doing of another, which there was a previous power to do, and which is not incompatible with the thing commanded to be done? If such a supposition would be unnatural and unreasonable, it cannot be rational to maintain that an injunction of the trial by jury in certain cases is an interdiction of it in others.

¶5 A power to constitute courts is a power to prescribe the mode of trial; and consequently, if nothing was said in the Constitution on the subject of juries, **the legislature would be at liberty either to adopt that institution or to let it along**. This discretion, in regard to criminal causes, is abridged by the express injunction of trial by jury in all such cases; but it is, of course, **left at large in relation to civil causes, there being a total silence** on this head. The specification of an obligation to try all criminal causes in a particular mode, excludes indeed the obligation or

necessity of employing the same mode in civil causes, but does not abridge THE POWER of the legislature to exercise that mode if it should be thought proper. The pretense, therefore, that the national legislature would not be at full liberty to submit all the civil causes of federal cognizance to the determination of juries, is a pretense destitute of all just foundation.

¶6 From these observations this conclusion results: that the trial by jury in civil cases would not be abolished; and that the use attempted to be made of the maxims which have been quoted, is contrary to reason and common-sense, and therefore not admissible. Even if these maxims had a precise technical sense, corresponding with the idea of those who employ them upon the present occasion, which, however, is not the case, they would still be inapplicable to a constitution of government. In relation to such a subject, the natural and obvious sense of its provisions, apart from any technical rules, is the true criterion of construction.

¶7 Having now seen that the maxims relied upon will not bear the use made of them, let us endeavor to ascertain their proper use and true meaning. This will be best done by examples. The plan of the convention declares that the power of Congress, or, in other words, of the national legislature, shall extend to certain enumerated cases. This specification of particulars evidently excludes all pretension to a general legislative authority, because an affirmative grant of special powers would be absurd, as well as useless, if a general authority was intended.

¶8 In like manner the judicial authority of the federal judicatures is declared by the Constitution to comprehend certain cases particularly specified. The expression of those cases marks the precise limits, beyond which the federal courts cannot extend their jurisdiction, because the objects of their cognizance being enumerated, the specification would be worthless if it did not exclude all ideas of more extensive authority.

¶9 These examples are sufficient to elucidate the maxims which have been mentioned, and to designate the manner in which they should be used. But that there may be no misapprehensions upon this subject, I shall add one case more, to demonstrate the proper use of these maxims, and the abuse which has been made of them.

¶10 Let us suppose that by the laws of this State a married woman was incapable of conveying her estate, and that the legislature, considering this as an evil, should enact that she might dispose of her property by deed executed in the presence of a magistrate. In such a case there can be no doubt but the specification would amount to an exclusion of any other mode of conveyance, because the woman having no previous power to alienate her property, the specification determines the particular mode which she is, for that purpose, to avail herself of. But let us further suppose that in a subsequent part of the same act it should be declared that no woman should dispose of any estate of a determinate value without the consent of three of her nearest relations, signified by their signing the deed; could it be inferred from this regulation that a married woman might not procure the approbation of her relations to a deed for conveying property of inferior value? The position is too absurd to merit a refutation, and yet this is precisely the position which those must establish who contend that the trial by juries in civil cases is abolished, because it is expressly provided for in cases of a criminal nature.

¶11 From these observations it must appear unquestionably true, that trial by jury is in no case abolished by the proposed Constitution, and it is equally true, that in those controversies between individuals in which the great body of the people are likely to be interested, that institution will remain precisely in the same situation in which it is placed by the State constitutions, and will be in no degree altered or influenced by the adoption of the plan under consideration. The foundation of this assertion is, that the national judiciary will have no cognizance of them, and of course they will remain determinable as heretofore by the State courts only, and in the manner which the State constitutions and laws prescribe. All land causes, except where claims under the grants of different States come into question, and all other controversies between the citizens of the same State, unless where they depend upon positive violations of the articles of union, by acts of the State legislatures, will belong exclusively to the jurisdiction of the State tribunals. Add to this, that admiralty causes, and almost all those which are of equity jurisdiction, are determinable under our own government without the intervention of a jury, and the inference from the whole will be, that this institution, as it exists with us at present, cannot possibly be affected to any great extent by the proposed alteration in our system of government.

¶12 The friends and adversaries of the plan of the convention, if they agree in nothing else, concur at least in the value they set upon the trial by jury; or if there is any difference between them it consists in this: the former regard it as a valuable safeguard to liberty; the latter represent it as the very palladium of free government. For my own part, the more the operation of the institution has fallen under my observation, the more reason I have discovered for holding it in high estimation; and it would be altogether superfluous to examine to what extent it deserves to be esteemed useful or essential in a representative republic, or how much more merit it may be entitled to, as a defense against the oppressions of an hereditary monarch, than as a barrier to the tyranny of popular magistrates in a popular government. Discussions of this kind would be more curious than beneficial, as all are satisfied of the utility of the institution, and of its friendly aspect to liberty. But I must acknowledge that I cannot readily discern the inseparable connection between the existence of liberty, and the trial by jury in civil cases. Arbitrary impeachments, arbitrary methods of prosecuting pretended offenses, and arbitrary punishments upon arbitrary convictions, have ever appeared to me to be the great engines of judicial despotism; and these have all relation to criminal proceedings. The trial by jury in criminal cases, aided by the habeas-corpus act, seems therefore to be alone concerned in the question. And both of these are provided for, in the most ample manner, in the plan of the convention.

¶13 It has been observed, that trial by jury is a safeguard against an oppressive exercise of the power of taxation. This observation deserves to be canvassed.

¶14 It is evident that it can have no influence upon the legislature, in regard to the AMOUNT of taxes to be laid, to the OBJECTS upon which they are to be imposed, or to the RULE by which they are to be apportioned. If it can have any influence, therefore, it must be upon the mode of collection, and the conduct of the officers entrusted with the execution of the revenue laws.

¶15 As to the mode of collection in this State, under our own Constitution, the trial by jury is in most cases out of use. The taxes are usually levied by the more summary proceeding of distress and sale, as in cases of rent. And it is acknowledged on all hands, that this is essential to the efficacy of the revenue laws. The dilatory course of a trial at law to recover the taxes imposed on individuals, would neither suit the exigencies of the public nor promote the convenience of the citizens. It would often occasion an accumulation of costs, more burdensome than the original sum of the tax to be levied.

¶16 And as to the conduct of the officers of the revenue, the provision in favor of trial by jury in criminal cases, will afford the security aimed at. Wilful abuses of a public authority, to the oppression of the subject, and every species of official extortion, are offenses against the government, for which the persons who commit them may be indicted and punished according to the circumstances of the case.

¶17 The excellence of the trial by jury in civil cases appears to depend on circumstances foreign to the preservation of liberty. The strongest argument in its favor is that it is a security against corruption. As there is always more time and better opportunity to tamper with a standing body of magistrates than with a jury summoned for the occasion, there is room to suppose that a corrupt influence would more easily find its way to the former than to the latter. The force of this consideration is, however, diminished by others. The sheriff, who is the summoner of ordinary juries, and the clerks of courts, who have the nomination of special juries, are themselves standing officers, and, acting individually, may be supposed more accessible to the touch of corruption than the judges, who are a collective body. It is not difficult to see, that it would be in the power of those officers to select jurors who would serve the purpose of the party as well as a corrupted bench. In the next place, it may fairly be supposed, that there would be less difficulty in gaining some of the jurors promiscuously taken from the public mass, than in gaining men who had been chosen by the government for their probity and good character. But making every deduction for these considerations, the trial by jury must still be a valuable check upon corruption. It greatly multiplies the impediments to its success. As matters now stand, it would be necessary to corrupt both court and jury; for where the jury have gone evidently wrong, the court will generally grant a new trial, and it would be in most cases of little use to practice upon the jury, unless the court could be likewise gained. Here then is a double security; and it will readily be perceived that this complicated agency tends to preserve the purity of both institutions. By increasing the obstacles to success, it discourages attempts to seduce the integrity of either. The temptations to prostitution which the judges might have to surmount, must certainly be much fewer, while the co-operation of a jury is necessary, than they might be, if they had themselves the exclusive determination of all causes.

¶18 Notwithstanding, therefore, the doubts I have expressed, as to the essentiality of trial by jury in civil cases to liberty, I admit that it is in most cases, under proper regulations, an excellent method of determining questions of property; and that on this account alone it would be entitled to a constitutional provision in its favor if it were possible to fix the limits within which it ought to be comprehended. There is, however, in all cases, great difficulty in this; and men not blinded by enthusiasm must be sensible that in a federal government, which is a composition of societies whose ideas and institutions in relation to the matter materially vary

from each other, that difficulty must be not a little augmented. For my own part, at every new view I take of the subject, I become more convinced of the reality of the obstacles which, we are authoritatively informed, prevented the insertion of a provision on this head in the plan of the convention.

¶19 The great difference between the limits of the jury trial in different States is not generally understood; and as it must have considerable influence on the sentence we ought to pass upon the omission complained of in regard to this point, an explanation of it is necessary. In this State, our judicial establishments resemble, more nearly than in any other, those of Great Britain. We have courts of common law, courts of probates (analogous in certain matters to the spiritual courts in England), a court of admiralty and a court of chancery. In the courts of common law only, the trial by jury prevails, and this with some exceptions. In all the others a single judge presides, and proceeds in general either according to the course of the canon or civil law, without the aid of a jury. In New Jersey, there is a court of chancery which proceeds like ours, but neither courts of admiralty nor of probates, in the sense in which these last are established with us. In that State the courts of common law have the cognizance of those causes which with us are determinable in the courts of admiralty and of probates, and of course the jury trial is more extensive in New Jersey than in New York. In Pennsylvania, this is perhaps still more the case, for there is no court of chancery in that State, and its common-law courts have equity jurisdiction. It has a court of admiralty, but none of probates, at least on the plan of ours. Delaware has in these respects imitated Pennsylvania. Maryland approaches more nearly to New York, as does also Virginia, except that the latter has a plurality of chancellors. North Carolina bears most affinity to Pennsylvania; South Carolina to Virginia. I believe, however, that in some of those States which have distinct courts of admiralty, the causes depending in them are triable by juries. In Georgia there are none but common-law courts, and an appeal of course lies from the verdict of one jury to another, which is called a special jury, and for which a particular mode of appointment is marked out. In Connecticut, they have no distinct courts either of chancery or of admiralty, and their courts of probates have no jurisdiction of causes. Their common-law courts have admiralty and, to a certain extent, equity jurisdiction. In cases of importance, their General Assembly is the only court of chancery. In Connecticut, therefore, the trial by jury extends in PRACTICE further than in any other State yet mentioned. Rhode Island is, I believe, in this particular, pretty much in the situation of Connecticut. Massachusetts and New Hampshire, in regard to the blending of law, equity, and admiralty jurisdictions, are in a similar predicament. In the four Eastern States, the trial by jury not only stands upon a broader foundation than in the other States, but it is attended with a peculiarity unknown, in its full extent, to any of them. There is an appeal OF COURSE from one jury to another, till there have been two verdicts out of three on one side.

¶20 From this sketch it appears that there is a material diversity, as well in the modification as in the extent of the institution of trial by jury in civil cases, in the several States; and from this fact these obvious reflections flow: first, that no general rule could have been fixed upon by the convention which would have corresponded with the circumstances of all the States; and secondly, that more or at least as much might have been hazarded by taking the system of any one State for a standard, as by omitting a provision altogether and leaving the matter, as has been done, to legislative regulation.

¶21 The propositions which have been made for supplying the omission have rather served to illustrate than to obviate the difficulty of the thing. The minority of Pennsylvania have proposed this mode of expression for the purpose "Trial by jury shall be as heretofore" and this I maintain would be senseless and worthless. The United States, in their united or collective capacity, are the OBJECT to which all general provisions in the Constitution must necessarily be construed to refer. Now it is evident that though trial by jury, with various limitations, is known in each State individually, yet in the United States, AS SUCH, it is at this time altogether unknown, because the present federal government has no judiciary power whatever; and consequently there is no proper antecedent or previous establishment to which the term HERETOFORE could relate. It would therefore be destitute of a precise meaning, and inoperative from its uncertainty.

¶22 As, on the one hand, the form of the provision would not fulfil the intent of its proposers, so, on the other, if I apprehend that intent rightly, it would be in itself inexpedient. I presume it to be, that causes in the federal courts should be tried by jury, if, in the State where the courts sat, that mode of trial would obtain in a similar case in the State courts; that is to say, admiralty causes should be tried in Connecticut by a jury, in New York without one. The capricious operation of so dissimilar a method of trial in the same cases, under the same government, is of itself sufficient to indispose every well-regulated judgment towards it. Whether the cause should be tried with or without a jury, would depend, in a great number of cases, on the accidental situation of the court and parties.

¶23 But this is not, in my estimation, the greatest objection. I feel a deep and deliberate conviction that there are many cases in which the trial by jury is an ineligible one. I think it so particularly in cases which concern the public peace with foreign nations that is, in most cases where the question turns wholly on the laws of nations. Of this nature, among others, are all prize causes. Juries cannot be supposed competent to investigations that require a thorough knowledge of the laws and usages of nations; and they will sometimes be under the influence of impressions which will not suffer them to pay sufficient regard to those considerations of public policy which ought to guide their inquiries. There would of course be always danger that the rights of other nations might be infringed by their decisions, so as to afford occasions of reprisal and war. Though the proper province of juries be to determine matters of fact, yet in most cases legal consequences are complicated with fact in such a manner as to render a separation impracticable.

¶24 It will add great weight to this remark, in relation to prize causes, to mention that the method of determining them has been thought worthy of particular regulation in various treaties between different powers of Europe, and that, pursuant to such treaties, they are determinable in Great Britain, in the last resort, before the king himself, in his privy council, where the fact, as well as the law, undergoes a re-examination. This alone demonstrates the impolicy of inserting a fundamental provision in the Constitution which would make the State systems a standard for the national government in the article under consideration, and the danger of encumbering the government with any constitutional provisions the propriety of which is not indisputable.

¶25 My convictions are equally strong that great advantages result from the separation of the equity from the law jurisdiction, and that the causes which belong to the former would be

improperly committed to juries. The great and primary use of a court of equity is to give relief IN EXTRAORDINARY CASES, which are EXCEPTIONS to general rules. To unite the jurisdiction of such cases with the ordinary jurisdiction, must have a tendency to unsettle the general rules, and to subject every case that arises to a SPECIAL determination; while a separation of the one from the other has the contrary effect of rendering one a sentinel over the other, and of keeping each within the expedient limits. Besides this, the circumstances that constitute cases proper for courts of equity are in many instances so nice and intricate, that they are incompatible with the genius of trials by jury. They require often such long, deliberate, and critical investigation as would be impracticable to men called from their occupations, and obliged to decide before they were permitted to return to them. The simplicity and expedition which form the distinguishing characters of this mode of trial require that the matter to be decided should be reduced to some single and obvious point; while the litigations usual in chancery frequently comprehend a long train of minute and independent particulars.

¶26 It is true that the separation of the equity from the legal jurisdiction is peculiar to the English system of jurisprudence: which is the model that has been followed in several of the States. But it is equally true that the trial by jury has been unknown in every case in which they have been united. And the separation is essential to the preservation of that institution in its pristine purity. The nature of a court of equity will readily permit the extension of its jurisdiction to matters of law; but it is not a little to be suspected, that the attempt to extend the jurisdiction of the courts of law to matters of equity will not only be unproductive of the advantages which may be derived from courts of chancery, on the plan upon which they are established in this State, but will tend gradually to change the nature of the courts of law, and to undermine the trial by jury, by introducing questions too complicated for a decision in that mode.

¶27 These appeared to be conclusive reasons against incorporating the systems of all the States, in the formation of the national judiciary, according to what may be conjectured to have been the attempt of the Pennsylvania minority. Let us now examine how far the proposition of Massachusetts is calculated to remedy the supposed defect.

¶28 It is in this form: "In civil actions between citizens of different States, every issue of fact, arising in **ACTIONS AT COMMON LAW**, may be tried by a jury if the parties, or either of them request it."

¶29 This, at best, is a proposition confined to one description of causes; and the inference is fair, either that the Massachusetts convention considered that as the only class of federal causes, in which the trial by jury would be proper; or that if desirous of a more extensive provision, they found it impracticable to devise one which would properly answer the end. If the first, the omission of a regulation respecting so partial an object can never be considered as a material imperfection in the system. If the last, it affords a strong corroboration of the extreme difficulty of the thing.

¶30 But this is not all: if we advert to the observations already made respecting the courts that subsist in the several States of the Union, and the different powers exercised by them, it will appear that there are no expressions more vague and indeterminate than those which have been

employed to characterize THAT species of causes which it is intended shall be entitled to a trial by jury. In this State, the boundaries between actions at common law and actions of equitable jurisdiction, are ascertained in conformity to the rules which prevail in England upon that subject. In many of the other States the boundaries are less precise. In some of them every cause is to be tried in a court of common law, and upon that foundation every action may be considered as an action at common law, to be determined by a jury, if the parties, or either of them, choose it. Hence the same irregularity and confusion would be introduced by a compliance with this proposition, that I have already noticed as resulting from the regulation proposed by the Pennsylvania minority. In one State a cause would receive its determination from a jury, if the parties, or either of them, requested it; but in another State, a cause exactly similar to the other, must be decided without the intervention of a jury, because the State judicatories varied as to common-law jurisdiction.

¶31 It is obvious, therefore, that the Massachusetts proposition, upon this subject cannot operate as a general regulation, until some uniform plan, with respect to the limits of common-law and equitable jurisdictions, shall be adopted by the different States. To devise a plan of that kind is a task arduous in itself, and which it would require much time and reflection to mature. It would be extremely difficult, if not impossible, to suggest any general regulation that would be acceptable to all the States in the Union, or that would perfectly quadrature with the several State institutions.

¶32 It may be asked, Why could not a reference have been made to the constitution of this State, taking that, which is allowed by me to be a good one, as a standard for the United States? I answer that it is not very probable the other States would entertain the same opinion of our institutions as we do ourselves. It is natural to suppose that they are hitherto more attached to their own, and that each would struggle for the preference. If the plan of taking one State as a model for the whole had been thought of in the convention, it is to be presumed that the adoption of it in that body would have been rendered difficult by the predilection of each representation in favor of its own government; and it must be uncertain which of the States would have been taken as the model. It has been shown that many of them would be improper ones. And I leave it to conjecture, whether, under all circumstances, it is most likely that New York, or some other State, would have been preferred. But admit that a judicious selection could have been effected in the convention, still there would have been great danger of jealousy and disgust in the other States, at the partiality which had been shown to the institutions of one. The enemies of the plan would have been furnished with a fine pretext for raising a host of local prejudices against it, which perhaps might have hazarded, in no inconsiderable degree, its final establishment.

¶33 To avoid the embarrassments of a definition of the cases which the trial by jury ought to embrace, it is sometimes suggested by men of enthusiastic tempers, that a provision might have been inserted for establishing it in all cases whatsoever. For this I believe, no precedent is to be found in any member of the Union; and the considerations which have been stated in discussing the proposition of the minority of Pennsylvania, must satisfy every sober mind that the establishment of the trial by jury in ALL cases would have been an unpardonable error in the plan.

¶34 In short, the more it is considered the more arduous will appear the task of fashioning a provision in such a form as not to express too little to answer the purpose, or too much to be advisable; or which might not have opened other sources of opposition to the great and essential object of introducing a firm national government.

¶35 I cannot but persuade myself, on the other hand, that the different lights in which the subject has been placed in the course of these observations, will go far towards removing in candid minds the apprehensions they may have entertained on the point. They have tended to show that the security of liberty is materially concerned only in the trial by jury in criminal cases, which is provided for in the most ample manner in the plan of the convention; that even in far the greatest proportion of civil cases, and those in which the great body of the community is interested, that mode of trial will remain in its full force, as established in the State constitutions, untouched and unaffected by the plan of the convention; that it is in no case abolished by that plan; and that there are great if not insurmountable difficulties in the way of making any precise and proper provision for it in a Constitution for the United States.

¶36 The best judges of the matter will be the least anxious for a constitutional establishment of the trial by jury in civil cases, and will be the most ready to admit that the changes which are continually happening in the affairs of society may render a different mode of determining questions of property preferable in many cases in which that mode of trial now prevails. For my part, I acknowledge myself to be convinced that even in this State it might be advantageously extended to some cases to which it does not at present apply, and might as advantageously be abridged in others. It is conceded by all reasonable men that it ought not to obtain in all cases. The examples of innovations which contract its ancient limits, as well in these States as in Great Britain, afford a strong presumption that its former extent has been found inconvenient, and give room to suppose that future experience may discover the propriety and utility of other exceptions. I suspect it to be impossible in the nature of the thing to fix the salutary point at which the operation of the institution ought to stop, and this is with me a strong argument for leaving the matter to the discretion of the legislature.

¶37 This is now clearly understood to be the case in Great Britain, and it is equally so in the State of Connecticut; and yet it may be safely affirmed that more numerous encroachments have been made upon the trial by jury in this State since the Revolution, though provided for by a positive article of our constitution, than has happened in the same time either in Connecticut or Great Britain. It may be added that these encroachments have generally originated with the men who endeavor to persuade the people they are the warmest defenders of popular liberty, but who have rarely suffered constitutional obstacles to arrest them in a favorite career. The truth is that the general GENIUS of a government is all that can be substantially relied upon for permanent effects. Particular provisions, though not altogether useless, have far less virtue and efficacy than are commonly ascribed to them; and the want of them will never be, with men of sound discernment, a decisive objection to any plan which exhibits the leading characters of a good government.

¶38 It certainly sounds not a little harsh and extraordinary to affirm that there is no security for liberty in a Constitution which expressly establishes the trial by jury in criminal cases,

because it does not do it in civil also; while it is a notorious fact that Connecticut, which has been always regarded as the most popular State in the Union, can boast of no constitutional provision for either.

PUBLIUS.

1 It has been erroneously insinuated, with regard to the court of chancery, that this court generally tries disputed facts by a jury. The truth is, that references to a jury in that court rarely happen, and are in no case necessary but where the validity of a devise of land comes into question.

2 It is true that the principles by which that relief is governed are now reduced to a regular system; but it is not the less true that they are in the main applicable to SPECIAL circumstances, which form exceptions to general rules.

3 Vide No. 81, in which the supposition of its being abolished by the appellate jurisdiction in matters of fact being vested in the Supreme Court, is examined and refuted.

4 See "Maxims of Equity".