

UNITED STATES DISTRICT COURT
for the
District of New Jersey

JOHN E. REARDON

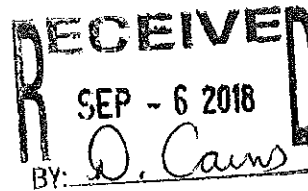
Plaintiff

v.

MURPHY et al

Defendant

Civil Action 1:18-cv-11372-JBS



SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

JUDGE GEORGE SINGLEY

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

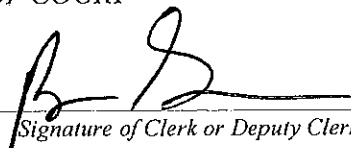
JOHN E. REARDON
1 JOANS LANE
BERLIN, NJ 08009-1516

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

WILLIAM T. WALSH

CLERK OF COURT

Date 7/05/18


Signature of Clerk or Deputy Clerk

U.S. District Court For
The District of N.J.

John E. Reardon
1 Joans Lane
Berlin, N.J. 08009
Phone/Fax: 856-753-5116 or
Cell: 856-417-4131

John E. Reardon,	:	
	:	
Plaintiff,	:	Case No. 1:18-cv-11732--JBS--AMD
	:	
v	:	
	:	
Governor Murphy, et als	:	
	:	
Defendant.	:	
	:	

Memorandum of Law

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[Note:Items 1-18 were previously provided.]

19. Law on taxing of rights:

Murdock v Pennsylvania, 319 U.S. 105, 113, 1943:

106:

"That all persons canvassing for or soliciting within said Borough, orders for goods, paintings, pictures, wares, or merchandise of any kind, or persons delivering such articles under orders so obtained or solicited, shall be required to procure from the Burgess a license to transact said business and shall pay to the Treasurer of said Borough therefore the following sums according to the time for which said license shall be granted.

112:

It is contended, however, that the fact that the license tax can suppress or control this activity is unimportant

113:

if it does not do so. But that is to disregard the nature of this tax. It is a license tax — a flat tax imposed on the exercise of a privilege granted by the Bill of Rights. A state may not impose a charge for the enjoyment of a right granted by the Federal Constitution. Thus, it may not exact a license tax for the privilege of carrying on interstate commerce (McGoldrick v. Berwind-White Co., 309 U.S. 33, 56-58), [It cannot levy a tax to Travel the highways or to the absolute right to use one's property in the public. Registration, Title—that is the right to own, posses and use ones property or a Driver's License.]

Blackstone's Commentaries, Introduction to the laws of England, Chapter 1, Pages 69 and 70; Book 1, Chapter 1, Pages 119-121, 130 and 134.

The people have the absolute right to use their property in the Public, that it is a God given right, that it cannot be taken away for any reason and it is not in the "breast of any Judge to deny such rights."

State v Hill, 267 N.J. Super. 223, 225-227, N.J. Appellate, 1993:

There is no statute of limitations for fraud, lack of Jurisdiction or newly discovered evidence and since the case law decisions are the "HARD FACTS" the people are allowed to rely on, and the facts are the evidence of a point of law or issue then finding or discovering cases is finding new evidence. It is not that the case is newly decided, but that it was not disclosed by either party for lack of knowledge or by willful failure to disclose or in other words fraud or a violation of R.P.C. 3.3.

225:

The criteria for granting a new trial and the limitation periods for seeking such relief differ depending on whether the judgment sought to be vacated had been entered in a criminal matter in the Superior Court (R. 3:20-1), in a Municipal Court matter (R. 7:4-7) or in a civil matter in the Superior Court (R. 4:50).

We first compare the Rule pertaining to criminal matters in the Superior Court with the Rule pertaining to Municipal Court matters. Rule 3:20-1, the Superior Court Rule, provides in relevant part:

The trial judge on defendant's motion may grant him a new trial if required in the interest of justice. If the trial was by the judge without a jury, he may, on defendant's motion for a new trial, vacate the judgment if entered, take additional testimony and direct the entry of a new judgment.

Rule 3:20-2 provides in relevant part that a "motion for a new trial based on the ground of newly-discovered evidence may be made at any time...." By contrast R.7:4-7, the Municipal Court rule, provides in relevant part:

The court may, on defendant's motion, grant him a new trial if required in the interest of justice. The court may vacate the judgment if entered, take additional testimony and direct the entry of a new judgment. A motion for a new trial based on the ground of newly discovered evidence may be made only before, or within 2 years after, final judgment.... In no event shall this rule be construed to limit the right of a defendant to apply to the court for a new trial on the ground of fraud or lack of jurisdiction.

Thus, although in both kinds of cases the standard for granting a new trial is "if required in the interest of justice," there is no limitations period for making such a motion in a Superior Court

226:

criminal matter but there is a two-year limitations period in Municipal Court matters such as a DWI conviction. *See Romano v. Kimmelman*, 96 N.J. 66, 92, 474 A.2d 1 (1984) where the Court declined to relax or enlarge the two-year limitations period even for a defendant who had been convicted of DWI by a false breathalyzer reading caused by radio frequency interference. We must therefore address the threshold issue, not presented in criminal matters in the Superior Court, of whether the two-year limitations period applies in light of the exception for "fraud," a term not defined in the Rule.

That brings us to the Rule for obtaining relief from a civil judgment on the ground of "fraud." Case law has interpreted what fraud means as used in that Rule. Rule 4:50-1 provides in relevant part:

On motion, with briefs, and upon such terms as are just, the court may relieve a party ... from a final judgment or order for the following reasons: .. (c) fraud (whether heretofore denominated intrinsic or extrinsic)....

Jury Trials: The state had its 1st notice of our rights to jury trials in 1833 in Joseph Story's Constitutional Commentaries, Book 3, Page 646, its 2nd notice in 1974 which the State Supreme Court recognized, their 3rd notice in 1987 dating back to 1787 a 4th Notice in 1999 and a confirmation of this law by the State Supreme Court in 2015 in Allstate of New Jersey v Lajara, 117 A.3d 1221, 1227, 1229, 2015.

Definition of Tax: Bouvier's Law Dictionary, Third Revision, 8th Edition, 1984 Re

-Print, Page 3220 "Tax" definition:

A pecuniary burden imposed for the support of the government, U.S. v R.Co., 17 Wall (U.S.) 322, 1872; a Tax is a demand of sovereignty, State Freight Tax Case, 15 Wall (U.S.) 278, 1872 and do not embrace local assessments, New Jersey v Anderson, 203 U.S. 483, 1906;

Taxes are classified as *direct*, which include "those which are assessed upon property, person, income or business, etc. of those who pay them. See Cooley Tax 61.

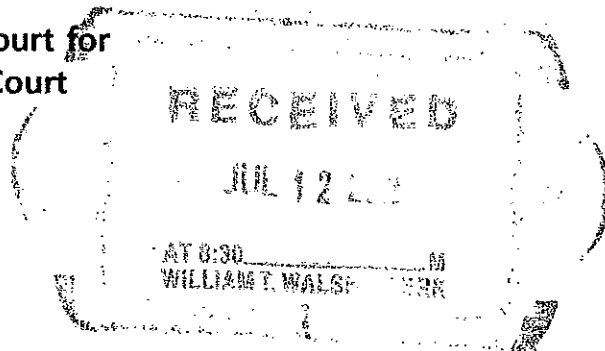
It was held that the income tax law of 1894 was a direct tax and unconstitutional.... The Act of 1894, so far as it falls on the income of real estate and of personal property, is a direct tax on property and is therefore void. Pollock v Trust Co., 158 U.S. 601

What is a flat tax?

A flat-tax [system] is one in which everyone pays the same rate, regardless of income.

U.S. District Court for
the District Court

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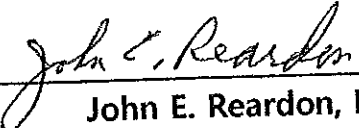
John E. Reardon,	:	
	:	
Plaintiff	:	Case No. <u>1:18-cv-11372--JBS</u>
	:	
v	:	
Governors Murphy, Gurbir Grewal	:	
B. Sue Fulton, Judges John McFeeley	:	
Robert Zane, George Singley, John	:	
Morrelli, and Kisten McCrink, Ryan	:	
Trabosh, Prosecutors Andrew Viola,	:	
Robert Gleaner, Steven Peterson,	:	
Daniel Long, Michael Joyce, Mathew	:	Amendment to Complaint a per Rule 15
Gindele, Senators Dawn Addiego,	:	
James Beach and Fred Madden,	:	
Assemblyman/woman Maria Gregg	:	
and Joe Howarth. Judge Zonies and	:	
Lawrence Luongo.	:	
	:	
	:	
<u>Defendants</u>	:	

1. Statements 35 and 117 should have included Berlin Municipal Court and
and Judge McCrink and Prosecutor Richard DeMichele.

2. Judge McCrink and Prosecutor DeMichele did fail and refuse to address my
motion them leaving he plaintiff with no review in the state Courts.

Wherefore, Plaintiff hereby states, attests and affirms bfore Almighty God as
his witness that the above statements are true and correct to the best of his belief
and knowledge and thathe may be punished under the law if any are materially and
willfully false.

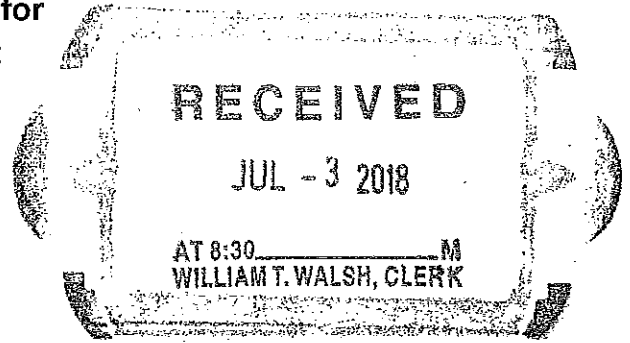
Dated: July 10, 2018



John E. Reardon, Plaintiff

U.S. District Court for
the District Court

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John E. Reardon,	:	
Plaintiff	:	Case No. <u>1:18-cv-11372—JBS-AMD</u>
v	:	
Governors Murphy, Gurbir Grewal	:	
B. Sue Fulton, Judges John McFeeley	:	
Robert Zane, George Singley, John	:	
Morrelli, and Kisdan McCrink, Ryan	:	
Trabosh, Prosecutors Andrew Viola,	:	
Robert Gleaner, Steven Peterson,	:	
Daniel Long, Michael Joyce, Mathew	:	Complaint with Jury trial Demand
Gindele, Senators Dawn Addiego,	:	Counts 1 And 2 Declaratory and injunctive
James Beach and Fred Madden,	:	Relief
Assemblyman/woman Maria Gregg	:	Count 3: Damages and Jury trial demand on
and Joe Howarth.	:	all 3 counts
	:	
Defendants	:	

Jurisdiction of the Court

Jurisdiction of the court is invoked by way of *28 U.S.C. 1331, 1332, 2201, 2202, 42 U.S.C. 1983, 1985, 1986 and 1988 and the 1st, 4th, 8th, 9th and 14th Amendment and Article 4 and New Jersey Constitution Art. 1, Clauses 5, 6, 8-10, 12 and 21*. Counts 1 and 2 are only filed under all *Title 28 and 42 U.S.C. 1983* statutes and I simply seeks to have declared unconstitutional all statutes that deny the Rights at Common Law to a jury trial, be it civil or criminal, and under the other sections of *Title 28* to declare all such statutes on Driver's

licenses, registrations, Title, Inspection, Seat Belt and No Fault Insurance laws unconstitutional against the private citizen's right of privacy and non commerce and non trade activities and in that the private citizen does not trespass on the rights, person or property of his fellow citizen on the highways; They do not affect the health, safety or welfare of the public at large on the highways and we have not opened up our private property and private rights to the public to be regulated as it pertains to driver's licenses, inspection laws, seat belt laws, no-fault insurance laws or registration laws or the laws which deprive the people of their *Art. IV* Rights to contract for car insurance in any state we so choose which is presently being denied the people to said constitutional rights.

It is the people's understanding of the Statutes and case law that is to prevail as to rights, evidence, facts and law, *Juzwin v Asbestos Corp.*, 900 F.2d 686, 692, 3rd Cir. 1990 and the law clearly says that the people, under the common law, have the right to a trial by jury either civilly or criminally for *Title 39* offenses and the Municipal court Judge has no jurisdiction to try such offenses summarily and there is no statute of limitations for fraud, lack of Jurisdiction or newly discovered evidence. *State v Hill*, 267 N.J. Super. 223, 225-227 and all the Municipal Court Judges had no jurisdiction at the original trial or on review under Post Conviction relief matters in that the new judge could not sanction or approve of the trial judge's lack of jurisdiction as they also lack such jurisdiction. The Judges in this lawsuit did approve "EX ANTE" the lack of discretion, authority, power, right or jurisdiction of the original trial judges and did do so with no such power, authority, discretion, right or jurisdiction to so approve of said illegal and

unconstitutional acts of the original Judges.

This is a Constitutional Challenge as to the Validity, Legality and Constitutionality of all statutes as they deal with the Common Law right to a trial by jury either for civil or criminal process jury trials and as to the same for Driver's licenses, no-fault insurance, registration, seat belt and inspection of ones car. Judge George Singley held on 12/19/17 at about 2:50 p.m. that there is no time limit in which to bring an action involving an issue of Constitutionality and thus, at least under State law for such, there is no time period in which to bring such a challenge. This position was also affirmed by Judge Nichlolas Trabosh of Runnemedede in December of 2017 but denied by Judge Ryan Trabosh in Runnemedede on 6/11/18. There is a conflict as to the intent of the law and the Rights of the people that is apparently not based in law but the personal bias of the Judge.

Counts 1 and 2 are declaratory and equity relief matters and Count 3 is based upon all Federal Statutes and Amendments named above and sue the defendants in their private or individual or personal capacity for upholding the unconstitutional *Title 39* statutes. *Scheuer v Rhodes*, 416 U.S. 232, 237, 1974, *Cooper v Aaron*, 358 U.S. 1, 18, 19, 1958 and *Evans v Thompson*, 524 F.3d 1, 2-3, 1st Cir. 2008 relying on *Cooper v Aaron*. That the Federal Judiciary is charged with maintaining the Supremacy of the Federal Constitution be it a Federal Statute challenges or State Court decision challenge and the plaintiff's did so challenge Challenge the State's *Title 39* statutes denying the people of their Common Law Rights and the state Judicial defendants failed and refused to set aside *Title 39* statutes and the claims made by Mr. Reardon in the state. The plaintiff made the challenges to

the state's *Title 39 Statutes* under the *9th and 14th Amendments* and though Mr. Reardon did inform Judge Trabosh that prior challenges were under the *6th and 7th Amendments* and not the *9th and 14th Amendments* he refused to consider my arguments and the fact that by law, it is the individuals knowledge of the law that is to prevail and not his as so found by the U.S. Supreme Court in the case of *Juzwin v Asbestos Corp., 900 F.2d 686, 692, 3rd Cir, 1990* and having cited it to the judge he did willfully act in known contradiction to the law and for which he can be held liable since he was informed ahead of time. See *Blackstone's Commentaries, Book 1, Chapter 9, page 342*. Where a judge is warned ahead of time of the rights of the people/person, and that judge makes a decision that injures that person by not stating a valid basis for his decision, he is liable to suit. Judge Ryan Trabosh failed to state a precedence that my affidavit did not prove excusable neglect on my part to relax the time constraints for the motions as well as a precedence that shows the Appellate Court and Supreme Court's have held that *9th Amendment* issues were denied by these courts and or a Federal Court and he failed to provide a precedent that shows my challenges have been ruled on in the past. He did enforce State Statutes in conflict with the People's *9th and 14th Amendment Rights* without any authority or right to so do. He was also cited the case of *Romero v International Terminal Operating CO., 358 U.S. 359, 363, 1959* which held that Common Law remedies were available and enforceable in the State Courts and he did deny me my rights at Common Law.

Parties

1. The plaintiff is named and situated as stated above.

2. Governor Phil Murphy who are or were the head of the executive branch of the State and whose duty it is to properly govern the State Attorney General who has the Duty to challenge any Statute that infringes or impinges upon the Rights of the Public, resides at 125 W. State St.; Trenton, N.J. 08625. 609-292-6000.

3. Attorney General Gurbir Grewal reside at 25 Market St.; Trenton, N.J. 08611-2148. 609-292-4925; 609-984-3900.

4. B. Sue Fulton, chief executive of the N.J. MVC resides at 225 E. State St.; Trenton, N.J. 08666. 609-292-6500.

5. Judge John McFeeley and Prosecutor Steven Peterson reside at 135 Haddon Ave.; Haddon Twp., N.J. 08108 for Audubon Park Municipal Court. Jury Trial Memorandum. 856-854-1176.

6. Judge Robert Zane and Prosecutor Daniel H. Long, reside at 500 White Horse Pike; Oaklyn, N.J. 08107 for Barrington Municipal Court. Jury Trial Memorandum. 856-547-0706.

7. Judge N. Ryan Trabosh and Prosecutor Michael Joyce, reside at 21 E. Browning Rd.; Bellmawr, N.J. 08099-0368. Jury trial and Travel Memorandum. 856-931-1081.

8. Judge George J. Singley and Prosecutor Mathew Gindele reside at 101 Gibbsboro Rd.; Clementon, N.J. 08021. Jury trial and Travel Memorandum. 856-783-6464.

9. Judge John F. Morrelli and Prosecutor Robert Gleaner reside at 315 Union Ave.; Stratford, N.J. 08084. Jury Trial Memorandum. 856-783-1093.

10. Judge Ryan Trabosh, and Prosecutor Andrew Viola, reside at 24 N. Black horse

Pike; Runnemede, N.J. 08078. Jury trial and Travel Memorandum. 856-939-5161.

11. Senator Fred H. Madden resides at 1379 Chewslanding Road; Laurel Springs, N.J. 08021. 856-401-3073.

12. Senator James Beach resides at 1309 Rt. 70 West; Cherry Hill, N.J. 08002. 856-429-1572.

13. Senator Dawn Addiego, Assemblywoman Maria Gregg and Assemblyman Joe Howarth reside at 176 Route 70, Suite 13; Medford, N.J. 08055. 609-654-1498.

14. Judge Zonies resides at 1011 East Evesham Road; Voorhees, N.J. 08043.

15. Prosecutor Lawrence Luongo resides at 344 Route 73 North; Suite B; Berlin, N.J. 08009.

Reasons for Lawsuit

The State, through its agents, has chosen to enforce the unconstitutional Laws of New Jersey, that deprives the people of their common law right to jury trials, either civil or criminal in nature, and seeks declaratory and injunctive relief from said laws by seeking an order that mandates the state to cease its enforcement of said unconstitutional laws denying said Jury trial rights, by way of *Amendments 9 and 14*, as applied to jury trials, and as to the claim that the state's Motor Vehicle laws also deprive the people of their rights to not (a) Have a driver's license because we are not driver's at common law and the fee is a direct tax on the right to travel and posses and use one property; (b) Have their car registered and the fee is a direct tax prohibited; (c) to wear seat belts; (d) to have to have their personal car inspected and (e)(i) to have to take No-Fault insurance since it is

geared to protecting the individual from the public and not the public from the individual, (ii) That since a driver's license cannot be forced upon the people and insurance companies will not grant one insurance unless you have a driver's license and (iii) because the state has laws in effect that deprive the citizen of the right to go to another state, such as Delaware, New York or Pennsylvania to enter into a contract within the said foreign state to acquire insurance on their cars under *Art. IV* and which deny the out of state resident from coming to New Jersey and so acquire said car insurance in New Jersey and are thus unconstitutional since they prevent the right to contract and same rights that the residents of said foreign state enjoy under *Article IV* and (f) title fees are a direct taxes prohibited by way of the Constitution as they affect the right to own and use one's property.

The agents are being sued for their failure to take steps to set aside the statutes, declare them unconstitutional, and to make laws that require proof of at least 2 credible witnesses to the overt act and refusing to obey their sovereign, the plaintiff and the People, at their request for such relief. *Jersey City v Hague, 18 N.J. 584, 591, 1954; State v Schmid, 84 N.J. 535, 558, 559, 1980* and *Blackstone's Commentaries, Introduction to the Laws of England, Chapter 1, Pages 138-140*. Memorandum of Law, Items 10 and 12.

The agents have willfully, intentionally, deliberately, willingly and knowingly denied the people of their Common Law rights to jury trials in all such Offenses and enforced the State's Unconstitutional Motor Vehicle Statutes relating to Driver's Licenses, seat belts, Inspections, Registrations and no-fault insurance laws as it deals with the peoples' rights to travel the highways in any of the standard means of conveyances of

the time and have in effect passed and enforced laws as to car insurance that prevents the plaintiff, and all people, their right to Contract for car insurance in another state and for which the other states, such as Delaware, New York and Pennsylvania, as well as New Jersey, have such insurance laws and requirements that prevent the people from enjoying the same rights that the citizens of said states enjoy, that is Delaware, New York and Pennsylvania as examples, which prevent out of state residents the right to contract for car insurance within the said foreign state contrary to *Article 4* of the U.S. Constitution, *Algeyer v Louisiana, 165 U.S. 578, 390-391, 1897* as to the right to contract for insurance for ones property while in another state under *Article 4* of the U.S. Constitution, *Blackstone's Commentaries, Book 1, Chapter 9, page 342* as to liability of a judge who willfully and maliciously injures a person in his rights by being first informed by the injured party of said rights and for which I did so inform the Judges in the various municipalities ahead of time and they failed to heed the Warning and limitations on them under the law and that the agents mentioned have in effect denied the plaintiff/people of their right to the Common Law right to jury trials civilly or criminally when they have no discretion to so do. *Blackstone's Commentaries, Introduction to the laws of England, Chapter 1, Page 69, Book 1, Chapter 9, Page 342; Pierson v. Ray, 386 US 547, 563, 566, 1967 and Items 1-5 and 12-18 of the Memorandum of Law.*

As to Municipal Court Judges, they only have the jurisdiction that is conferred upon them by statute, since all such Statutes are unconstitutional, since in New Jersey they could not be enforced, since they could not have been passed and deny the people of their

Common Law rights to jury trials, and since Legislative, Judicial or Executive official cannot enforce an unconstitutional law then the Municipal Court Judge is without jurisdiction as per the U.S. and State Constitutions and limits placed upon the Municipal Court judge by the Common Law to summarily try a person and issue fines in excess of their limits till after a jury trial has been had. *Tull v U.S.* 107 U.S. 1830, 1836-1837 1987 and *Juzwin v Asbestos Corp., Ltd.*, 900 F.2d 686, 692, 3^d Cir. 1990 *Allstate N.J. v Lajara* @ 1227 & 1229.

The Plaintiff is seeking damages as per the law for "Personal Capacity" lawsuits against all N.J. defendants and general liability. *Kentucky v. Graham*, 473 US 159, 164-166, 1985; *Leach v. Shelby County Sheriff*, 891 F. 2d 1241, 1245, 6th Cir. 1989; *Ying Jing Gan v. City of New York*, 996 F. 2d 522, 529, 2nd Cir. 1993; *Leggett v. Badger*, 798 F. 2d 1387, 1389, 11th Cir. 1986; *Pena v. Gardner*, 976 F. 2d 469, 473, 9th Cir. 1992; *McTernan v. City of York, Pa.*, 564 F. 3d 636 644, 3^d Cir. 2009 and *Nielsen v. Rabin*, 746 F. 3d 58, 67, 2nd Cir. 2014.

All defendants have chosen to enforce the Unconstitutional Laws that deprive the people of their common law right to jury trials, either civil or criminal in nature, and seeks declaratory and injunctive relief from said laws by seeking an order that mandates the state to cease its enforcement of said unconstitutional laws denying said Jury trial rights, as well as damages personally and officially against the defendants for depriving the people of their 9th and 14th Amendment rights, as applied to jury trial, and as to the claim that the state's Motor Vehicle laws also deprive the people of their rights to not (a) Have a driver's license; (b) Have their car registered; (c) to wear seat belts; (d) To have to have

their personal car inspected and (e) to have to take No-Fault insurance since it is geared to protecting the people from the public and not the public from the Individual. See Statements (e) on pages 5-6 above. See Memorandum of Law, Items 15,16 and 18.

The defendants are also being sued for their failure to take steps to set aside the statutes, declare them unconstitutional, or to make laws that require proof of at least 2 witnesses to the overt act and refusing to obey their sovereign, the plaintiff and the people, at their request for such relief.

The plaintiff also requests double costs under the common law which is double for said violations of plaintiff's/peoples' rights. *Blackstone's Commentaries at Book 1, Chapter 9, Page 34.*

Count 1

Facts:

1. The State has offered the people their driver's license so that the people can travel our highways to conduct our daily life and business by any of the standard means of Conveyances of the time. This is a fraud as I have the right to do this without the license. See Item 15, pages 53-79 of the memorandum of law.
2. The plaintiff had assented to, but not consented to, the state's offer for a driver's license to do as stated in Number 1 above.
3. The plaintiff and the state have agreed to establish the legal relationship between the parties.
4. The people are competent to safely operate their car on the Public Roads and thus

the public has the following rights: (A) The right to use their property in the public to conduct their daily life and business; (B) the right to a trial by civil jury, at common law and under the 9th and 14th Amendments, where the fine exceeds \$5.40 in the State or at Common Law, see *Romero v International Terminal Operating Co.*, 358 U.S. 354, 363, 1959 and *Monterey v Del Monte Dunes at Monterey*, 526 U.S. 687, 708-710, 1999. (C) the right to a criminal trial by jury where the fine exceeds \$54.00 or jail time is more than 3 months *Summary Jurisdiction Act of 1879*, 42 & 43 Vict. C 49, Section 12 and 17, at Common Law and (D) The right not to be prosecuted unless there is at least 2 credible witnesses to the overt act(s). *Blackstone's Commentaries*, Book 4, Chapter 27, Page 351 and 1676 *Concessions and Agreements of West New Jersey*, Art. XX, *Allstate New Jersey v Lajara*, 117 A.3d 1221, 1226-1229, 1232, N.J. Supreme Court 2015 and Memorandum of Law items 1-5, 10-13 and 15-18.

5. The State Agrees to:

(1) Allow the people the right to use their cars/property in the public and to do so in a safe manner as provided by *Title 39*.

(2) Grant the people a civil trial by jury where the fines exceed \$5.40 at common Law and by way of the 9th and 14th Amendment of the U.S. Constitution. See References in Statement 4 above and *Teamsters v Terry*, 494 U.S. 558, 573-574, 1990 and the 9th and 14th Amendments.

(3) The right to a criminal Trial by jury where the fine exceeds \$54.00 or the jail time exceeds 3 months at common law under *Amendments 8, 9 and 14* of the U.S.

Constitution. *Summary Jurisdiction Acts of 1879* and *Blackstone's Commentaries, Book 4, Chapter 10, Page 137.*

(4) The State agrees not to prosecute the people unless there is at least 2 Credible witnesses to the overt act(s) at *Common Law and Biblical Law*. And

(5)(a) The state must agree to allow the people the right to acquire fault insurance since no-fault insurance does not protect the public at large from the individual but in fact it requires the individual to protect themselves from the public which infringes upon the People's, *1st Amendment* right to freedom of choice and *14th Amendment* Due Process right as well; (b) the private citizen does not have to have a driver's license and insurance companies will not provide insurance unless you have a driver's license and (c) said laws prevent and interfere with the people's rights to contract for insurance on their property in other states in accordance with *Art. IV* of the U.S. Constitution.

6. The *Title 39* Statutes are not expressly void since some serve a Constitutional purpose which is to protect the Health, Safety and Welfare of the Public at large as permitted by law with the exception of Driver's License, Registration, seat belt, Inspection laws and *Sections 39:6B* which do not protect the public from the individual actions of the Plaintiff but instead protects the individual from the Public which infringes upon our *1st Amendment* rights to freedom of choice and serves no rational purpose as well as to *Article 4 contract rights, and the 4th and 9th Amendment Right* to travel and use one's property in the public. See Items 15,16 and 18 of the memorandum of law.

7. There is a restraint placed upon the people by the State, with regard to Driver's

Licenses, Registrations, Inspections, seat belt laws and No-Fault Insurance under *39:6B*, since they irrationally deprive the people of their rights to travel their highways and to freedom of choice under *Amendments 1, 4, 9 and 14* and *Article 4* of the U.S. Constitution. There is a restraint that is not permitted by the state in that they require the payment of fees to the state for the right to use ones property absolutely in the public and to travel by the forced payment of Driver's license fees, Registration fees, inspection fees and penalties for the exercise of ones right to choice as to whether to take no-fault insurances and to wear seat belts or be penalized for not so doing contrary to the law and our rights. See memorandum of Law, Pages 27 and 28; *Murdock v Pennsylvania*, 319 U.S. 105, 113, 1943; *Mainstream Marketing Services, Inc. v. FTC*, 358 F. 3d 1228, 1247, 10th Cir. 2004; *Atlanta Journal & Constitution v. City of Atlanta Department of Aviation*, 322 F. 3d 1298, 1308, 11th Cir. 2003; *SO. ORE. BARTER FAIR v. Jackson County, Oregon*, 372 F. 3d 1128, 1139, 9th Cir. 2004; *Klein v. San Diego County*, 463 F. 3d 1029, 1039, 9th Cir. 2006; *Sullivan v City of Augusta*, 511 F. 3d 16, 38, 1st Cir. 2007 and *Kwong v. Bloomberg*, 723 F. 3d 160, 166, 2nd Cir. 2013.

8. The 565 Municipalities, their Municipal Courts—their Judges and Prosecutors, their Police departments, and the NJMVC are all agents of the state who are appointed to identify, and prosecute the people when they violate N.J. *Title 39 laws*.

9. The State has made the following condition on the People.

A. They have forced on the People it's driver's License so that we can exercise the Liberty to use our car on the Public Roads so that we can travel said roads to conduct our

daily life and business when I already have the personal and private constitutional right to so do. *Buck v Kuykendal*, 267 U.S. 307, 308-310, 312-316 and pages 53-79 of the memorandum of law.

B. The State has, by law, agreed to protect the People's Common Law rights should the state sue the people for violations of the *Title 39, and other said*, Statutes and terms but has failed to honor these rights.

10. The Plaintiff, had assented to the State's Offer and taken their driver's license out of fear of retaliation in the form of charges for not so doing.

11. The Parties have agreed to the following terms.

A. The plaintiff has agreed to pay the driver's License fee, which is presently \$24.00 for 4 years, and the state has agreed to provide the plaintiff with said license to conduct his daily life and business safely on the Public Roadways.

B. The State, in return, agrees to allow the plaintiff the right to conduct his daily life and business on the Public Highways/Roadways and to guarantee the plaintiff, the following rights should the state claim the terms of the contract have been broken by the People; (i) The right of Civil trial by jury at Common Law; or (ii) the right of Criminal Trial by Jury at Common Law and (iii) the right not to be prosecuted for breach of contract unless there is at least 2 credible witnesses to the over act(s) as per the Common Law. See *Blackstone's Commentaries*, Book 1, Chapter 1, Page 124, Book 4, Chapter 27, Page 351; *Deuteronomy 19, Versus 15-16; Mathews 18, Versus 15-16; 2 Corinthians 13:1* *Magna Carta of 1215 Article 38; Magna Carta of 1297, Art. 28, Courts and Lawyers of New Jersey, Pages*

124 & 396 and 1676 Concessions and Agreements of West, New Jersey, Art. XX and items 1-5, 7, 10,15, 16 and 18 of the memorandum of Law

12.A. The State has denied the Plaintiff of his Common Law right to Civil Trial by jury at least 8 or 16 times from 1976-2016.

B. The State has denied the plaintiff of his Common Law right of Criminal Trial by Jury possibly 8 times from 1976-2016.

C. The state did not protect the Plaintiff's rights in that the violations were not in accord with the law on the testimony of at least 2 credible witnesses 16 times. *Griffin v U.S., 502 US 46, 58-59, 1991* item 10 of the memorandum of law.

D. The State violated Plaintiff's *1st Amendment* Rights to freedom of choice to protect myself from the Public as opposed to protecting the public from me, which also forces the people to pay insurance fees based on someone else' driving record simply due to the fact the other person(s) live(s) in the same dwelling as the Insured as well as penalizing the plaintiff by fines for exercising his *1st Amendment* Right to personal choice. See references is Statement 7 above. And

E. The State has infringed and impinged upon our Constitutional Rights by taking away our rights without Due Process of law to a hearing before so denying said rights as set out in this complaint under all such statues and because the rights set out in this complaint are so well settled that they are deeply rooted and fundamental rights and that the denial of these rights is a violation of substantive Due Process. *VIMONT v. Haugen, Dist. Court, WD Missouri 2013; Allstate N.J. v Lajara Supra. And Bolden v City of Mobile,*

Ala., 100 S.Ct. 1490, 1504, 1980 and Memorandum of Law, items 1-5, 7, 15, 16 and 18.

13. The Plaintiff was denied the rights set out in #12 above and the State has unjustly, improperly and illegally interfered with the privileges and rights of the Plaintiff.

14. The State has passed the responsibility of enforcing *Title 39* laws to the agents named and they have so done as required under the statutes but have denied the people of their Common Law Rights by upholding state Statutes that they know or should have known are unconstitutional.

15. There has been a meeting of the minds in that the State has offered their license to the Plaintiff for 4 years and the Plaintiff assented to said offer out of fear of fines and other penalties if he did not assent and by denying the Plaintiff of his Due Process rights to a hearing before taking away my constitutional rights before forcing their unconstitutional Statutes on the Plaintiff.

16. The state has agreed to not lay excessive fines or jail terms under the *8th, 9th and 14th Amendments* but they have so laid them. They have also agreed not to trespass upon the people's rights of personal and free choice under the *1st and 14th Amendments* as to seat belt laws and No-Fault Insurance laws for which they are not protecting.

17. The Agents are depriving the people of their Common Law Rights not to be classified as a driver when they do not fit the Common Law Definition of such and are classifying the actions of the Plaintiff as commerce or trade when they are not such.

Romero V International Terminal Operating Co., 358 U.S. 354, 363, 1959; Gibbon v Ogden, 22 U.S. 1, 118, 131-132, 203; Northern Securities, Co. v U.S., 193 U.S. 197, 368,369, 1904

and Bouvier's Law Dictionary, 3^d Revision, 8th Edition, 1984 Re-print, "Driver" at Page 940

See References in Statement 12(e) above.

18. The Governor, the Attorney General, Commissioner Fulton and the 565 Borough agents have all agreed to ignore the well settled law that dates back to 1676, 1765, 1780, 1787, 1833, 1903, 1950, 1954, 1987, 1999 and 2015.

19. Servants Murphy, Grewal and Fulton clearly failed to stop themselves and the 565 Borough agents from ignoring the well settled law. *N.J.S.A. 52:17A-4. Powers and duties of Division of Law; Jersey City v Hague, 18 N.J. 584, 591, 1954 and State v Schmid, 84 N.J. 535, 558, 559, 1980.*

20. All the agents have enforced the State's Unconstitutional Statutes to deprive the people of their Common Law Rights to (A) Civil trial by jury where the fines exceeds \$5.40, (B)(i) Criminal Process where the impossible fine exceeds \$54.00 or (ii) Where the jail time exceeds 3 months; (C) Where the fines are excessive if the Municipal Court fines a person for civil matters above \$5.40 or above \$54.00 for criminal Matters before granting the Offender his right to jury trial as in *Tull v U.S., 107 S.Ct. 1830, 1836-1837, 1987*; (D) To not be jailed by a Municipal Judge over 3 Months; (E) Not to be classified as a driver and pay a fee/tax for exercising our rights which is prohibited; (F) Not to be prosecuted except upon the plain and solemn averment of at least 2 credible witnesses to the overt Act(s); (G) to not have to register our cars; (H) Not to be denied the *1st Amendment* Right to freedom of choices where the laws are such that they require the people to obtain insurance to protect themselves from the Public at large instead of protecting the Public at

Large from the individual and especially where the insurance companies will not sell you insurance unless you assent to the state's Driver's license laws which would automatically result in the people allegedly violating the State's laws that require proof of insurance to use one's car on the highways or by denying the people the right to contract for car insurance in any state they choose; (I) to not have to have their cars inspected and (J) to not have to take a driver's license since the people are not considered driver's at common law and the state has failed to tell the people what the illegal act, tort or trespass is as to a License in general; (k) to the right of choice to not have to wear seat belts if we don't want to. See references in statement 7 above.

21. The State only has the right to have one's car inspected if the people trespass upon the rights of the people, when the Supreme Court has held that the state can regulate trade or commerce by requiring inspection laws but that mere traffic is not Trade or Commerce. See *Gibbons v Ogden* @ 71, 77, 118, 132-132, 137, 203 and 216-217 and *Northern Securities v U.S.* @ 368-369.

22. The State has failed to show how Driver's License Laws, Inspection Laws, Registration laws, seat belt laws and their Insurance laws some how trespasses upon the Rights, Person or Property of Another to implement such Laws or how they threaten the health, safety or welfare of the People at large or how the people have opened their doors to the public to so be regulated or have engaged in trade or commerce. See Statement 36 below. They have failed to justify the taxing of these rights that is not permitted by law.

23. Governor Murphy is required to instruct the Attorney Generals to ensure that the

statutes are constitutionally sound and he has failed and refused to instruct the Attorney General to challenge all statutes in light of the well settled law dating back to 1676 and the Attorney General has failed to instruct the Governor that all Statutes are unconstitutional as set out in this complaint and has thus failed to sue in court to have said laws thrown out and to carry out their duty to the People, their Sovereign, when so asked to do so. See *Jersey City v Hague*, 18 N.J. 584, 590-591, 1955; *Scheuer v Rhodes*, 416 U.S. 232, 237, 1974; *Cooper v Aaron*, 358 U.S. 1, 18, 19, 1958; *Fay v Noia*, 372 U.S. 391, 408-409, 1963; *Lemon v Kurtzman*, 411 U.S. 192, 1973; *State v Schmid*, 84 N.J. 535, 558, 559, 1980 and *Blackstone's Commentaries, Introduction to the Laws of England, Chapter 1, Pages 138-140*. The Executive agents, Murphy, Grewal and Fulton have failed to carry out their duty to the people and have said that they and the legislative acts are the Supreme Law of the land and not the Federal Statutes, or Constitutional Rights there under, or as established by the Federal Courts.

24. The State agents have ignored the people's rights and have denied those involving the punishment by a fine for the violation of the Statute or of taxing a right as stated herein.

25. The Plaintiff is challenging all Statutes as unconstitutional since they violate the rights of the people as set out in this lawsuit. This challenge is a challenge to an ongoing tort, wrong and fraud since 1676, 1787, 1833, 1903, 1950, 1987, 1999 and 2015.

26. The State has failed to identify the illegal act that the People engage in when using their cars to merely conduct their daily life and business and to the

Common Law Right, absolute right, to use their property in the public. The State has failed to show how by merely traveling the highways somehow affects the health, safety or welfare of the public or how the people have opened their doors to the public to give them an interest and right to so require a driver's license, or how the people trespass upon the person, rights or property of the people, as to no fault insurance, to have ones car inspected, to have to register ones car or to have to wear seat belts or have a driver's License when there must be an illegal act, trespass or tort and a license is to regulate trade or commerce which the private citizen does not so use their cars for commerce or trade or to have to pay a flat-direct tax as a license fee, or title or registration fee. *Article 4* rights. *Blackstone's Commentaries, Book 1, Chapter 1, Of the Absolute rights of Individuals, Page 119-121, 134 and 138-140, Murdock v Pennsylvania, 319 U.S. 105, 106, 113, 1943, U.S. v R. Co., 82 U.S. 322, 1872 and State Freight Tax Case, 82 U.S. 278, 1872 and New Jersey v Anderson. 203 U.S. 483, 1906.* The State is deliberately and knowingly violating our Rights. See references in Statement 7 and 12(e) above.

27. The Plaintiff's Common Law and Constitutional Rights date back to 1676 and for which there is no excuse for these trained defendants not knowing this well settled law, especially since they were informed of such by the Plaintiff and they have failed to correct the laws and undo them and to correct the wrongs and injuries levied on the People. See law cited in statements 17, 19, 21, 23 and 26 above.

28. This lawsuit opens up violations of the laws that date back to 1676 as well as to the present system still denying the Rights of the People. That is Mr. Martin Ackley was

ticketed for using my car with obscured license plates and was not told he had a right to jury trial since the fine involved was \$54.00 which he had to pay by July 20, 2016 and the offense occurred around July 8, 2016. Their liability dates back to 1903 and this is an ongoing or continuous tort, wrong or fraud that has lasted between 231-342+ years.

29. The State and its agents have violated our Rights as follows.

A. The State has denied the Common Law Rights under *Amendments 1, 4, 8, 9 and 14 and Article 4* of the U.S. Constitution to the rights stated in this lawsuit.

B. The Plaintiff did allow the agents to hail him into court for alleged violations of the law in return for which the agents agreed to honor and protect plaintiff's Constitutional Rights but they did not so do.

C. The agents did not do what was required of them under the common law.

D. The Agent's, by fraud, which is that they failed to inform the people of their rights and to protect said rights before a trial which caused the Plaintiff to be injured and denied of his Constitutional Rights set out herein as to (i) Civil Trial by Jury; (ii) Not to be fined in excess of \$5.40 for civilly based offenses if no jury trial is granted before hand; (iii) to criminal Process under the *9th and 14th Amendments* where the fine could exceed \$54.00 and thus against Excessive fines, *8th Amendment* Rights, prior to a jury trial or (iv) to a criminal jury trial where the jail term could exceed 3 Months at Common Law.

E. They have penalized the plaintiff and the people and still are so doing for the mere exercise of their right of personal choice to not wear seat belts, to not have to pay a tax or a fee to exercise their absolute right to use their property, their car, in the public

and by having to pay a fee/tax for a license, registration and title for the mere right to own and possess and use one's property and to simply exercise their right to travel and conduct their daily life and business.

30. Based upon the common law rights and remedies of the people under and by way of the 1st, 4th, 8th, 9th and 14th Amendments the state is denying the people the right to use their cars on their highways for the very reason they were built, which is to travel and conduct one's personal, private and daily business upon them by any of the standard means of conveyances, and the state is depriving the people of this right by forcing the people to take their driver's license in order to exercise their U.S. Constitutional rights when they do not fit the common law definition for a DRIVER and for which they have failed to tell the people what illegal act, tort or trespass the people engage in that requires a DRIVER'S LICENSE OR HOW THE TRAINED LICENSED DRIVER PROTECTS THE HEALTH SAFETY OR WELFARE OF THE PEOPLE AT LARGE WHILE THE TRAINED TRAVELER DOES NOT or How the private citizen has trespassed upon the person, rights or property of our fellow citizens or how we have opened our doors to the public and given them an interest in our personal and private rights, activities and property and has forced the people to surrender their rights. They have denied the plaintiff of Substantive Due Process of Law and has impinged upon Fundamental Rights. *Bolden v City of Mobile, Al., 100 S.Ct. 1490, 1504, 1980 and Allstate New Jersey v Lajara Supra*. See references in statements 7 and 12(e) above.

31. The state has required the people to have their cars inspected when the law is

that inspection laws are for the regulation of trade or commerce, and that the mere traveling the highways or traffic, which is what the people come under, is not trade or commerce. *Gibbons v Ogden*, 22 U.S. 1, 118 and 203; *Northern Securities Co. v U.S.* @ 368-369 and *Juzwin v Asbestos Corp., Ltd.*, 900 F,2d 686, 692, 3^d Cir. 1990.

32. The state is forcing the people to surrender their right to freedom of choice to protect themselves from the public, which is what No-Fault insurance does, as opposed to protecting the public from the individual which is what the state may have a right to do, as well as requiring the people to wear seat belts which is merely a personal choice and is penalizing the people by fines for not wearing seat belts which is prohibited by law. See item 7, pages 26-32 and 19, pages 79-82 of the memorandum.

33. The State's insurance laws are also unconstitutional since in order to get insurance the Insurance companies require the people to accept the state's Driver's license which the state has no constitutional authority to so require the people to accept said license and has failed to give the people their day in court to challenge the soundness of their laws before being denied their rights to (a) travel; (b) Choice or (c) To use one's Property freely and absolutely or (d) against taxes for the enjoyment of our Constitutional Rights. *Blackstone's Quotes in statement # 26 above.*

34. The State is forcing the people to register their cars without stating their overriding state concern to regulate the public on such issues. They are denying our rights on how a registration, title or traveling protects the health, safety or welfare of the public, or how we trespass on the person, rights or property of the public at large or how we have

opened our doors to the public giving them an interest in the use of ones automobile.

Bolden v City of Mobile, Al., 100 S.Ct. 1490, 1504, 1980 and Allstate New Jersey v Lajara Supra..

35. The Plaintiff has been sued by the State under *Title 39:1-1, et seq* statutes and every time, in Audubon Park, Barrington, Bellmawr, Clementon, Runnemede and Stratford, the Plaintiff was denied his common law right (a) not to be prosecuted on less than the plain and solemn averment of at least 2 credible witnesses to the overt act(s); or (b) in all places the Plaintiff was denied his right to either a civil trial by jury when the fines levied against the plaintiff in all boroughs exceeded \$5.40 at common law; or (c) denied Plaintiff's right to criminal process and trial by jury where the fines exceeded \$54.00 at common law. In all the Plaintiff was fined in excess of these limits that are common law limits under the *8th, 9th and 14th Amendment* or (d) been forced to surrender private rights of choice under the *1st and 14th Amendments* as it pertains to No-Fault Insurance laws under *Titles 39:6B and Article 4* of the U.S. Constitution or not to have to wear a seat; or (e) to travel the highways under *Amendments 4, 9 and 14 and Article 4* or (f) to not pay a flat-direct tax on the exercise of our rights or to be penalized for the exercise of our Constitutional Rights.

36. In *Munn v Illinois, 94 U.S. 113, 1877* the court said:

@125. The maxim *sic utere tuo ut alienum non laedas* is the right of the state to regulate the private citizen. [This maxim translates to "The use of one's property so as not to injure another" and the private citizen merely traveling the roads by any of the standard

means of conveyances of the times is a private, not public, right that the state may not regulate. The state can implement laws that are geared to public safety such as traffic lights and signs, reckless, inattentive or careless operation, or violating a safe speed on the roads, etc.]

@126-129, 133: When the private citizens uses his property for a public interest he must subject himself to being regulated by the state. His private property ceases to be *juris privati* only.

The plaintiff has in no way acted contrary to this maxim of law.

See Also *Lake Shore & Michigan Southern R. Co. v. Smith*, 173 US 684, 696, 1899; *Atlantic Coast Line R. Co. v. Goldsboro*, 232 US 548, 558, 1914 [health safety and welfare cases]; *Terminal Taxicab Co. v. Kutz*, 241 US 252, 254, 1916; *Chambers v. Florida*, 309 US 227, 235, 236, 1940 [Foot Note 8, Due Process cases.]; *Lucas v. Wisconsin Electric Power Company*, 466 F. 2d 638, 659, 7th Cir. 1972 and *Blackstone's Commentaries, Introduction to the Laws of England, Chapter 1, Page 69*.

37. In 1976 I was fined for speeding and was not given a civil or criminal trial by jury and was fined and had costs levied against me. I was denied a civil or criminal trial by jury 1 time; a fair hearing 1 time; to the equal protections of the laws 1 time and denied proof by 2 witnesses 1 time for a total of 4 violations.

38. Around 1988 I was fined in Audubon Park, N.J., 08106, \$125.00 for contempt of court for failure to appear for a traffic ticket I received that year. I was denied my right to civil trial or criminal Jury Trial 1 time; 2 witnesses 1 time; To a fair hearing 1 time; to the

equal protections of the law 1 time or denied my rights a total of 4 times.

39. In 1988 the Plaintiff was fined \$120.00 and \$20.00 costs in Bellmawr, N.J. 08031 plus \$3,000.00 in surcharges. I was denied a civil trial by jury 2 times or a civil trial 1 time and criminal trial 1 time; 2 times I was denied a fair hearing; 2 times I was denied the equal protections of the law; 2 times I was denied proof of 2 witnesses and 1 time I was forced to pay fines for no driver's license and no insurance for a total 10 violations. I was penalized for exercising my Common Law and U.S. Constitutional Right contrary to the law.

40. In 1989 the Plaintiff was fined \$2,195.00 plus \$120.00 in costs and surcharges such that all costs to the plaintiff was \$14,315.00, in Runnemede, N.J. 08078. I was denied a civil trial by jury 8 times, or civil trial 4 times and criminal process 4 times; or fair hearings 8 times; or equal protections 8 times and proof of 2 witnesses 8 times or a total of 32 violations, plus 3 for no insurance, 3 for registration, 1 for driver's license and 1 for bad tags or 40 such offenses. I was penalized for the exercise of my Constitutional Rights contrary to the law. See references in Statement 7 and 12(e) above.

41. In 2001 I was fined in excess of \$400.00 and \$40.00 costs, plus \$3,000.00 in Surcharges in Clementon, N.J. 08021. The police officer who ticketed me did not actually see me do as he alleged, and the person who informed the police of the activity I was charged with, could not and did not identify me as the person who committed the alleged violations. I was denied a civil trial by jury 2 times or criminal jury 2 times, to equal protections 2 times; to a fair hearing 2 times and to proof of 2 witnesses 2 times or a total 8 violations. The stop by the Clementon Police back in 1990 was for a suspicious car in

the area and when the police approached Mr. Rearodn he was simply reading a news paper and minding his own business and was forced to give up ID when there was absolutely nothing that I was doing wrong,

42. In 2007 I was fined \$400.00 and \$30.00 costs for Inattentive driving in Stratford, N.J. 08084. I was denied a civil jury 1 time or criminal jury 1 time; to the equal protections 1 time; to a fair hearing 1 time and to proof of 2 witnesses 1 time or a total of 4 violations. These offenses were occasioned by the fraud that the Municipal Court could summarily try the plaintiff without a jury trial be it civil or criminal and without 2 credible witnesses.

43. In July 2016 I was forced to pay a fine of \$54.00 for a ticket my friend received for obscure License plates on my car in Barrington, N.J. 08007, while he was using my car. I was denied a civil or criminal trial by jury 1 time; to proof of 2 witnesses 1 time; to a fair hearing 1 time or to the equal protections of the law 1 time or a total of 4 violations.

44. All totaled from 1976 to 2016 I was fined and issued costs and surcharges to more than \$21,640.00.

45. Between 1999 and 2001 I was penalized by fines twice for not wearing a seat-belt. The fines, to the best of my memory was \$46.00 or a total of \$92.00 for exercising my right to free choice that (a) Did not trespass upon the rights, person or property of my fellow travelers; (b) Did not affect the health safety or welfare of my fellow travelers, (c) I did not engage in trade or commerce in such position and (d) I did not open my doors to the public to be regulated by the state.

46. These are continuous and ongoing torts, wrongs or frauds for Civil and Criminal Trial by jury since 1780 and for the need of 2 witnesses from 1676 which is my 14th *Amendment Due Process Rights*. The state's laws have been an ongoing tort, wrong or fraud, as it deals with the rights mentioned in this lawsuit, since 1676, 1765, 1780, 1787, 1833, 1903, 1950, 1954, 1987, 1999 and 2015.

47. The Plaintiff has not opened his doors to his private property, his car, to the public giving the public an interest in the private use of that property, I have not trespassed on the person, rights or property of my fellow citizens and I am not infringing on the Health, Safety or Welfare of the Public, except if I am speeding, fail to obey any kind of traffic sign or light; operate my car carelessly, recklessly or inattentively, etc. for which I have not so done and when I have so done I was hailed into court and I appeared but was denied my right to jury trial civilly or criminally at Common Law.

48. The New Jersey Constitution is such that the legislature must take an oath not to deprive the citizens of their Right to Civil Trial by Jury, and thus have no discretion to so implement laws that take away this right, and the Legislature has in fact implemented many such statutes that in fact do what the constitution deprives them of any discretion to so do, and the Executive and Judicial branches of the State have also unconstitutionally deprived the people these rights and thus have unconstitutionally enforced said laws they have no discretion to enforce and have refused to undo said violations by the fact that the Plaintiff has told these agents of the laws and the limits placed upon them and they refuse to undo said laws and wrongs or cease and desist from doing said acts. The Judicial,

Legislative and Executive officer have all engaged in non-discretionary acts and conduct. See Page 1 of the memorandum of law.

49. The Governor, the Attorney General, and Commissioner Fulton and the 565 Boroughs have all agreed to ignore the well settled law that dates back to 1676, 1765, 1780, 1787, 1833, 1903, 1950, 1974, 1987, 1999 and 2015 and before for New Jersey and for which they know or should have known were violating the People's Rights. See *U.S. v Jepson*, 90 F.Supp. 983, 989-990, 1950.

50. Agents Murphy, Grewal and Fulton clearly failed to stop themselves and the 565 Boroughs from ignoring the well settled law and to do so to fill their coffers illegally and unconstitutionally.

51. The Director of NJMVC, Ms. B. Sue Fulton, has the power, for which her predecessors used against Mr. Reardon by informing him back in 1989 that his license was suspended indefinitely for failure to comply with the States *Title 39* statutes, to deny the Plaintiff of his right to use his property and to exercise his rights to use his property without any condition by traveling the highways in his private property and is being taxed and penalized for so doing.

52. The State agents unconstitutionally obtained driver's license fees from 1969 to 2017 which is about \$150.00. From 1969-1990 and then from 2002-2017, from the Plaintiff.

53. On February 16, 2013 the Plaintiff did inquire to the New Jersey Attorneys General, and State Senators Beach and Madden as to the legality/constitutionality of

these laws and these representatives failed to explain the constitutionality/legality of these laws and the state still refuses to set aside these laws for denying the People of their *1st, 4th, 8th, 9th and 14th Amendment* rights. Plaintiff's inquiry was to the right to enforce *Title 39* laws to require a driver's License, registration, inspection, seat belt and no-fault Insurance laws, and not the Common Law rights of England to jury trials.

54. These agents have made positive claims/statements that the people are bound by law to submit to the summary proceedings of the state for all statute Violations, of both Civil and Criminal Trial by Jury at Common Law, and also to the claim that the state can mandate the people must comply with the state's driver's license, registration, No-Fault insurance, seat belt laws and inspection laws when they have no basis to believe they are false or true under the Common law and *U.S. Constitutional Rights under the 1st, 4th, 8th, 9th or 14th Amendments and Article 4* and as to the *State Constitution* and are deceitful and are penalizing and attaching a fee or tax for the exercise of Constitutional Rights.. *See L.R. 7 H.L. 102 and Stone v Covell, 29 Mich. 359. See Item 19, Pages 79-82 of memorandum of law.*

55. At All times from 1787 and again in 1833 to the present these agents were aware, or should have been aware, that all such laws were Common Law actions of debt on a Statute requiring a Jury Trial and at all times from 1787 to the present the defendants have misled the people into believing that all such Actions could be heard by a Municipal Court Judge Summarily when they required a Jury Trial. At all times from 1787 to the present these agents have sanctioned the enforcement of unconstitutional laws and

injuring the people in their rights, persons and property as set out herein. *U.S. v Jepson*, 90 F.Supp.983, 988-990, D.C., D.N.J. 1950, *Justice Joseph Story's Constitutional Commentaries,, Volume 1, Page 140 and Volume 3 Page 646 and Tull v U.S. 107 S.Ct. 1836.*

56. The 3 branches of the State Government have deliberately, willfully and intentionally defrauded the people into believing that all such laws could be enforced summarily and that the Municipal Courts could issue fines, and costs on said offenses in excess of \$5.40 for Common Law Civil Matters and in excess of \$54.00 for Common Law Criminal matters under *Art. 1, Clauses 5, 6, 8-10, 12 and 21 of the State Constitution and the 1st, 4th, 8th, 9th and 14th Amendments and Article 4 of the U.S. Constitution* prior to either a civil or criminal trial by jury. See references in statements 7 and 12(e) above.

57. On January 14, 2014 I did send a letter to the then Attorney General asking him to file a lawsuit to establish the rights of the people to not be prosecuted unless there are at least 2 credible witnesses to any offense, and I did ask Senators Addiego to initiate legislation to make it the law in conformance with the people's rights not to be prosecuted unless there is at least 2 credible witnesses to the offense and these defendants failed to do that and thereby failed to do their job and protect the people's Constitutional and Organic Law rights. They failed to protect the people, their Sovereign.

58. On May 30, 2017 Mr. Reardon did mail a letter and memorandum of law to Governor Chris Christie, Mr. Porrino, Mr. Martinez, Senators Addiego, Assemblywoman Gregg and Assemblyman Howarth to provide their opinion on the following issues: [the well settled law is that if an agent is replaced that the new agent assumes his role in the

complaints of the people.]

A. The state is requiring the people to comply with Driver's license laws, Inspections laws, no fault Insurance Laws and Registration and seat belt laws and they have failed to so reply or indicate why they would not offer their opinion.

B. To pass a law that requires 2 credible witnesses in accordance with the Common Law. And they refused to so do that.

C. To change the law to require a Municipal Court to inform the people of their right to a trial by Jury at common law or to fines not in excess of \$5.40 for civil matter or to criminal Jury Trial where the fine is over \$54.00 or to a fine not to exceed \$54.00 if no trial is so afforded for criminal matters or not to be jailed by a Municipal Court judge over 3 months, all at common law, and they failed and refused to do that.

D. To change their law on car insurance to fault insurance since they deny the people their *1st Amendment* Right to freedom of choice and they refused to do that, since said insurance protects the individual from the public and not the public from the individual for which the latter the State may have the right to do and to require the people to wear seat belts when they do not trespass upon the rights, person or property of the public at large, we do not affect the health, safety or welfare of the public and we have not opened our doors to the public to be regulated for such and are not engaging in trade or commerce as to wearing a seat belt.

E. To explain why they require a driver's license when the people do not fit the Common Law definition for such and thus to not require a driver's license and they

failed and refused to so reply or state what the illegal act, tort or trespass the people engage in to require the taking of a driver's license or any license.

F. All Questions, Issues and Rights listed in this lawsuit.

G. All Questions Issues and Rights in the Memorandum of law provided to them.

And they failed to respond in any way to said inquiry.

H. Why they can levy a tax or fee for the exercise of a right or how we can be penalized for the exercise of a right.

I was denied my right to petition my agents in accordance with the Common Law and *Blackstone's Commentaries, Book 1, Chapter 1, Pages 138-140*.

59. On May 31, 2017 Mr. Reardon did mail a letter and memorandum of law, the same documents as in # 58 above, to Senators Madden and Beach asking the same questions as the defendants referred to in statements 52, 56 and 57 above and Senator Beach failed and refused to answer.

60. On June 13, 2017, Senator Madden did reply to this inquiry for the people, not just Mr. Reardon, that he would not respond to the interest of the Public as to the issues raised in the letter and memorandum of law sent to him since I was in a different District than him, by ignoring that the law transcends boundaries and he has a duty to the Public, not just me, but his sovereign. *Jersey City v Hague Supra and State v Schmid Supra*.

61. On September 15, 2017 I sent motions to the agents listed in this lawsuit to set aside the illegal convictions of the Plaintiff from 1976-2016 and asking for a ruling as to

the constitutionality of the states motor vehicle laws, *Title 39; and sections 6B* as to common law trials and as to the state's alleged right to require the people to have a driver's license, registration, no-fault insurance, to have ones cars inspected, to seat belt laws and The Common Law of England and they failed to reply to said inquiry.

62. These agents have at all times, listed in this lawsuit and prior, claimed that there is no right to the Common Law and its Rights and Remedies, that they have done nothing wrong and that the issues raised in statements 47-58 and 79-88 below are not proper and legal, which is contrary to the people's rights and the Common Law. These frauds are continuing and ongoing torts, wrongs and frauds that have been going on for at least 231 years. *Romero Supra and Joseph Story's Constitutional Commentaries, Book 1, page 140 and Rush v Scott Specialty Gases, Inc., 113 F.3d 476, 481, 3rd Cir. 1997.*

63. The Judges and Prosecutors did in fact violate and deny the Plaintiff of the following rights in violation of the following laws.

A. Under *N.J.S.A. 2C:20-3(a)* The mentioned agents did in fact steal money from the plaintiff unlawfully by issuing fines and costs not authorized to be issued under their Common Law limits of \$5.40 for civil matters and \$54.00 for criminal matters when they levied fines in excess of these amounts and failed and refused to correct and rectify these wrongs and entered said same in the public court records and thereby committed these illegal acts to benefit the Municipalities financially and adversely affecting the finances of the plaintiff.

B. Under *N.J.S.A. 2C:20-4 (a)-(c)* the named agents did steal money from the

plaintiff by making the deceptive claim that they can levy fines in excess of \$5.40 for civil matters and in excess of \$54.00 for criminal matters and by refusing to correct these wrongs and impressions by placing said same in the public court records.

C. Under *N.J.S.A. 2C:21-4(a) and 2C:28-7(1) and (2)* did tamper with official Court records by entering into said records the false and fraudulent fines, costs and rulings and by refusing and failing to correct said entries.

D. Under *N.J.S.A. 2C:29-1, 3(a)(2), (5), (7) and (b)(1)* did obstruct Justice by making false entries into the court records and refusing and failing to correct said records in the effort to conceal and hide from apprehension the false and illegal entries into the court records by the mentioned agents by refusing to expose the crimes listed in these facts when they were required to correct and undo the crimes against the plaintiff so as to prevent the Judges and Prosecutors, back in the original state proceedings, from criminal prosecution and apprehension.

E. Under *N.J.S.A. 2C:30-2(a) and (b)* these agents did commit official misconduct by making decisions and failing to make decisions that they were not allowed to do, or which they did do illegally and unconstitutionally, for the purpose of injuring the Plaintiff in his person, rights and property, by said actions, and failures, and to injure the plaintiff as set out in this lawsuit.

F, These agents did or allowed the other agents in Audubon Park, Barrington, Bellmawr, Clementon, Runnemede and Stratford the right to deny the Plaintiff of the common law and jury trial rights as to either civil or criminal process; and not to be

prosecuted on less than 2 honest and credible witnesses to the overt act(s). *Blackstone's Commentaries, Book 4, Chapter 27, page 351, Concessions and Agreements of West New Jersey, Art. XX, 1676, Griffin v U.S. 502 U.S. 46,58-59, 1991.*

G. These agents did further violate the Plaintiff's Rights as to not being required to have a driver's license, registration, No-Fault Insurance and have one's car inspected or to wear Seat Belts contrary to the *1st, 4th, 5th, 8th, 9th and 14th Amendments and Article 4* and against excessive fines and Right to travel and use of one's property and to acquire insurance wherever I so desire to so take insurance or the absolute right to use my property. *Article IV and Allgeyer v Louisiana Supra @390-391.*

H. The State agents have passed and enforced laws that lays a tax or fee on the exercise of their right to use their property in the public or to travel our highways and have implemented laws that penalizes the exercise of the rights of choice to no-fault insurance, not to have to wear a seat belt in ones private car and to penalize the people, and the plaintiff, for not choosing to take the states driver's license.

64. The Plaintiff is, at common law, entitled to the right to use his property in the public as stated by *Blackstone* and that we have the related right to "Travel on our Roads" by any of the standard means of conveyances and who has not opened his doors to the public, who is not a "Driver", who merely travels our highways to conduct my daily life and business and who has not nor does not Trespass on the Rights, Person or Property of another in doing these things or has not affected the health, safety or welfare of my fellow citizens I have not engaged in trade or commerce or opened my doors to the public

giving them a right to regulate me and for which the state has no constitutional authority to require the people to have (a) a driver's license; (b) to have their cars inspected; (c) To register their cars with the state; (d) to have no-fault insurance; (e) to not have to wear seat belts or (f) to deny the people of the right to the common law as to (i) immunity from prosecution unless there is at least 2 credible witnesses to the overt act(s) or (ii) To either civil or criminal trial by jury and thus, the state has taken away our constitutional and common law rights which are purely personal Rights, without a hearing first to deny or affect said rights.

65. On September 26, 2017 Mr. Reardon did receive a letter from Miss Laura Donohue For Audubon Park Municipal Court regarding my motion to set aside my conviction as being time barred under *Rule 3:24(c)* which is the Rule for Appeals when the motion was to be considered under *Rule 7:10-2(a) and (b)(1)* for illegal sentences relief. Despite my citing the proper rule under which the motion was presented, *Rule 7:10-2*, the court did deliberately, intentionally, willfully and knowingly misapply the rules to refuse to grant me the relief I am entitled to under the law. I did in fact mail a letter to Ms. Donohue for the reconsideration of the Court, based upon this Rule, on September 26, 2017. The Judge did commit an act that he is not entitled to do in that he acted as a prosecutor for the state by denying this unopposed motion of the plaintiff and he has no immunity for such illegal and improper action.

66. On September 27, 2017 Mr. Reardon received a letter from the Bellmawr Municipal Clerk, Amanda Cubbler, saying she could not find offenses for the date in

question.

67. On September 27, 2017 Mr. Reardon did reply to Ms. Cubbler by sending her a copy of the hearing transcripts.

68. On September 28, 2017 Mr. Reardon did send a copy of the court transcripts of the proceedings in question in Runnemede Municipal Court to Judge Trabosh.

69. Mr Reardon did ask the governor to request the Attorney General, Mr. Grewal, to file suit to throw out the Driver's license laws, the registration laws, the inspection laws, seat belt laws for private citizens and to challenge the state's no fault insurance laws since the insurance laws deny the private citizen the right of free choice to protect themselves from the public as opposed to protecting the public from the individual or the right to acquire insurance in another state and the Attorney General, whom the plaintiff also asked him to do, to impose on their law the fact that the state cannot prosecute the people unless there is at least 2 credible witnesses to the over act(s) as well as to establish that Municipal Courts are limited to the fine levels at common law that said courts are limited to and that all laws that require a fine for the violation of said laws are in fact entitled to a Jury Trial at Common Law since they are common law actions of debt on a statute and they failed to carry out their constitutional obligation to the people, their sovereign. *Jersey City v Hague Supra and State v Schmid Supra.*

70. The State Senators and Assembly-men and woman were asked to pass new law or change the present law to require proof of 2 witnesses for all matters the state prosecutes the people for, to require that all statutes that involve a monetary penalty for the

violation of said laws are guaranteed a trial by jury since they are common law actions of debt on a statute, and that Municipal Courts are limited to fines not to exceed \$5.40 for civil matters or \$54.00 for criminally based matters if no jury trial is granted beforehand or no more than 3 months in jail for criminally based offenses, and they failed to carry out their duty to the people, their sovereign, when they have no discretion to pass or require the enforcement of laws that deprive the people of their right to a jury trial. They have no discretion to implement such laws or to not set aside said laws and can be held liable for doing or failing to undo such laws when they have no discretion to do or not to so do.

71. On October 3, 2017 I did mail letters to the agents listed in this lawsuit specifying the Constitutional Issues and questions regarding my Constitutional Rights set out in this lawsuit and Memorandums provided them.

72. On October 7, 2017, I did receive from Judge George J. Singley of Clementon Municipal Court a letter as to my motion. The motion dates were confusing as I referred to matters in both 1996 and 1988. I did in fact mail a reply to this letter clarifying this confusion on Monday, October 9, 2017. The Judge did commit an act that he is not entitled to do in that he acted as a prosecutor for the state by denying this unopposed motion of the plaintiff and he has no immunity for such illegal and improper action when he himself stated that there must be a hearing and the Prosecutor was required to reply to the motion and then failed to require the prosecutor to be present or present the state's position.

73. On October 11, 2017 Judge Morelli of Stratford did refuse to undo the wrongs

Committed by Stratford Municipal Court back in 2007. I did receive this notice on Friday, October 13, 2017. Judge Morelli did not overturn the lack of Jurisdiction of the Court for which he had no choice but to order rejection of the court's jurisdiction back in 2007. Judge Morelli did approve, EX-ANTE, the lack of jurisdiction of the Judge in 2007 illegally, unconstitutionally and without discretion. *Freytag v. Comm. Of Internal Revenue*, 501 U.S. 868, 896 (1991). He did uphold the unconstitutional and illegal conviction of the Plaintiff in violation of the common law rights to jury trial and to proof of 2 credible witnesses. The Judge did commit an act that he is not entitled to do in that he acted as a prosecutor for the state by denying this unopposed motion of the plaintiff and he has no immunity for such illegal and improper action. See statement 72 above.

74. On October 19, 2017 I did send a letter to Attorney General Porrino regarding his duty to the people, his sovereign, on the issues and questions raised in this lawsuit and for him to file suit to protect the peoples', his sovereigns', rights, and he refused and failed to do that which the law required of him. *Jersey City v Hague*, 18 N.J. 584, 590-592. This refusal has led Mr. Reardon to reject the motor vehicle laws of N.J. and to assert his U.S. Constitutional rights regarding civil and criminal trials by jury at Common Law, my right not to be compelled to have a driver's license, not to be compelled to wear a seat belt, to not to have to register my private/personal automobile, to not to have to have my car inspected and to not have to take insurance that is illegal due to either (1) it denies my rights to personal choice as to whether I wish to protect myself from the public as opposed to the public being protected from me and/or; (2) due to the fact that the state

cannot require the private citizen to take it's driver's license and since insurance companies won't insure you unless you have a driver's licenses, then Mr. Reardon's rights of choice and liberty are adversely affected and being unconstitutionally denied for these reasons, as well (3) denying the public the right to obtain insurance in whatever state they so desire to do or to grant the citizen the rights of insurance that the residents of other states so enjoy under *Article 4 and Algeyer v Louisiana Supra @390-391*. See references in Statement 7 of Count 2 below.

75. Acting on behalf of the people, who are the sovereign of the State agents, Attorney General Grewal, Governor Murphy and Ms. Fulton, Mr. Reardon did send a request to said agents to ascertain their rights regarding trial by jury at Common Law civilly or criminally, and their right to require the people to (a) Have a driver's license; (b) Have a registration; (c) Have their car inspected; (d) to wear seat belts and (e) to have no fault insurance in accord with *Jersey City v Hague, 18 N.J. 584, 589-591, 1955 and State v Schmid, 84 N.J. 535, 558, 1980*, and these servants refused to take steps to protect the people and their Constitutional Rights by filing suit or taking steps to implement laws to protect the people and their rights, and have failed to do so intentionally, willfully, purposefully, deliberately and knowingly in contradiction to their duty to the people. *Blackstone's Commentaries, Book 1, Chapter 1, Pages 138, 140*, the right to petition the governor or the legislature at Common Law.

76. On October 30, 2017 I did mail a document on the right to travel and on other related Motor Vehicle issues to Judge John F. Morrelli in Stratford, N.J. 08084

asking him to reconsider his order denying me relief from my 2007 conviction on the grounds that he approved the conviction EX-ANTE and without the right to so do.

77. Mr. Reardon did call Delaware DMV and New Jersey MVC and ascertained that to get insurance on your car it must be registered in the state and to register your car in the state you must live in the state and thus they have laws that deprive the U.S. citizen of the right to obtain insurance from a foreign state unless you live in the state and they are depriving the people of their Constitutional right to contract for insurance on their property in another state and to the same privileges that the foreign state residents enjoy when traveling through the state or doing business in the foreign state.

78. On or about November 6, 2017, The clerk from Audubon Park called to inform me the judge granted my motion. However, Judge McFeeley misunderstood the motion as I was seeking reimbursement for the excessive fine plus interest from 1988 to 11/11/17. As a result, I did mail 2 letters to Judge McFeeley explaining the intent of my motion and that I was seeking reimbursement of the excessive fine In the amount of the \$71.00 plus compounded interest for a total amount being sought of \$409.92.

79. There are 565 Municipalities in New Jersey.

80. I am presuming The 1st Motor Vehicle law was in effect by 1903.

81. The Municipal Courts hold hearings twice per month or 24 times each year.

These facts are probably duplicated in the other 49 States.

82. If, on the average, from 1903 to the present, there are 10-20 such offenses heard every other week for a total of 240-480 such offenses per year or 135,600-271,200+ such offenses for all 565 Municipalities per year or 15,594,000-31,188,000 in 115 years.; on 6/25/18 there were 48 offenses settled in Runnemede, N.J.

83. If 1 in every 5 offenses are represented by attorneys, there are 27,120--58,760+ attorneys per year defending clients and that have not challenged the issues and rights listed in this lawsuit.

84. Since the laws have been in effect for 115 years this makes a total of 3,091,680 -6,183,360+ lawyers that have defended clients for motor vehicle offenses since 1903 for which did not question the Court's Right to summarily try motor vehicle offenses on the claim they are in violation of the *9th and 14th Amendments*.

85. If there is an average of 1 Judge and 1 Prosecutor per municipality for every 20 years, this means there have been 3,306 Prosecutors and 3,306 Judges since 1903 that have not held that the people have the right to the Common Law of England and its Rights and Remedies and thus trial by jury civilly or criminally.

86. If there is an average of 1 officer for every 5 offenders every 20 years this means there is a total of 309,168-618,336+ Police officers that have brought charges against the people from 1903 to 2018 and that have not challenged the issues and rights listed in this Lawsuit.

87. The State of New Jersey was given notice that suits to recover a statutory penalty for violation of a statute is in fact a Common Law Action of debt on a

statute requiring a civil jury trial in the case of *U.S. V Jepson, 90 F.Supp. 980, 1950* and again in 1954, 1974, 1987, 1999 and 2015. This lawsuit informed the state that this right dates back to 1787 and 1833.

88. The State was given a 4th notice that suits to recover a statutory penalty for violation of a statute was a Common Law action of a debt on a statute in the case of *Tull v U.S., 107 S.Ct. 1830, 1836-1837, 1987* and giving them notice under the Common Law that said civil jury trial rights dated back to 1787. The State themselves has affirmed as early as 1954 that the right to civil trial by jury was protected by the State Constitution and was re-affirmed in 2015 by the State Supreme Court In *Allstate of New Jersey v Lajara* and for which the court also re-affirmed that dating back to 1776, the 1st Constitution of New Jersey, the people are entitled to the Common Law of England and its rights and remedies and the legislature was barred from proposing, voting on or passing any law which deprives the people of their Right to Civil Trial by Jury which they have so done what they have no discretion or right to do. The States were given a 5th notice of such in 1999 for which they also ignored.

89. Former Supreme Court Justice *Joseph Story* wrote in his *Constitutional Commentaries, Volume 1, Page 140, 1833* said that "*The Common Law is our Birthright and Inheritance*" and *Volume 3, Page 646*, that an action involving legal relief, regardless of its form, is a common Law action requiring a Jury trial.

90. The 9th Amendment of the U.S. Constitution reserves all rights, not directly enumerated in the Constitution, are to be guaranteed protection there under. The

Common Law of England is such a Right that cannot be taken away and the State has been doing that for the past 231 years under the various unconstitutional Laws of New Jersey.

91. The State is barred from passing or enforcing any laws that deprive the people of their Constitutional Rights to jury trials as there is no discretion by the State agents to deny these rights or enforce the unconstitutional Laws or for the passage of such laws. *Cooper v Aaron*, 358 U.S. 1, 18, 19, 1959; *Scheuer v Rhodes*, 416 U.S. 232, 237, 1974; *Fay v Noia*, 372 U.S. 391, 408-409, 1963; *Lemon v Kurtzman*, 411 U.S. 192, 198, 1973, *U.S. v Jepson Supra* and *Allstate New Jersey v Lajara Supra*.

92. The People's Common Law rights are protected and to be guaranteed and enforceable in the State Courts under the 9th Amendment.. *Romero v International Terminal Operating Co.*, 358 U.S. 354, 363, 1959.

93. The State has known for the better part of 231 years that all state statutes that seek monetary relief for violation of the Statute is a common law action of a debt on a statute and has been willfully, deliberately, intentionally, willingly and knowingly denying the people of their common law right to jury trials Under *Title 39 Laws*, and other similar laws, without regard for the rights of the People and our agents duty to so honor and protect said rights.

94. The State and these agents have been actively defrauding the people of their rights to jury trial and to their property in the form of fines since the inception of the first *Title 39* Statute the state implemented back in 1903 and all other similar

statutes from the inception of such statutes.

95. The 1776 Constitution of N.J., through and by the way of the 1844 and 1947 Constitutions, prevented the State legislature from proposing, voting on or passing any law that infringes upon the Right of the people to trial by jury and the Legislature of New Jersey has in fact passed and allowed the enforcement, as has the judges and prosecutors at all levels, of said laws, to deny and deprive the people of their Rights under the State Constitutions and the 8th, 9th and 14th Amendments of the U.S. Constitution and that this duty is mandatory in their Oath Of Office that they agree to not pass such laws and is in effect a ministerial Act since they lack discretion to pass a law(s) that deprive the right to trial by jury. See *Allstate New Jersey v Lajara*, 117 A.3d 1221, 1226-1228, 1232, N.J. Supreme Court, 2015, *In re Charter Communications, Inc.*, 393 F. 3d 771, 784, 8th Circuit 2005, *Forrester v. White*, 484 U.S. 219, 229 (1988). In fact, this State Supreme Court case admitted the New Jersey citizens are entitled to the common law of England and that there is the right to a civil jury trial by referring to the U.S. Supreme Court decision in *Curtis v Loether*, 415 U.S. 189 (1974) at page 1227 of *Allstate New Jersey v Lajara*. And that the state right to civil trial by jury is the same as that in the Federal Courts. The case cited in *U.S. v Jepson*, 90 F.Supp. 983, 988-990 held that it is the duty of the Judiciary to make sure the legislature does not transcend and deny constitutional rights by passing unconstitutional laws and the judges named herein have willfully, intentionally, deliberately and knowingly have failed and refused to protect the people's rights as

set out in this complaint.

96. The State Legislative, Judicial and Executive agents have been intentionally, willfully, deliberately, willingly and knowingly denying the people of their rights and have refused to carry out their duty to the people to stop or correct said laws. See *Jersey City v Hague, Supra and State v Schmid Supra*.

97. As a result of my agents doing as they have done, as set out in this lawsuit, the plaintiff has been injured as so stated in this lawsuit.

98. On November 18, 2017 I did mail letters to Judges John McFeeley, Robert Zane, Nicholas Trabosh, Ryan Trabosh, John F. Morrelli and George J. Singley regarding the decisions on my motions to set aside the prior orders that were unconstitutional. They did not require the Prosecutor to address the issues raised by Mr. Reardon and did commit an act that they are not entitled to do in that they acted as a prosecutor for the state by denying this unopposed motion of the plaintiff and they have no immunity for such illegal and improper action at best they are entitled to qualified immunity that they must prove at trial. *Black v. Bayer, 672 F. 2d 309, 316, 3rd Circuit 1982*.

99. On November 22, 2017 I did receive a Letter from Judge George Singley from Clementon Municipal Court stating that he notified the prosecutor to reply to my motion by December 5, 2017 and then for me to reply to the prosecutor by December 12, 2017 and he would then consider the arguments and make a ruling. Judge Singley violated his admitted duty by (A) Not requiring the prosecutor to reply to Mr.

Reardon's motion so as to give me access to the state's claims of constitutionality of the laws and rights being challenged and (B) Failed to have the prosecutor present to so inform both me and the court of the state's position thus establishing that the Judge had already decided he was not going to uphold the law before any hearing, that he said must take place, took place, and that in doing as he did he substituted his opinion for that of the State and thereby acted as the prosecutor for the state to so provide and prove the validity of the State's position. He did in fact act as a prosecutor and not as a Judge for which he has, at most, qualified immunity which he must prove at trial he is entitled to. *Black v. Bayer, 672 F. 2d 309, 316, 3rd Circuit 1982.*

100. On November 23, 2017 Mr. Reardon did reply to Judge Singley's letter acknowledging his intent relative to my motion and informed Judge Singley that I did not need or desire Oral argument unless Judge Singley specifically wanted me to be present for oral argument. I mailed this reply on Friday, November 24, 2017.

101. All these agents lacked jurisdiction or discretion to approve the actions of the courts mentioned in this lawsuit, back between 1976 to 2016, and have sanctioned the illegal, unconstitutional and lack of discretion actions of the earlier courts to try the charges during the mentioned periods of time and did so do EX-ANTE.

102. On December 4, 2017 I did receive a reply to my letter to Judge John McFeeley for Audubon Park Municipal Court denying a reduction in the fine that was issued unconstitutionally and Judge McFeeley thus approved "EX ANTE" the claim that the original trial judge had jurisdiction and in violation of my Constitutional Rights, to issue

the fine of \$125.00 instead of the maximum of \$54.00 at common law that the original judge had authority to enter and thus refused to reimburse me the \$71.00 in excess fines and interest since 1988 which amounted to the total of \$492.90.

132. On December 6, 2017 I did receive a notice from Clementon Municipal Court that in reference to my motion I had to appear before the court on December 19, 2017 at 3:00 p.m.

104. On December 7, 2017 at 12:19 p.m. I did call Runnemede Municipal Court to ascertain the status of my motion and had to leave a message for a call back.

105. On December 7, 2017 at 12:52 p.m. The Clerk of Runnemede Municipal Court returned my call and informed me that in Municipal Court the moving party had to appear in court to be heard on his motion and upon my asking for a return date for the motion they did set the hearing for January 8, 2018 at 4:00 p.m.

105. On December 7, 2017 I did receive a letter from Judge Ryan Trabosh of Bellmawr, N.J. 08099-0368 denying me relief from the 1988 conviction of Mr. Reardon's traffic offenses by his approval, "EX ANTE", when he had no such discretion, power or right to give such validity to the prior conviction of Mr. Reardon and thereby refused to overturn the known Unconstitutional and illegal Conviction of Mr. Reardon. The Judge did commit an act that he is not entitled to do in that he acted as a prosecutor for the state by denying this unopposed motion of the plaintiff and he has no immunity for such illegal and improper action and was barred from having a plenary hearing that he failed to provide to Mr. Reardon.

106. Mr. Reardon did Petition his servants, the Governor, the Attorney General, the State Assembly and State Senate as he has the right to do under the Common Law and his servants refused to grant this Plaintiff, their sovereign, his right to be heard and to redress from the Unconstitutional Laws of New Jersey, *Blackstone's Commentaries, Book 1, Chapter 1, Pages 138-140.*

107. On or about October 28, 2017 I did send a motion of reconsideration to Judge Morrelli in Stratford, N.J. 08084 asking for reconsideration of his denial of relief in my motion in regard to the court in effect making valid the 2007 conviction "EX ANTE" and on or about December 13, 2017 I did receive his decision denying my motion of reconsideration which was also unopposed by the state.

108. December 19, 2017 at approximately 2:45 p.m. Judge Singley from Clementon Municipal Court brought me in front of him on my motion. In this motion the Judge claimed that:

A. He could hear my motion if it involved either a Constitutional Challenge to the Motor vehicle laws or involved an illegal sentence. and

B. That he found that neither were sought in my motion.

109. While Judge Singley claimed that jury trial motions have been filed in the past and the State Appellate Court and State Supreme Court have both found that the 6th and 7th Amendment rights do not apply to motor vehicle offenses, but for Which Judge Singley failed to state on the record how such Jury challenges are applicable to my case since I raised the Common Law Remedy of Civil or Criminal trial by jury under *Amendments 9 and*

14 which has never been decided by any court in this Country. Not at the State or Federal Level and for which I know that prior challenges have been made under *Amendments 6 and 7*. See *Romero Supra*. He further failed to consider the State Supreme Court's holding in *All State Insurance Co. of New Jersey v Lajara Supra* at 1227 and 1229 which held that in the state the same types of cases guaranteed a trial by jury at the Federal Level is the same as at the State Level and the U.S. Supreme Court held in *Tull v U.S. Supra* that suits by the government to recover a statutory penalty for violation of the statute is a common law action of a debt on the statute which in fact is a civil Jury trial claim at Common Law and therefore, under the State law there is a right to civil trial by jury which is in effect our 14th Amendment Due Process right as per *Leeper v Texas, 139 US 462, 467-468, 1891*. By Judge Singley claiming there was no valid Constitutional Challenge or illegal sentence he did (a) deny relief; (b) Continued to uphold the unconstitutional Laws; (c) did obviously not read the papers before him and presented by Mr. Reardon and (d) showed a predisposition to rule based upon his prior limited knowledge of the law by saying there is and was no such valid claims made and thus has left unaddressed these claims I have made and placing the state in a position of being suable in the federal court by actually refusing to hear and decide my motion and the proof themselves state's a valid position to the challenges of the laws as I have made. *Lawrence v State Tax Comm., 286 U.S. 276, 282*.

110. Judge Singley obviously did not read my motion due to the following facts.

A. I challenged the right of the state, at common law and under the *Amendments*

9 and 14, that the people have the common law right and remedy to either a civil or criminal trial by jury and Judge Singly found that the state appellate court and state Supreme Courts have both held that the people do not have the 6th or 7th Amendment Right to a jury trial and for which the plaintiff might agree.

B. Mr. Reardon did challenge the state's power of summary trials on the premise that at Common Law, and under the case of *Tull v U.S.*, 107 S.Ct. 1830, 1836-1837, that an action brought by the state to obtain a fee, penalty or Legal relief is a Common Law action of a debt on a statute that was tried by civil juries even if the action was criminal in nature. *Monterey v. Del Monte Dunes at Monterey, Ltd.*, 526 US 687, 708-710, 1999 and *Allstate New Jersey v Lajara*, 117 A.3d 1221, 1226-1228, 1230, 1232, 2015 holding that the right of jury trial in the state is the same as in the Federal system. This was premised on the 9th and 14th Amendments of the U.S. Constitution. See *Joseph Story's Constitutional Commentaries, Volume 1, Page 140, 1833*; *Romero v International Terminal Operating CO.*, 358 U.S. 354, 363, 1959 in that the people have the rights in the state Courts as they pertain to common law remedies and that at common law the people's remedies when the fine exceeded \$5.40 for civilly based offenses the people were entitled to a civil jury trial and if the fine exceeded \$54.00 for criminally based offenses the people were entitled to criminal process and in *Juzwin v Asbestos Corp.*, 900 F.3d 686, 692, 3rd Cir. 1990 that the hard facts, and thus evidence of the people, are based upon the statutes and court decisions and that the rights to the common law as set out in the moving papers were my rights, facts and evidence the people are entitled to and Judge Singly failed to place any

facts or evidence in the record that would negate the facts, evidence and the law cited by Mr. Reardon. Even if Judge Singley is correct about *Amendments 6 and 7* Claims, there is *9th Amendment* claims that are valid and also as per the state court decisions under the State Constitution and the case of *Allstate New Jersey v Lajara Supra*. And amount to due process violations under the *14th Amendment* and the case of *Leeper v Texas*.

C. The Judge Claimed that he could hear any claim at any time if it involved an illegal sentence or a constitutional challenge to the laws and that he found that in his opinion there is no constitutional challenge or illegal sentence and he thus lacked any jurisdiction or authority to grant me the relief I was seeking and thus the Judges of Audubon Park, Barrington, Bellmawr, and Stratford also lacked jurisdiction to decide my motions.

D. Judge Singley claimed that no-one has ever challenged the laws on driver's licenses, registrations, inspections, no-fault insurance or seat-belts and he had no authority to grant me the relief I was seeking. That is that the state could not classify the private citizen who merely travels the highways in his car, is somehow a driver under the common law and that the state has the right to regulate such conduct. Judge Singley failed to cite any case law or precedent that the state can create a title that is not covered by the common law that negates or over-rides the common law definition of a driver or that the state has the right to regulate the people contrary to the limits placed upon the State at common law that says that unless the people violate the maxim of law stated by the U.S. Supreme Court in *Munn v Ill.*, 94 U.S. 113, 125, 1877 there is no right of the state to

regulate the people in the exercise of Constitutional Rights. See *Buck v Kuykendal*, 267 U.S. 307, 3308-310, 312-14, 1925. Judge Singley also failed to state on the record how Driver's Licenses protect the health, safety or welfare of the Public at large or how the private citizen has opened his doors to his private property giving the state an interest in the use of my car or how the private citizen trespasses upon the rights, person or property of his fellow citizen and has failed to identify and place in the record, any facts, evidence or law that negates that stated by Mr. Reardon. He has denied these rights without any contrary proofs and claimed he lacks jurisdiction to so decide such rights.

E. Judge Singley held that there is no right against prosecution unless there is at least 2 credible witnesses to the overt act contrary to the common law rights of the people. *Blackstone's Commentaries, Book 4, Chapter 27, Page 351; Magna Cart of 1215, Article 38, Magna Carta of 1297, Article 28; Blackstone's Commentaries, Book 1, Chapter 1, Page 124; 1676 Concessions and Agreements of West Jersey, Article XX; Deuteronomy 19, Versus 15-16; Mathew 18, Versus 15-16 and 2 Corinthians 13 Verse 1*. He further failed to consider the case of *Griffin v U.S.*, 502 U.S. 46, 58-59, 1991 which held that if the government fails to provide proof of 2 witnesses as required by law that a conviction and sentence is in fact legal error and is thus an illegal sentence and Judge Singley did thus ignore the law regarding proof by 2 witnesses and that there in fact is an illegal Sentence that he admitted he could hear but failed to so do. He did willfully deny me my rights to be heard. This is even more so given that Mr. Reardon was denied the right to hear the state's position and claims that Judge Singley admitted must be done before the hearing

but for which he and the state failed to provide such basis or to my right to know said basis.

F. I did inform Judge Singly, specifically, as to the limits placed upon him when it comes to the U.S. Constitution and he did say that he simply claims that my common law claims are without merit and he is not refusing to uphold my rights under the U.S. Constitution. I did specifically cite to him *Cooper v Aaron*, 358 U.S. 1, 18, 1958; *Scheuer v Rhodes*, 416 U.S. 232, 237, 1974; *Fay v Noia*, 372 U.S. 391, 408-409, 1963 and *Lemon v Kurtzman*, 411 U.S. 192, 198, 1973.

G. Judge Singly failed to cite any case law that holds that the people do not have the constitutional Right to not be required to take insurance that is to protect the individual from the public instead of protecting the public from the individual, or that the people are in fact entitled to go to any state and acquire car insurance in the state of one's choice, under *Article 4* or how we obtain insurance if we do not have a driver's license.

H. Judge Singly failed to produce a precedent that says the state can require the wearing of seat belts when said laws do not go to protecting society from people or how the individual protects the health, safety or welfare of the public at large or how the wearing of a seat belt trespasses on the person, rights or property of another or how the private citizens opens his doors to the public as to Seat Belt Laws.

I. Judge Singly failed to cite a precedent that says that while the U.S. Supreme court has held that inspection laws are for the regulation trade or commerce, *Gibbons v*

Ogden, 22 U.S. 1, 118 and 203 and that mere traffic, which is what the citizen is engaged in, *Northern Securities, Co. v U.S. 193 U.S. 197, 368-369, 1904*, is not trade or commerce, that the state can require the private citizen to have his car inspected by the State.

J. Judge Singley failed to cite any precedent that shows how registration laws in fact trespass upon the person, right or property of the rest of society or how they protect the health, safety or welfare of the rest of society or how we have opened our doors to the public to be regulated or how the fee for such is not a flat tax that cannot be carried out/enforced.

K. Judge Singley failed to cite any precedent that the laws of all states preventing the people from contracting for insurance on their cars in other states, contrary to the right of Contract, and to the same rights that the citizens of foreign states enjoy in their home state by someone who is passing through or doing business in the foreign state contrary to *Allgeyer v. Louisiana, 165 US 578, 590-591, 1897*; *Lutz v City of York, Pa., 899 F.2d 255, 262, 3rd Cir. 1990*; *Salem Blue Collar Workers Ssa'n v City of Salem, 832 F.Sppp. 852, Dist. Court, D. New Jersey, 1993*; *Parnell v Supreme Court of Appeals of West Virginia, 110 F.3d 1077, 1080, 4th Cir. 1997*; *Zobel v Williams, 457 U.S. 55, 74, 1982*; *Tolchin v Supreme Court of the State of N.J., 111 F.3d 1099, 1111, 3rd Cir. 1997* and *Supreme Court of Va. v Friedman, 487 U.S. 59, 64, 1988* are Constitutional.

L. Judge Singley failed to address the fact that these claims are well rooted in the Law and history and rights of the people not to be classified as fundamental. See *Shapiro v Thompson, 394 U.S. 618, 630, 631, 1969*; *Graham v Richardson, 403 U.S. 365, 375, 1971*;

Dunn v Blunstein, 405 U.S. 330, 338, 1972; *Mathews v Diaz*, 426 U.S. 67, 85-86, 1976; *Jones v Helms*, 452 U.S. 412, 418, 1981; *Attorney General of N.Y. v Soto-Lopez*, 476 U.S. 898, 901-902, 1986; *Schumacher v Nix*, 965 F.2d 1262, 1266-1227, 3rd Cir. 1992; *Hodgson v Minnesota*, 497 U.S. 417, 435, 1990; *Buck v Kuykendall Supra and Connelly v Steel Valley School Dist.*, 706 F.3d 209, 213, 3rd Cir. 2013. and *Allstate N.J. v Lajara Supra*; *King v South Jersey Bank*, 66 N.J. 161, 170-172, 177-178, N.J. Supreme Court 1974; *Filgueiras v Newark Public Schools*, 45 A.3d 966, 1000, N.J. Appellate, 2012 and *State v O'Neill*, 936 A.2d 438, 454, N.J. Supreme Court 2007. See Memorandum of Law pages 53-71 and 73-79.

M. Judge Singley, on the issue of a driver's license, simply stated that driver's licenses are a privilege and not a right without citing a precedent that somehow shows:

(I) The trained licensed driver protects the health, safety or welfare of the people at large, while the trained traveler does not do; or

(II) How the trained traveler trespasses on the rights, person or property of another in the mere traveling of the highways, or what tort the traveler engages in. or

(III) How the state can classify the mere traveling of the highways opens ones doors to the public giving them an interest in the private use of ones car. or

(IV) How the state can claim that they can pass and enforce a law that changes the definition of a Driver, contrary to the Common Law, to regulate the private citizens in the exercise of a private right. *Blackstone's Commentaries, Introduction to the Laws of England, Chapter 1, Pages 67-71, 89; Book 1, Chapter 1, Pages 119-121, 130; Bolden v City of Mobile, Al.*, 100 S.Ct. 1490, 1504, 1980; *Hertado v Ca.*, 110 U.S. 516, 531-532, 546,

1884; *Davis v Weschler*, 263 U.S. 22, 24; *Miller v U.S.*, 230 F.2d 486, 489; *Sherer v Cullen*, 481 F 946 and *Blackstone's Commentaries*, Book 1, Page 119-121, 126-127 and 139-140. or

(V) What the illegal act, or trespass or tort the citizen does that requires him to take a License to use ones private car; or

(VI) How the state can levy a tax or fee on the exercise of a Constitutional Right, the absolute right to use ones property in the public and to travel the highways, or

(VII) how the state can take away the right of personal choice to (a) Wear a seat belt or not; or (b) to protect ones-self from the public as opposed to protecting the public from me; or

(VIII) How the state can penalize the exercise of ones rights to travel, to use one's property in the public or for not wearing a seat belt or for not taking insurance geared to protecting the individual from the public as opposed to protecting the public from the individual.

N. Judge Singley failed to cite a precedent as to the following:

(I) The people don't have the absolute right to use their property, that is a car, in the public, and the State Can take that right away. *Blackstone's Commentaries*, Book 1, Page 119-121, 126-127 and 139-140. or

(II) Why the people are not entitled to these rights whether in society or out. or

(III) How the state and the court can take away these absolute rights. *Blackstone's Commentaries*, *Introduction to the Laws of England*, Chapter 1, Page 69.

O. Judge Singley admits that under the rules of court that a constitutional challenge

or illegal sentence issues are without regard to time limits and that finding Mr. Reardon guilty on less than the plain and solemn averment of at least 2 credible witnesses is not legal error and is thus not an illegal sentence. *Griffin v U.S.*, 502 U.S. 46, 58-59, 1991.

P. Judge Singley failed to consider that challenges under *Amendments 9 and 14* there is both a Constitutional Challenge as to the Common Law as well as an illegal sentence and that the people are entitled to the Common Law remedies of Criminal or Civil trials by jury. The illegal sentence is the excess fines levied that is outside the Common Law limits for a Municipal Court for either civil or criminally based offenses. *Romero V International Terminal Operating Co.*, 358 U.S. 354, 363, 1959.

Q. Judge Singley's decision was premised on the harm that would befall the state Monetarily rather than to uphold the rights of the people. See *Shapiro v Thompson Supra*.

R. Judge Singley found that my motion required oral argument and my presence in court, and ordered the Prosecutor to reply to the motion but when the hearing was had the prosecutor was not present and that the prosecutor did not reply to my motion and did not give any reasons for the state to maintain said proceedings and deny said rights and Judge Singley deprived Mr. Reardon of his due process rights to know the basis for the State's claims of Constitutionality of said laws and Judge Singley did thus act as defense counsel for the state, not as a judge, and would only be entitled to Qualified Immunity that he must prove at trial he should be entitled to such. *Black v. Bayer*, 672 F. 2d 309, 316, 3rd Circuit 1982 and *Mancini v Lester*, 630 F. 2d 990, 995, 3rd Cir. 1990.

S. Judge Singley admitted that an issue of an illegal sentence could be made at

any time and since at common law the Municipal Court Judge could not issue fines in excess of \$5.40 for civilly based offenses or over \$54.00 for criminally based offenses and given that the prior court levied fines against me in excess of these common law limits there was thus an illegal sentence.

111. Judge Singley claims to have read my papers but it is obvious that he did not so do since he claimed that there is no right to a trial by jury at Common Law but ignored the findings of the U.S. Supreme Court in *Tull v U.S. Supra* which held that a criminally based offense that seek monetary relief from the accused is the equivalent of a Common Law action of a debt on a statute requiring a civil trial by jury and that the Judge could not try said action summarily but after the jury trial, if the accused was found guilty, he could levy an appropriate fine against the accused. The Judge Further ignored the State Supreme Court's decision of *Allstate N.J. v Lajara Supra at 1229* which found that the courts of N.J. will not diverge as to Common Law suits of debt on a statute but for which Judge Singley ignored this law he claims to have read but is apparent he did not so do and for which the Supreme Court simply affirmed the earlier decisions of the Court as to what types of cases require a civil jury trial and Ignored the Common Law Rights and remedies of the people as they pertain to both Civil Trial by Jury and Criminal Trial by Jury by claiming that such challenges have failed in the past but he failed to cite any precedent that establishes the State's rights based upon the Common Law and *Amendments 9 and 14* of the U.S. Constitution.

112. Judge Singley claimed that the N.J. Appellate court and State Supreme Court

have both held that there is no right to Civil or Criminal Trial by Jury but those challenges were brought under the *6th and 7th Amendments*, not the Common Law under the *9th and 14th Amendments*. He did thus fail to address my Constitutional Claims and left the injury unresolved and unaddressed. *Lawrence v State Tax Commission, 286 U.S. 276, 282, 1932.*

113. Judge Singley did hold he has no authority to grant the relief I sought and he did therefore reject my motion without resolution. *Lawrence v State Tax Commission, 286 U.S. 276, 282* and for which the judges of Audubon Park, Barrington, Bellmawr and Stratford did also lack jurisdiction to issue the orders it did.

114. Judge Singley was predisposed to ruling as he did not require the Prosecutors to be present to present the state's side to the issues raised in the motion and to deny me from inquiring from the state its basis to the validity of their laws based upon the case law and questions raised in my motion. I was denied Due Process to a fair hearing. That is, Judge Singley denied me my right of testing the state's laws as to the Common Law and Jury trials and as to the *Title 39* laws for (a) Driver's licenses, (b) Registrations, (c) Seat Belts; (d) Inspections and (e) No-Fault car insurance.

115. Judge Singley found that the motion of the plaintiff was one that required oral argument and Judge Singley did not require the state, by way of the local prosecutor, to be present and present the state's side and to give the plaintiff the right to inquire as to the basis for the state's position relative to the rights, law, facts and evidence of the state's claims that *Title 39* laws are constitutional and what the over-riding concern was

for the state's *Title 39* statutes.

116. Judge Singley found that motions, on constitutional challenges, require a hearing but he did then deny me access to the Prosecutor to know the state's position as to said Constitutional challenges. Judge Singley claims he had no jurisdiction to grant the relief I was seeking, which was declaratory and injunctive relief and a setting aside of the fines and costs levied against me.

117. Judge Zane of Barrington has failed and refused to address my motion to him. The Judge did commit an act that he is not entitled to do in that he acted as a prosecutor by refusing to rule on and hear the unopposed motion of the plaintiff and he has no immunity for such illegal and improper action.

118. Where the Statute law and common law conflict, the Common Law gives place to the Statute law. *Blackstone's Commentaries, Introduction to the laws of England, Chapter 1, Page 89.*

119. All judges and prosecutors named in this suit acted in a total lack of jurisdiction to try the offenses listed in this lawsuit by upholding the unconstitutional *Title 39* statutes against Mr. Reardon and issued fines, costs and other fees that the judge was barred from issuing before a jury trial, civilly or criminally, took place and did also lack any jurisdiction, power, authority, right or discretion to do anything other than to grant the relief sought from the particular court or to act as the prosecutor and present the state's claims.

120. Judge Nicholas Trabosh of Runnemede Municipal Court and Judge George Singley of Clementon Municipal Court did state that in New Jersey any motion involving

a constitutional Challenge or illegal sentence requires the defendant to be heard orally on the record and all the other judges, from Barrington, Bellmawr, Audubon Park and Stratford denied my motions, apparently, illegally since they did not give me oral Argument. They did deny me my Due Process Rights without any discretion to so do. See New Jersey Rule of Court 7:7-2(a).

121. On January 27, 2018 I did mail a 78 page legal memorandum and a 3 page cover letter, to Governor Phil Murphy, as his sovereign, and for him to take steps to correct the laws, by filing a lawsuit, that deny the people of their rights to trial by jury at Common Law and as to the invalidity of Driver's licenses, registrations, inspection, seat belt and no-fault insurance laws being unconstitutional since the state has failed to identify the illegal act, tort or trespass the people engage in, how the private citizens trespasses on that the rights, person or property of my fellow citizen, how we affect the Health Safety or welfare of the public at large or how we have opened our doors to the private use of my car or by engaging in trade or commerce and to so state how these 4 things are present for the private citizen in the private use of his automobile. See items 15, 16 and 18 of the Memorandum of Law.

122. All the courts, though requiring oral argument to settle constitutional claims/issues, denied me access to the State through the local prosecutor.

123. All these Judges lacked any jurisdiction, authority, power, discretion or right to do anything other than to set aside all prior actions of the said courts and they have failed to do that. It is the people's understanding of the law that is to

prevail and the law clearly says that suits by the government to recover a statutory penalty for violation of the statute are common law actions of debt on a statute and the state has defrauded the people of these rights, facts, evidence and law for 115 years. *Juzwin v Asbestos Corp.*, 900 F.2d 686, 692, 3rd Cir. 1990. They lacked jurisdiction for the following reasons: (A) the legislature did what it had no discretion to do by passing laws that deprives the people of their rights to the Common Law and Jury trials; (B) That as a result of (A) The Judge and Prosecutor could not uphold or enforce a law that is void for the non-discretionary actions of the Legislature; (C) That the original Judge lacked jurisdiction and these judges lacked jurisdiction to sanction said illegal and unlawful and unconstitutional Acts of the original Judges and (D) The state cannot penalize the people for the exercise of the constitutional right to (i) Use ones property in the public; (ii) To travel the highways; (iii) not not be penalized for not wearing a seat belt since it is a mere personal choice to do or not to do or these other rights; or (E) to the right of choice to not have to take car insurance that is geared to protecting the individual from the public as opposed to protecting the public from the individual; or (F) Not to be taxed for the exercise of a right.

124. The law is also clear in that the people have the right to use their cars on their highways and roadways as a traveler and without the need of a driver's license as the common law is that driver's engage in trade or commerce, which mere traffic is not such, and for which the people do not (a) Open their doors to the public in the private and personal use of their cars to conduct their daily life in business; (b) do not trespass

upon the person, rights or property of our fellow citizens and (c) we do not affect the health safety or welfare of our citizens when using our cars under the absolute right to use one's property in the public, which cannot be taken away, which cannot be regulated and which cannot be denied for any reason. The state cannot impinge or infringe upon the fundamental rights of the people and (d) they have failed to state what the illegal act, Tort or trespass the people do in the exercise of these private rights. *Bolden v City of Mobile, Al. 100 S.Ct. 1490, 1504 and Buck v Kuykendal Supra.*

125. All defendants are being sued in their private or personal capacity for upholding and enforcing *Title 39* Statutes that they know or should know are not constitutional for the following reasons:

A. They deny the people of their Common Law right to either a civil or criminal trial by jury where the fines exceed either \$5.40 or \$54.00 respectively or the jail time exceeds 3 months.

B. How the people (i) trespass upon the person, property or rights of the people in the mere traveling of their highways or merely using their property absolutely under the common law; (ii) How we affect the health, safety or welfare of the public at large in the mere traveling of their highways or using our property in the public; (iii) How we in fact engage in trade or commerce in the mere traveling of their highways or using their private property or (iv) How we have opened our doors to the public in the mere traveling of their highways or using our property in the public.

C. What the illegal act, tort or trespass is that requires the people to take the

state's driver's license to merely exercise their private rights to (i) travel their highways; (ii) to merely conduct their daily life and business or (iii) Use their property in the public.

D. The State has failed to show how Seat belt laws, Registration Laws, inspection laws and No-Fault insurance laws violates any of the 4 basis that give the state the right to require the people to comply with these issues/laws. Or

E. (i) How the state can force the people to protect themselves from the public at large, which is a violation of the *1st Amendment Right* of choice, as opposed to protecting the public against the individual, which the state has the right to do or (ii) How the state can deny the people's *Article 4 Rights* to insure their property in any state they so choose or (iii) How we can acquire insurance when the state cannot force the people to take their driver's license and the fact that insurance companies will not issue insurances unless the party has a driver's license.

126. On March 22, 2018 Mr. Reardon did send the same material he sent to former N.J. Attorney General Porrino to the new Attorney General, Mr. Grewal, asking him the same questions and to do the same as Mr. Reardon asked Mr. Porrino to so do and he failed to reply in kind to this inquiry and rights.

127. Criminal matters are no bar to civil lawsuits. *State v. ZISA, NJ: Appellate Div. 2015*. Since Motor Vehicle matters are basically quasi criminal, then regardless of the Municipal Court's decision(s) they are of no import to suing collaterally rather than appealing said decisions and are not barred by *Skinner v. Switzer*, 131 S. Ct. 1289, 1298.

128. All State Legislative, Judicial and executive officers and all private and Public

defense counsel have continued to maintain the enforcement of N.J. *Title 39 and other* laws on the claim of petty or summary jurisdiction issues or matters when they are Common Law actions of debt on a statute requiring a jury trial and for which the State Judiciary is upholding these unconstitutional laws contrary to the people's rights and that they also disavow such rights under the *9th and 14th Amendments* of the U.S. Constitution and they have practiced this tort, wrong or fraud for the past 115+ years depriving the people of their Common Law rights to jury trial either under the right to a civil jury trial or criminal process and jury trial for *Title 39 Offenses and Since 1787* for all other such statutes.

129. The State Legislative, Executive and Judicial agents of New Jersey have been warned of the people's rights under the *9th and 14th Amendments* and they have continued to uphold the various State Statutes that violate the people's *9th and 14th Amendments* Rights contrary to the law and thereby denied the people of their rights as set out in this Lawsuit. *Cooper v Aaron, 358 U.S. 1, 18, 19, 1958; Scheuer v Rhodes, 416 US 232, 237, 1974 and Blackstone's Commentaries, Book 1, Chapter 9, Page 342.*

130. All 3 counts seek relief for "Official Capacity and Personal Capacity" Actions against all N.J. defendants. Count 3 seek relief under a Personal Capacity claim.

131. The 1776, 1844 and 1947 New Jersey Constitution and the New Jersey State Supreme Court has stated in *Allstate of New Jersey v Lajara, 117 A.3d 1221, 1226-1229, 1232, 2015* and *U.S. v Jepson Supra* that the State Legislature has no discretion or right to propose, vote on and approve a statute that would deprive the people of their Common

Law Rights to a Jury trial and the State Legislature has and continues to pass new Statutes that deprive the people of their guaranteed rights. The State Executive—being the local prosecutor's of the Municipalities, and the Judicial agents have all enforced these Statutes that deprive the people of their Common Law Jury Trial rights for which all 3 branches of the State of New Jersey have all carried out ministerial acts that barred these agents from denying these rights without any discretion to so deny said rights and are simply ministerial acts that mandated the agents not to deny said rights. See *Davis v. Scherer*, 468 US 183, 206, 1984; *Antoine v. Byers & Anderson, Inc.*, 508 US 429, 436, 1993; *Bogan v. Scott-Harris*, 523 US 44, 51-52, 1998; *Norton v. Southern Utah Wilderness Alliance*, 542 US 55, 64, 2004; *In re Charter Communications, Inc.*, 393 F. 3d 771, 784, 8th Circuit 2005; *Castle Rock v. Gonzales*, 545 US 748, 783, 2005; *City of New York v. Mickalis Pawn Shop, LLC*, 645 F. 3d 114, 128, 2nd Circuit 2011; *Bradley v. Fisher*, 80 US 335, 347, 1872; *Ex Parte Virginia*, 100 US 339, 348, 1880; *McCray v. State of Maryland*, 456 F. 2d 1, 4, 4th Cir. 1972; *Davis v. Tarrant County, Tex.*, 565 F.3d 214, 5th Cir. 2009 and *Pierson v Ray*, 386 U.S. 547, 561-567, 1967.

132. Just as the State Legislature cannot do as stated in statement 131 above, the Municipal Prosecutor cannot prosecute a knowingly void, unconstitutional and impotent statutes and they lack such discretion to so promote and enforce said Statutes.

133. Just as the State Legislature and Prosecutors cannot do as stated in statements 131 and 132, the Municipal Judge has no discretion to enforce or even allow the enforcement of said Statutes and that they have made an erroneous claim that said judges

have jurisdiction to try *Title 39* cases Summarily when they do not and can be held liable for such a decision. *Thompson v Smith*, 154 SE 583; *Merritt v Hunter*, C.A. Kansas, 170 F.2d 739, 741 and *State use of Little v U.S. Fidelity & Gauss Co.*, 217 Miss. 576, 64 So.2d 697.

134. Under N.J.S.A. 59:3-14 the state can be sued for breach of Contract and the last or most latest breach of contract occurred from June to July 2014.

135. My car is due to be inspected next year in November.

136. My car was re-registered last year.

137. Between 2000 and 2010 I was ticketed twice for not wearing my seat belt. The fine/penalty was \$46.00 each time.

138. I am currently being forced to pay no-fault car insurance on my 2014 Honda and my 1994 Ford Ranger.

139. On June 11,2018 at approximately 4:50 pm Judge Ryabn Trabosh of the Runnemede Municipal Court dismissed my motion as being time barred.

140. Judge Ryan Trabosh of Runnemede did read the Municipal Court Rules and noted that an illegal sentence can be brought at any time and since the fines and costs levied against me in 1989 exceeded the civil limit of \$5.40 and the criminal limit of \$54.00 at Common Law then the sentence was illegal by his own admission but refused to set the conviction and fines aside and did willfully, intentionally, deliberately and knowingly denied me my rights. *Blackstone's Commentaries, Book 4, Chapter 1, Page 342.*

141. It is the Duty of Lawyers to keep abreast of the law and its changes and the

lawyers and state were given notices in 1787, 1833, 1950, 1954, 1974, 1987, 1999 and confirmation by State Supreme Court in *Allstate of New Jersey v Lajara*, 117 A.3d 1221 and 1227 and 1229 in 2015 that all common law actions of debt on a statute at Common Law require a jury trial and all attorney's have and continue to support the unconstitutional *Title 39* laws to deny the accused of his Common Law rights and is a fraud upon the accused, the people and their rights and upon the courts. Mr. Reardon does state that the Prosecutors and Judges have and continue to uphold *Title 39* Statutes that deprive the people of the said rights and knowingly so. This is an ongoing and continuous Tort, Wrong and Fraud by defense attorneys not disclosing to their clients of their rights, the Prosecutors not notifying the accused of his Common Law Rights and the Judges prosecuting the accused on laws that they know are unconstitutional and contrary to their duty under *Freytag v Commissioner of Internal Revenue*, *Cooper v Aaron* and *Scheuer v Rhodes*. The 6th Notice of *Tull v U.S. Supra* in 1987 held that such Common Law cases can be traced back to 1787 which is 4 years prior to the time frame the State Courts have held to be applicable in New Jersey.

142. The plaintiff seeks declaratory relief against the defendants for their failure to uphold the Rights of the plaintiff/people under the laws and Constitution of the United States, and for denying the plaintiff's Federal Rights as to the Common Law of England to jury trials be they Civil or Criminal in nature, and for forcing the people to take the state's Driver's license, Registration of ones car/private property under the 4th and 14th Amendment rights to use one's property safely in the public and to travel our roads by

any of the standard means of conveyances of the time, to wear seat-belts, to not have to take no-fault insurance in violation of our *1st and 14th Amendment* rights to personal choice and the right to go into any state of ones choice and obtain auto insurance on their property as permitted under *Art. IV* Rights to insure our personal property anywhere we so choose or desire, and our right not to have have our cars inspected since the people do not engage in trade or commerce and thus declare these rights are ours without any obligations to the state that the judges of the State failed to protect and declare are our rights.

143. I did not discover the U.S. Constitutional Right to 2 witnesses at Common Law as per Mr. Blackstone's Commentaries till I began to read them thoroughly in June 2014 and did not discover this till about late March 2015 as to this right and law.

144. The Municipalities have been informed of the law and the people's rights under this law, that the Municipal Court Judges lack jurisdiction and the Municipalities which employ said Judges have decided it is not in their Monetary best interest to fire these Judges or order them to enforce and protect the people's constitutional rights as cited herein and they are Accomplices, Accessories or Co-Conspirators with these Judges to maintain their and the judge's monetary best interest.

145. The Plaintiff is challenging all *Title 39 laws* as to their penalties as being in violation of the people's right to Jury trials at Common Law, and in my case directly and specifically Title 39:3-4, -10, -29, -29.1, -29.2 -38, -40, -40.1, -40.3, 39:6B-1 and -2.

146. The state of New Jersey has levied a direct Tax on the people and their property

in regards to Titling cars and having to register said cars and as to requiring to pay a tax to use one's property in the public and to travel our highways in our cars in the form of a driver's license and are unconstitutional and for which they knew of such at all times from 1906 on in that they were sued in the case of New Jersey v Anderson, 203 U.S. 483, 1906.

147. On June 16, 2018 Mr. Reardon did mail a letter to Attorney General Grewal informing him that I will stand on my rights and refuse to produce a driver's license, a registration or insurance card if stopped by the police and that the state was put on notice of my intent to sue if so stopped and ticketed or arrested by any N.J. Police officer for refusing to comply with *N.J. Title 39 Laws*.

148. On June 12, 2018 I did send a new motion to the following Municipalities to correct the technical defects in my previous motion. I sent said motion to:

- A. Audubon Park Municipal Court.
- B. Bellmawr Municipal Court.
- C. Clementon Municipal Court.
- D. Runnemede Municipal Court. And
- E. Stratford Municipal Court.

149. The state has attached a fee-tax by way of a driver's license, registration and Title fee that cannot be done as it levies such on the People's absolute right to use their private/personal property in the public and to travel our highways in any of the standard means of conveyances of the time contrary to *Murdock v Pennsylvania*, 319 U.S. 105, 106, 113, 1943 and *Blackstone's Commentaries, Introduction to the laws of England, Chapter 1*,

Pages 69 and 70; Book 1, Chapter 1, Pages 119-121, 130 and 134 and cases listed in statement 26 above.

150. The plaintiff has paid illegal title and registration taxes on his cars that have totaled more than \$2,295.00 from 1969 to the present. There were 39 Years I had to pay registration fees and 12 times I had to pay Title Fees. All averaged about \$45.00 per said time.

151. Mr. Reardon appeared before Judge Ryan Trabosh of Runnemede Municipal Court on my motion for declaratory and equity relief. Judge Trabosh did not require the State to present its basis for the validity of the States Motor Vehicle codes, *Title 39*, and did thus deny the plaintiff of the right to provide a reason why the State's Laws are not unconstitutional and thus denied the right to a fair hearing. In so doing and ruling contrary to the plaintiff's unopposed motion the Judge did act as the prosecutor for the state and for which he has no authority to so do, he can not say what the state's position is since it was not given by the Prosecutor Mr. Viola.

152. On June 25, 2108 at about 5:05 p.m. Mr Reardon appeared before Judge Ryan Trabosh on a new motion challenging the right of the Municipal court's to summarily try *Title 39* offenses. On June 11, 2018 This Judge denied my motion on the grounds that it was time barred under the rules unless the party has excusable neglect to relax the time limit. Mr. Reardon did then come home and prepare an affidavit proving he had excusable neglect to proceed on his motion and sent it back to the Court. On the 25th it was made apparent that the Judge did not read my affidavit proving excusable

neglect, and failing to address his basis for the state's claim that jury trial motions have been tried in the past and lost and I did inform the Judge that those decisions were based upon *6th and 7th Amendment* claims and mine was based on *9th Amendment's* claims and the judge refused to hear the motion claiming it was time barred and further failed to address the issues of the motor vehicle codes on Driver's licenses, registrations, Titles, Insurance, seat belt and inspection issues that he in effect refused to rule on all of these issues saying they were time barred. Judge Trabosh left unresolved issues and constitutional matters as they pertain to an ongoing and continuous tort, wrong and Fraud for the past 115 years and failed to cite a precedence at the federal or state court level that would support his claims. Not just to the Constitutional questions but as to my affidavit proving excusable neglect that he himself stated on 6/11/18 at about 5 p.m. *Lawrence v State Tax Commission, 286 U.S. 276, 282, 1932.*

153, While Judge Trabosh noted in the record on 6/11/18 that if a party had excusable neglect for his lengthy Post conviction Motion, the time limit of 2 years can be overcome and the motion considered as timely. Mr. Reardon did submit an affidavit supporting his excusable neglect and the Judge failed to recognize the affidavit even though Mr. Reardon proved that no one in this entire country is apparently aware of the law and my rights. Judge Trabosh was warned ahead time as to the law and the limits placed upon him by the law and the judge did willfully, intentionally, deliberately and knowingly deny my right to be heard on my motion and thereby did deny me of Due Process to be heard contrary to *United Student Aid Fund v Espinosa, 130 S. Ct. 1367, 1375,*

2010 and his order is void and this is also a collateral attack on this void order. I am challenging the interpretation of Judge Ryan Trabosh claiming that rule 7:10-2 does not afford Mr. Reardon a grounds of excusable neglect to overcome the time limit set in said Rule which denied Mr. Reardon of his right to be heard in court and creating a record that could legally be appealed on and giving Mr. Reardon the knowledge of the State's position as to the Constitutionality of the State's *Title 39* Laws.

154. The Judges in Audubon Park, Bellmawr, Clementon and Stratford failed to hear my motion,

155. New Jersey *Title 39* Statutes deprive the people of all the rights claimed and asserted in the 1st 2 Counts of this lawsuit by taking away the rights complained of without Due Process of Law before hand. *Larwrence v State Tax Commission @ 279*.

156. The plaintiff is challenging the constitutionality of all *Title 39* Statutes and the ruling that the State's Rules, as implied by Judge Trabosh, prevent a right to a hearing on the merits of my motion when I have provided ample proof of excusable neglect to be heard on said motion and for which he admitted on 6/11/18 that the time limit set in the rule can be relaxed for excusable neglect.

157. The State Legislature, those named in this lawsuit, have and continue to make new law that takes the people's right to civil jury trial away from the people and without any discretion to do so.

Relief Sought:

The Plaintiff seeks to order the state to inform all offenders that were tried civilly

or criminally for the recovery of a fine for the violation of some statute from 1787 to the present that they may sue in court to recover damages for the violations of rights this lawsuit brings out, to order all 565 Municipalities that all offenders are entitled to either Civil Trial by jury where the fines exceeds \$5.40 and there is no immediate jail sentence, or to Criminal Process where the fines exceeds \$54.00 or jail time could be more than 3 months, or in civil matters the fines cannot be in excess of \$5.40 and no more than \$54.00 or no more than 3 months in jail for criminal matters in order to comply with the *8th 9th & 14th Amendments* of excessive fines or jail time, or that the people are entitled to not be required to Have (a) a Driver's License; (b) A registration; (c) to not having to have the people's cars inspected or (d) To the people's *1st Amendment* rights of free choice as to whether the people have to have no-fault insurance or wear a seat belt since it does not comply with the legal premise that the public at large is to be protected from the individual as opposed to requiring the individual to protect himself from the Public at large; or (e) to the right of a civil trial by jury since *Title 39:6B* violations are common law actions of debt on a statute; or (f) to not be penalized for the exercise of a right; or (g) to not be tried and convicted in any state proceedings, whether civil or criminal, by less than 2 witnesses to the overt Act(s); or (h) To not have to wear seat belts if they so choose not to. I seek declaratory relief establishing the rights listed above against all defendants and I seek injunctive relief against all defendants but the Judges; or (I) Not to be taxed for the exercise of a right.

Facts:

1. The states of New York, Pennsylvania, Delaware and New Jersey have laws that require the private citizen to register his car in said state.
2. These states require that the person so seeking to register his car in the state must in fact reside in said state.
3. These states all require motor vehicle insurance on the citizens cars in order to use ones property on the public highways of these states.
4. As a result of statements 1-3, a person who does not live in the given state is barred from entering into a contract for car insurance unless the person so resides in the state.
5. The requirements of items 1-3 prohibit the private citizen from contracting on his property wherever he so desires to so enter into a contract for insurance contrary to the U.S. Constitution, *Article IV*. See cases listed in Statements 8 and 9 C.(I) below.
6. The plaintiff did in fact write letters to the states of New York, Delaware, Pennsylvania and New Jersey on the issues raised in this count and the said states have refused to reply in kind to the plaintiff's inquiries and said refusal is a demonstration of the willful position of denying the people of their U.S. Constitutional rights to Contract on their property anywhere they so desire as permitted by the U.S. Constitution and is injuring the people and depriving the people of their Constitutional Rights without any, or any just, cause.
7. On October 11, 2017 I did mail letters to the Attorney Generals of New Jersey,

New York, Delaware and Pennsylvania asking if their states had laws that prevent out of state residents to acquire car insurance in their state, or for their resident to get car insurance in another state and if they had any laws that exist that said states have entered into some agreement or compact with other states to bar the citizens from acquiring car insurance In another state by its residents or out of state residents from acquiring car insurance in their state and they have refused to reply to this inquiry.

8. The various States, Pennsylvania, Delaware, New York, and New Jersey, as examples, have implemented laws that deprives the private citizen the right to go out of their home/resident state to acquire insurance on their property, that is their cars, and is depriving the people of their right to contract for insurance on their property in another state as guaranteed by the U.S. Constitution and is also depriving the People of the same Rights and Privileges that the state's residents enjoy by those who pass through said states contrary to *Article 4* of the U.S. Constitution. *Allgeyer v Louisiana*, 165 U.S. 578, 390, 391, 1897 ; *Connecticut ex rel. Blumenthal v. Crotty*, 346 F. 3d 84, 95, 2nd Cir. 2003; *Holden v. Hardy*, 169 US 366, 391, 1898; *Adkins v. Children's Hospital of DC*, 261 US 525, 545, 1923; *Highland v. Russell Car & Snow Plow Co.*, 279 US 253, 261, 1929; *Colgate v. Harvey*, 296 US 404, 433, 1935; *Ballstaedt v. Amoco Oil Co.*, 509 F. Supp. 1095, 1096, Dist. Court, ND Iowa 1981 and *BJRL v. State of Utah*, 655 F. Supp. 692, 701-Ft.Nt. 5, Dist. Court, D. Utah 1987. These Compacts are barred under Art. 1, Section 10, Paragraphs 1 and 3 of the U.S. Constitution, see also case in Statement 9(C)(I) below.

9. The States named have laws which discriminates against out of state visitors from

acquiring a registration on their private car and thus insurance there as well under *Article 4* of the U.S. Constitution.

A. These states require that in order to register a car in said states the person must have a residence in the state.

B. In order to get car insurance in said states the person's car must be registered in the state and the person must have a local address of residency.

C. Items A and B are in violation of the following Rights:

(I) The Privileges and Immunities under *Article 4* of the U.S. Constitution. See *Lutz v. City of York, Pa.*, 899 F. 2d 255, 262, 3rd Cir. 1990; *Salem Blue Collar Workers Ass'n v. City of Salem*, 832 F. Supp. 852, Dist. Court, D. New Jersey, 1993; *Parnell v. Supreme Court of Appeals of West Virginia*, 110 F. 3d 1077, 1080, 4th Cir., 1997; Also *Zobel v. Williams*, 457 US 55, 74, 1982; *Supreme Court of Va. v. Friedman*, 487 US 59, 64, 1988; *HUDSON CTY. BLDG. & CONST. TRADES COUN. v. Jersey City*, 960 F. Supp. 823, 829, Dist. Court, D. N.J. 1996; *Tolchin v. Supreme Court of the State of NJ*, 111 F. 3d 1099, 1111, 3rd Cir. 1997; *Ponderosa Dairy v. Lyons*, 259 F. 3d 1148, 1156, 9th Cir. 2001; *Town of West Hartford v. Operation Rescue*, 991 F. 2d 1039, 1047, 2nd Cir. 1993; *Barefoot v. City of Wilmington*, 306 F. 3d 113, 122, 2nd Cir. 2002; *McBurney v. Young*, 133 S. Ct. 1709, 1715, 2013; *Schoenefeld v. New York*, 748 F. 3d 464, 467, 2nd Cir. 2014; *Marilley v. Bonham*, 802 F. 3d 958, 962, 9th Cir. 2015; *Marilley v. Bonham*, 844 F. 3d 841, 846, 9th Cir. 2016. And

(II) It prevents the people of the right to contract on their property anywhere they so choose to insure said property in the state in which the insurance is sought. See Case

Law cited in statement 8 above, and deprives the people of the same rights that the residents in said states enjoy.

10. These states have known of this law from 1897 on.

11. These states deprive the people of their right of Contract under *Article 4 and/or* the *9th and 14th Amendments* of the U.S. Constitution.

12. The right to insure one's car in any state, even if not a resident, which one is entitled to the same benefits as those of the other states and the out of state residents are being discriminating against is a protected Right. *National Life Insurance Co. v United States*, 277 U.S. 508, 530, 1928; *Lawrence v State Tax Commission*, 282 U.S. 276, 282, 1862; *Olmstead v L.C.*, 527 U.S. 581, 614, 1989; *Jackson v Birmingham Brd. Of Ed.*, 544 U.S. 167, 174, 2005 and *State v Presley*, 94 A.3d 921, N.J. App. 2014.

13. On December 28, 2017 I did ask the MVC of New York, Delaware, New Jersey and Pennsylvania whether they had laws that prevent out of state residents from acquiring Car Insurance in said state if they do not reside therein or which prevents their citizens from acquiring Car Insurance from another state and they have failed to answer said inquiry.

14. On December 26, 2017 the Plaintiff received a letter from the Pennsylvania Attorney General regarding my inquiry on the Motor Vehicle laws and he referred the letter to the Department of Motor Vehicles for Pennsylvania.

15. On June 15, 2018 at 4:00 P.M. I did speak to Delaware department of Motor vehicle agent Michael "Doe" who told me that I could not get Car insurance in Delaware

unless I had a residence in Delaware. Delaware's law do deny me my *Article 4* Rights to enter into contract on my personal property in any state I so choose and contrary to the law cited in statement 8 and 9(C)(i) in this count. The plaintiff hereby challenges the Delaware Motor Vehicle statutes as being unconstitutional by depriving The foreign citizens of the same right to contract within Delaware by its residents as it pertains to those who are traveling through, or who wish to do business in, Delaware.

16. On 6/15/18 I did send an email to the New York Department of Motor vehicles to ascertain if I could acquire car insurance in New York by using my N.J. address of residence and they did reply back they would answer my email inquiry within 5 working days this response came at 3:45 P.M. on 6/15/18. It is now 6/26/18 and I have no reply.

17. On June 16, 2018 I did mail letters to the N.J. MVC and the Pennsylvania Motor Vehicle Division to ascertain from N.J. If under its laws I could go to another state and acquire car insurance in another state and as to Pennsylvania I sought to ascertain if I could acquire car insurance in Pennsylvania using my N.J. Address of residence.

18. The Plaintiff challenges Title 21, Sections 401, 403 and 404 of the Delaware Motor Vehicle Codes as to agreements with other states, and if Pennsylvania, New Jersey and New York have similar laws and being in contradiction to Art. 1, Clause 10 of the U.S. Constitution. As to insurance and registration laws, the plaintiff challenges them.

19. The plaintiff challenges Pennsylvania Motor Vehicle laws, Title 75, Sections 1301, 1308 and 1711.

20. The plaintiff challenges New Yorks Motor Vehicle laws, Title IV, Section 401 and New Yorks Auto Insurance Laws, whatever they are in particular.

21. The plaintiff challenges New Jersey Title 39:3-4, -29.1, -38, -40.1, 39:6B-1 and -2 as being in violation of Art. IV of the U.S. Constitution.

Relief

The plaintiff hereby seeks an order declaring that all state laws that deprive the people of their right to Contract under the U.S. Constitution under Art. IV thereof are unconstitutional and that the states' laws requiring residence or having insurance on the highways as being unconstitutional since it deprives the people of their Right to freely contract on their property any where they choose or to pass a law that those using the public highways do not have to have car insurance if they are to be denied the right to contract on their property any where they so choose or that the laws that deprive the out of state resident the right to contract for car insurance within the state that the state's residents enjoy are unconstitutional since they deprive the out of state, non, resident the same rights as the State's residents and are void. See *Cooper v Aaron*, 358 U.S. 1, 18, 19, 1959; *Scheuer v Rhodes*, 416 U.S. 232, 237, 1974; *Fay v Noia*, 372 U.S. 391, 408-409, 1963 and *Lemon v Kurtzman*, 411 U.S. 192, 198, 1973 see also cases in Statements 8 and 9 (I) above.

Count 3

The plaintiff incorporates the statements in counts 1 and 2 into this count as though recited herein and seeks to hold the N.J. defendants jointly and severally liable for the

damages both in their official and private capacities and for a lack of discretion to deny the relief sought from the Judges when the State Legislature could not pass the laws in question and as a result the State Executive—the local Prosecutors, and the Judicial—the Local Judges, could not sanction and enforce a law that could not have been passed by the Legislature to begin with and for which their jurisdiction was stripped from them at Common Law.

Relief

Please note that I am not seeking damages against the defendants jointly and severally.

The plaintiff seeks the \$150.00 in license fees paid from 1969 to 2017. Times 3 types of damages; Times 3 for theft; Times 3 for RICO; times 22 defendants; Times 6 Municipalities for a total of \$623,700.00.

1. \$21,614.00 for all fines, costs and fees from 1976-2017, For Compensatory, Punitive and Exemplary damages, for a total of \$64,842.00. Times 20 defendants times 3 for RICO Violations and times 3 for theft offenses times 74 for the number of times I was denied rights, times 6 municipalities for a total of \$5,700,389,904.00. To be collected jointly and severally from the defendants.

2. For violation of my Common Law rights to travel and Absolute Right to use my personal and private Property in the public as per Mr. Blackstone as opposed to having a driver's license, or for not being required to have my car inspected, and to not have to register my car, to have no-fault Car insurance and not to wear seat belts I seek the

following damages, to due process of fair hearings and tribunal and to the equal protections of the law. \$1,500.00 per violation, which is 12; Times 22 defendants; Times 3 classes of damages, compensatory, punitive and exemplary; Times 6 boroughs and Times 14, the number of times I was deprived of these rights, For a total of \$99,792,000.00

3. For the denial of my Common Law Right to either a civil or criminal trial by jury I seek \$1,500.00 for each such denial, times 22 Defendants; time 3 classes of damages- compensatory, punitive and exemplary, times 14 times I was denied time 6 boroughs, for a total of \$8,316,000.00.

4. For violation of 2C:20-3(a) and -4(a)-(c). I want compensatory, punitive and exemplary damages for the 4 sections of these statutes; times 74 times the violations of these statutes; times 3 for treble damages for theft offenses; Times 22 defendants; times 6 Municipalities; times \$1,000.00 per offense for a total of \$351,648,000.00 times 3 for RICO violations or \$1,054,944,000.00.

5. For violation of N.J.S.A. 2C:28-7(1) and (2) and 2C:21-4(a) I seek punitive, exemplary and compensatory damages as follows. \$1,500.00 time 3 section violations; times 74 such violations; times 20 defendants; Times 6 Municipalities or \$43,956,000.00

6. For violation of N.J.S.A. 2C:29-1, -3(a)(2), (5), (7) and (b)(1) I seek compensatory, punitive, and exemplary damages in the amount of \$1,000.00 times 5 code violations; times 74 such offenses; times 22 defendants; times 6 Municipalities for a total of \$146,520,000.00.

7. For violation of N.J.S.A. 2C:30-2(a) and (b) I seek \$1,500.00 times punitive,

compensatory and exemplary damages, time 2 section violations, times 20 defendants; times 74 acts times 6 Municipalities or a total of \$87,912,000.00.

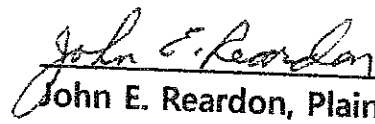
8. The plaintiff further seeks \$1,000.00 per rights violation of which the rights denied are Trials by Jury which is 15 such denials, then another 15, the number of times I was prosecuted on less than the testimony of 2 credible witnesses to the overt act(s), then 15 times I was discriminated against, then 15 times I was denied a fair hearing, then 3 times for no license or driving with a suspended license, then 5 times for no insurance, then 1 time for no tags, then 3 times for no registration, then 13 times for forcing Insurance upon me, then 13 times for forcing their driver's license on me, then 21 times I had to have my car inspected, then 39 times that I had to register my car, then 4 times for the number of seat belt tickets I received, times 22 defendants, time 3 classes of damages, that is punitive, exemplary and compensatory for a total of \$10,428,000.00 from the defendants in New Jersey.

9. For the unconstitutional flat-direct taxes of registrations and titles on my cars from 1969-1990 and from 2001-2018 I seek punitive, exemplary and compensatory damages in the amount of \$2,295.00 each, time 3 for violation of N.J.S.A. 2C:20-3 and -4 thefts by deception and unlawful taking, and treble at common law for thefts times 4 sections of the Statutes, time 49 the number of unlawful taxations for a total of total of \$11,668,860.00 times 22 defendants or a total of \$267,193,080.00.

The plaintiff seeks to recover these damages jointly and severally from the New Jersey defendants.

Wherefore, the Plaintiff hereby states, attests and affirms before Almighty God as his witness that the forgoing statements are true and correct to the best of his knowledge and belief and that he may be punished under the law if any are willfully and materially false.

Dated: June 25, 2018


John E. Reardon, Plaintiff