From: First and Last Name (Not in all CAPS)

 Street Address (Not in all CAPS, no abbreviations)

City, State (Not in all CAPS, no abbreviations, city and state spelled out) no zip code]/TDC

To: FIRST AND LAST NAME (IN ALL CAPS)

 TITLE/POSITION OF DEPARTMENT/OFFICE

 COMPANY/GOVERNMENT AGENCY

 STREET ADDRESS

 CITY, STATE, ZIP

Date: August 25, 2021

Regarding: “Covid-19” policies

**LAWFUL NOTICE AND DEMAND**

This constitutes **direct and** **constructive notice** to you personally as the principal of your department, and to all your subordinates, and your or their replacements, successors, substitutes and agents. The purpose of this notice is to make you aware of violations of law and the potential deprivation of Rights of the People by **you** and allow **you** the due process right to correct them and restrict your actions to the limits placed upon you by the California State Constitution and the Constitution for the united States of America as well as case law including ***County of Butler v. Governor Wolf***, Case 2:20-cv-00677-WSS1 and ***Home Building & Loan Assoc. v. Blaisdell***, 290 U.S. 398 (1934) 2 and ***Ex Parte Milligan*,** 71 U.S. 2 (1866) 3.

In regard to any and all “Covid-19” “policies”, “orders”, or “mandates” (such as “guidelines” for “physical distancing”, masking, testing, tracking, or “vaccinations”, etc.), there is no actual **law** that has been passed by the State or Federal Legislature that requires me to comply.

*“The Constitution is the supreme law of the land. Any law that is repugnant to the Constitution is null and void… The Constitution supersedes all other laws and individual rights shall be liberally enforced in favor of him, the clearly intended and expressly designated beneficiary.”* ***Marbury v. Madison***, 5 U.S. 137 (1803)

*“All codes, rules, and regulations are unconstitutional and lacking in due process of law.”* ***Rodrigues v. Ray Donovan, U.S. Dept of Labor,*** 769 F2d 1344, 1348 (1985)

*“Indeed, insofar as a statute runs counter to the fundamental law of the land [the Constitution & Bill of Rights], it is superseded, thereby...”* ***16 Am Jur 2d,*** *Const. Law*, Sect 70

*“Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.”* ***Miranda v. Arizona***, 384 U.S. 436, 491 (1966)

*“Every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellow-men, without his consent.”* ***Cruden v. Neale***, 2 NC 338, 339 (1796)

The “orders” or “mandates” of a governor, mayor, or agent or officer for a city/county/state/health department, etc. are not law, and public “policy” cannot violate the rights of the People.

*“No human being in this country can exercise any kind of Public authority which is not conferred by law; and under the United States it must be given by the express words of a written Statute. Whatever is not so given is withheld, and the exercise of it is positively prohibited.”* ***Ex Parte Milligan*,** 71 U.S. 2 (1866)

*“No public policy of a state can be allowed to override the positive guarantees of the U.S. Constitution [for the united States of America].”* ***16 Am Jur 2d,*** *Const. Law*, Sect 70

The “Covid-19” policies for California workers violate at minimum Sections 1, 2, 3, 4, 9, 10, 11 and 19 of the California Constitution as and the First, Fourth and Fifth Amendments to the Constitution for the united States of America. To be clear, **I have waived none of my rights** and I do not consent to any policies that violate any of my unalienable, constitutionally protected rights or any other rights that I may have. Consequently, I HEREBY RESCIND any and all presumed, assumed, tacit, or coercive agreements/contracts and also HEREBY NULLIFY any documents signed without full disclosure. By law, both parties must enter any contract knowingly, voluntarily, and intentionally or the contract is unenforceable and void.

*“Waivers of Constitutional Rights not only must be voluntary, but must be knowingly intelligent acts done with sufficient awareness of the relevant circumstances and likely consequences.”* ***Brady v. United States***, 397 US 742 (1970)

YOU ARE HEREBY NOTICED that you are required to **provide proof of your lawful authority** (in proper compliance with governing law pursuant to the California State Constitution and the Constitution for the united States of America) to enforce any health “policy” for the general public. Please provide **the law** and **to whom it applies.**  Without lawful authority, this is a ruse, threats, duress, and coercion.

YOU ARE HEREBY DEMANDED to **cease and desist immediately** until you provide proof of your lawful authority in this matter.

YOU ARE ALSO HEREBY WARNED per the Notice of Violations enclosed, that you will lose any “immunity” and be held **fully responsible** and **personally liable** for any unlawful actions which violate any of my rights (including any fees or fines for damages which result from any violations pursuant to U.S.C. Title 18, Sections 241-242 and U.S.C. Title 42, Section 1983).

*“It is said that all persons are presumed to know the law, meaning that ignorance of the law excuses no one; if any person acts under an unconstitutional statute, he does so at his peril and must take the consequences.”* ***16 Am Jur 2d.,*** *Const. Law*, Sec 70

*“State officers may be held personally liable for damages based upon actions they take in their official [PERSONAL] capacities.”* ***Hafer v. Melo***, 502 U.S. 21 (1991)

*“When a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States.”* ***Scheuer v. Rhodes***, 416 U.S. 232, 94 S.Ct. 1683, 1687 (1974)

Your timely response **within ten (10) days** from your receipt of this notice, must be in **affidavit form**, under your full liability, that the facts contained therein, are true, correct, complete and not misleading. It is a well-known maxim of law that truth is expressed in the form of an affidavit. Unsworn declarations are insufficient, as unsworn declarations permit lying by omission, which no honorable draft may contain.

Thank you for understanding that you have an obligation to timely respond. **“Silence” will result in your acquiescence and tacit agreement that you do NOT have lawful authority in this matter.**

**“Tacit”** is defined by ***Ballentine***’***s Law Dictionary***, Third Edition, page 1252: “*Silent; not expressed; implied;”* and by ***Bouvier***’***s Law Dictionary***, 14 Edition, Vol II, page 576: “*That which although not expressed, is understood from the nature of the thing or from the provision of the law; implied;”* and by ***Black***’***s Law Dictionary***, Fourth Edition: “*Existing, inferred, or understood without being openly expressed or stated, implied by silence or silent acquiescence, understood, implied as tacit agreement, a tacit understanding.”* See, ***State v. Chadwick,*** 150 Or. 645, 47 P.2d 232, 234 (1935).

With explicit reservation of all my unalienable and constitutionally protected rights (Article 4:2:1), and any other rights, privileges, or immunities that I may have, with none waived, and without prejudice.

Very Truly,

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First and Last Name, One of We the People Date

In Pro Per, In Sui Juris

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Witness signature #1 Witness signature #2

Enclosures:

Notice of Violations

**Endnotes**

1***County of Butler v. Governor Wolf***, Case 2:20-cv-00677-WSS:
*“However, good intentions toward a laudable end are not alone enough to uphold governmental action against a constitutional challenge. Indeed, the greatest threats to our system of constitutional liberties may arise when the ends are laudable, and the intent is good-especially in a time of emergency. In an emergency, even a vigilant public may let down its guard over its constitutional liberties only to find that liberties, once relinquished, are hard to recoup and that restrictions-while expedient in the face of an emergency situation-may persist long after immediate danger has passed. Thus, in reviewing emergency measures, the job of courts is made more difficult by the delicate balancing that they must undertake. The Court is guided in this balancing by principles of established constitutional jurisprudence. This action seeks a declaration that Defendants' actions violated and continue to violate the First Amendment. . . The Court closes this Opinion as it began, by recognizing that Defendants’ actions at issue here were undertaken with the good intention of addressing a public health emergency.* ***But, even in an emergency, the authority of government is not unfettered. The liberties protected by the Constitution are not fair-weather freedoms—in place when times are good but able to be cast aside in times of trouble.*** *There is no question that this Country has faced, and will face, emergencies of every sort. But the solution to a national crisis can never be permitted to supersede the commitment of individual liberty that stands as a foundation of the American experiment.* ***The Constitution cannot accept the concept of a ‘new normal’ where the basic liberties of the People can be subordinated to open-ended emergency mitigation measures. Rather, the Constitution sets certain lines that may not be crossed, even in an emergency. Actions taken by Defendants crossed those lines. It is the duty of the Court to declare those actions unconstitutional. Thus, consistent with the reasons set forth above, the Court will enter a judgment in favor of the Plaintiffs.”***

2 ***Home Building & Loan Assoc. v. Blaisdell***, 290 U.S. 398 (1934):

*“Emergency does not create power. Emergency does not increase granted power or remove or diminish restrictions imposed upon power granted or reserved. The Constitution was adopted in a period of grave emergency. Its grants of power to the Federal Government and its limitations of the power of the States were determined in the light of emergency and they are not altered by emergency.”*

3***Ex Parte Milligan*,** 71 U.S. 2 (1866)*:*

*“The Constitution of the United States is a law for rulers and people equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government."*

*“The prevailing sentiment of the time, when the constitution was framed, was the dislike and dread of executive authority. It is hard to believe that so vast and dangerous a power would have been conferred upon the President [any executive officer] without providing some safeguards against its abuse.”*