

Trevor Andrew Brown  
39603 Neston st.  
Novi Mi, 48377

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	Case No. 21-mj-498 (GMH)
	:	
v.	:	MOTION TO DISMISS
	:	
TREVOR BROWN,	:	LACK OF JURISDICTION
	:	
Defendant.	:	DECLARATORY JUDGMENT
	:	
	:	TORT SETTLEMENT
	:	

MOTION TO DISMISS, LACK OF JURISDICTION, DECLARATORY  
JUDGMENT, TORT SETTLEMENT

Trevor Brown misidentified as defendant TREVOR BROWN, files this Motion to Dismiss, Lack of Jurisdiction, Declaratory Judgements, Tort Settlement, on my own without assistance from the courts Attorney, Todd Shanker , because Todd Shanker is untrustworthy and has threatened me, attempted to intimidate me, obstructed my gaining access to relevant Brady and other materials with which to defend myself from encroachment on my liberty under the Rule of Law.

1.) I, Trevor Andrew Brown, have been misidentified as defendant TREVOR BROWN, arrested and held restrained of unimpaired liberty pursuant to fatally defective government process. Thus, I, Trevor Andrew Brown have no choice but to act in the case no. **1:21-mj-00498** in order to protect myself. My motion to dismiss herein is my demand that I be provided with access to the laws and procedures that are required to be honored and enforced by this court.

2.) **EXHIBIT I**, Oath required for Attorneys operating in Michigan in any court state or federal. Mr. Shanker was appointed by the court to provide me with **competent counsel**. Beneficiary of the trust, Trevor Andrew Brown, created by the court alleges and will provide testimony as needed proving breach of trust. Mr. Shanker has failed to exhibit competency, so; **Mr. Shanker is hereby FIRED** from the trust position created by the court, without my consent. Mr. Todd Shanker appears to be taking money, consideration for performance on a contract with the United States, executed by this court under Magistrate Harvey G. Michael authority. Thus Mr. Shanker appears to be committing fraud on the court and the United States.

3.) My firsthand experience with Todd Shanker, court appointed attorney, is that Mr. Shanker, works in conspiracy with the United States Attorneys in order to deceive me and the court concerning facts & law which when presented to the court will expose fatal defects causing my persecution to be ruled VOID for “There is no law”, upon which the Federal government is authorized to act against me.

4.) Mr. Todd Shanker, BAR identifier P65112 is now barred from acting or speaking for me, Trevor Brown in any manner whatsoever.

5.) Until the United States of America, the plaintiff party charging a defendant with violation of law and attachment of penalties or restraint of liberty in any manner whatsoever, proves both personal and subject matter jurisdiction over a defendant, the court is without power to appoint an attorney to re-present, speak for or bind a defendant. More to the point, the court by appointing one of its franchised agents, Todd Shanker, attorney, acted as Trustee over a

defendant, properly identified or not, over the political and legal rights of the American citizen Trevor Brown. The appointing court thus becomes the administrator of the Constitution, its controlling Bill of Rights and statutes, the indentures to the public trust, guaranteeing access to and protection from the laws of the United States of America are provided to whom and whatever is identified as a defendant or held under mistaken identity, Trevor Brown.

6.) The proof of the above statement of fact is this Motion to Dismiss for Lack of Jurisdiction, is required to be presented by a misidentified defendant, Trevor Brown, because the agent appointed and paid by the court intentionally refused to do so. The defendant, properly identified or not, was forced by negligence of government agent, appointed counsel Todd Shanker, to defend against fatally defective allegations, or, for Trevor Brown to authorize by acceptance.

7.) Court appointed attorney Todd Shanker is essentially appointed as a court access point for ZOOM appearances extending the venue of the District of Columbia to Michigan. There is no statute authorizing nor authority granted by constitution to extend the venue of the District Court at the Seat of Government, in the City of Washington, District of Columbia to Michigan and mislead a defendant into operations void of both proper venue and jurisdiction as proved herein and herewith.

8.) I, Trevor Brown, am aware and informed by the United States Supreme Court, that this court is to give me great latitude in my filings, construe my documents in the best possible benefit to me, in short act as a protector of my rights whether I demand the court do so or not and

ensure the United States Government, particularly the United States Attorneys Office, follows the law, all the law all the time, precisely. **EXHIBIT II.** Supreme Court Order to all federal judges. Haines v. Kerner, 404 U.S. 519. And, **Exhibit XXIV**, found below. Cooper v. Pate, 378 U.S. 546. Court must accept allegations in pleadings as true.

9.) I present my personal Acceptance of Fiduciary Obligations owed by the courts judge Colleen Kollar-Kotelly as a matter of law, the Constitution for the United States of America, Article VI, sections 2 and 3. Further I present the Federal Form 56 Notice Concerning Fiduciary Relationship for judge Colleen Kollar-Kotelly's execution and proper delivery. **EXHIBIT III.**

10.) Trevor Brown, a citizen of the State of Michigan, thus a citizen of the United States of America, approaches the court exercising rights secured by law to all citizens. Trevor Brown, hereby and herewith, accepts the FIDUCIARY DUTIES of all United States Government officers, employees, and agents operating under banner or identifiers of the United States Government in each and every of its actions.

11.) **Exhibit IV.** Acceptance of Fiduciary Duties annexed hereto, and Federal Form, 56, duly executed and delivered to public record identifying individuals having the legal duties to provide accounting, and settle and close this account under government identifier, Criminal Action No. **1:21-mj-00498**

12.) The fiduciary obligations owed by public officers associated to this criminal action begin at Article VI of the Constitution for the United States of America, fidelity bond given

under oath and or employment contract prior to assuming duties of federal government officer or employee. Fiduciary duties also include yet are not limited to, obligations of the United States to ensure secured rights found at Article I, IV, V, VI, IX amending the original constitution are to be provided to Trevor Brown. Further fiduciary obligations identified by United States Supreme Court declarations of procedural rights are to be executed, such as production of Brady materials now under court order identified by Docket entry 4 .

13.) Wrongly held impaired of full liberty, Trevor Andrew Brown, misidentified as defendant TREVOR BROWN, causes Trevor Brown to move the court to dismiss criminal action, case no. **1:21-mj-00498** , for good causes. Misidentification of Trevor Brown the man as TREVOR BROWN, a constructed legal person and for Lack of Subject Matter Jurisdiction, under defective assumption that Trevor Brown is subject to United States Code sections , Title 18 & Title 40 of the code which is the binding aid to the proper statutes.

14.) Trevor Brown, further moves the court to exercise by execution its original statutory jurisdiction found at Title 28 United States Code (USC) section 1346, for Order of payment on TORT. Invoice for TORT and payment order fully incorporated herein.

15.) The TORTS are identified herein and herewith as loss of property, citizens property right in receiving full protection from the Bill of Rights and Brady procedural duties, and other lawful requirements, causing both personal injuries by the negligent or wrongful act or omission of employees of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant

in accordance with the law of the place where the act or omission occurred. Section 2674 Title 28 United States Code the binding aid to the lawful statutes. **EXHIBIT V.**

16.) The law of the place where the alleged criminal acts took place is the Seat of Government, Washington D.C. The first and highest law of the District is the Constitution as Amended, the controlling Bill of Rights, statutes, rules and regulations for administration of powers and authorities assigned to the United States as a Government, by the States via construction of the Constitution. Article VI, minimum requirements for serving as public trust agent to the People of the states, which Trevor Brown is one. **EXHIBIT VI.**

17.) The Bill of Rights and Brady procedural benefits obviously apply to Trevor Brown and country wide, particularly at the Seat of Government because the Constitution is in effect as the controlling factor over all acts of the national government or it is not. The Declaratory Judgment remedies demand this to be addressed as the fundamental issue.

18.) Trevor Brown, nor any other American has ever been advised that the Constitution for the United States of America or the Bill of Rights have ever been suspended or annulled and Brown does not believe that any such evidence exists. This belief is founded on the Brady disclosure of exculpatory evidence and materials, the Order by this court. Had the Constitution and Bill of Rights been suspended, the American People would have received notice of the same. There are no federal records to be found issued under the authority of the government declaring the Constitution or Bill of Rights VOID or inoperable in this court or anywhere in the country, particularly the Seat of Government in the District of Columbia.

19.) More to the point, if government actors are operating as if the Constitution and Bill of Rights were annulled or suspended, they would be deceiving the People, particularly Trevor Brown, and practicing slavery under the color of law or official right under disguise of legitimate officers or employees of the government, a high crime against the government. Further all officers acting under the false premise while taking a pay check to honor the oath and employment contracts would be committing fraud on the people and government which rise to serious crimes.

20.) The court is essentially moved into the operational position to follow the law or not, when Trevor Brown presents public record documents that must be taken as adjudicative facts and law.

21.) The court will either order the United States Government and specifically its attorneys to produce the public record fact to beat down or negate Brown's presentments proving Lack of both Subject Matter and Personal Jurisdiction by submitting public record evidence, or not.

22.) In the event the court fails to require the U.S. Attorneys to produce their bona fides, the court will destroy its credibility, impeach completely the integrity of federal judicial operations and destroy utterly any mechanism by which it could exercise jurisdiction over Trevor Brown.

23.) The lawful, option is for the court to dismiss the criminal action and order the United States Attorney's Office in D.C. to produce public record documents demanded by Brown so that the courts jurisdiction when proved valid could be invoked properly and applied over Trevor Brown. **Exhibit VII**, the authority of this court to compel acts of the Districts U.S. Attorneys is found by reference to Title 28 U.S. Code § **1361**.

#### **DUE PROCESS NOTICE.**

24.) Trevor Brown, herein and herewith presents public record documents that are required to be accepted and recognized by the court and executed for the benefit of Trevor Brown, now held impaired of full liberty caused by false arrest, under fatally defective process. Federal Rule of Evidence 201 mandatory notice of adjudicative facts; 902 Authentic Evidence; 1007, Testimony as to evidence; 1101, Applied to this court, applied as owed fiduciary duty to any and every criminal case defendant or one such Trevor Brown as being misidentified. **Exhibit VIII**.

25.) Trevor Brown relies on docket entry, 4 , the courts Brady Order to disclose all relevant material facts and law that would be exculpatory in nature, beneficial to Brown , particularly public records or identification of the same supporting completely Browns Motion to Dismiss for Lack of Subject Matter and Personal Jurisdiction.



26.) Trevor Brown now DEMANDS the court exhibit on the record that the court will exercise the law, rules of procedure, rules of evidence as written and in particular recognize the public records, statutes and other referenced public documents govern these proceedings.

27.) Trevor Brown now Declares that in the event all information demanded by Trevor Brown, of whatever form is not produced on the court record, the court will be holding Trevor Brown to **Involuntary Servitude** as a victim in servitude by placing Trevor Brown the man, in fear of physical restraint or injury through application of legal coercion executed through deceptive practices, by failing to provide all exculpatory evidence available to any and every United States Attorney or any court officer.

28.) **Exhibit IX**; U.S. v. Kozminski, 487 U.S. 953, identifying the concept of Involuntary Servitude created by legal coercion and the deceptive practice of hiding exculpatory facts and law. Now a fact of orders binding on this court from the superior judicial powers.

29.) Essentially no one could ever understand the nature of the charges against them, identify their accuser, confront witness against Brown under fatally defective, legally deficient documents which are the only documents presented to Brown or the court by the United States Attorneys for the federal district. Amendments V and VI will either be recognized and enforced against the government or they won't. It's that simple.

**EXHIBIT X.** Orders from the Supreme Court to this court;

MISIDENTIFICATION OF DEFENDANT, LACK OF PERSONAL JURISDICTION.

30.) I, Trevor Brown, being duly sworn before my Creator, Nature's God, Declare that I have first hand personal knowledge gained through due diligence of review of public record documents, that all my statements herein and herewith are true, correct, accurate, to my best knowledge and belief and I have no intent to mislead.

31.) The court record proves conclusively Trevor Brown the man was never provided an identity hearing. The Criminal Complaint identifies, the paper styled Indictment identifies TREVOR BROWN as the defendant. The court appointed an Attorney to represent the defendant. Attorney Todd Shanker, has not one time properly advised Trevor Brown the man, of the operations of the criminal rules and the implications of each step of procedure. Being that Trevor Brown had no choice in choosing counsel and the court appointed Todd Shanker and pays Todd Shanker , the facts seem to expose Todd Shanker works for the court and not Trevor Brown .

32.) Prisoner Trevor Brown, declares that I DO NOT CONSENT to being held impaired of my full rights and liberties guaranteed by law, against my Will, under fatally defective documents that do not fully disclose all relevant facts and law establishing authority, jurisdiction, over me.

33.) Prisoner, Trevor Brown, declares that All Rights are Reserved and those that trespass on my rights do so as an exercise of false assumption, with no public record in evidence

supporting that I have ever agreed to be held to voluntary servitude, particularly under criminal action no. **1:21-mj-00498** , by the United States of America.

34.) I have existed since June Eighth NineteenNinetyTwo, June 8th 1992, 06-08-1992 I was born to James Andrew Brown , my father and Dawn Marie Zwick, my mother, both State Citizens, by right of birth . My name is a gift from my parents. I am able, willing and competent to identify myself before all the world. I fully inform the world of my identity, standing at capacities, nunc pro tunc.

35.) My name, the gift from my parents, DOB 06-08-1992, Trevor Brown, my signature identifying me, is my personal private property nunc pro tunc. 06-08-2010, date of majority in age or thereabouts, age of majority and right to contract. More to the point there is no process or claim anywhere in any public record that my name is not Trevor Brown and that I ever change my name from that. If necessary my parents will be subpoenaed to give testimony the fact they gave their biological property, me, Trevor Andrew Brown, my name and never pledged me as biological property to any government for use by governments.

36.) I am not now and have never been advised by any one, particularly a government agent, or through government process that my name Trevor Andrew Brown has been altered in public records to TREVOR BROWN.

37.) I have not now and have never been advised by any one, particularly a government agent, or through any government process that I would be identified to the United States Government as TREVOR BROWN.

38.) I have never been informed of an official government procedure, qualifying as due process, disclosing all relevant facts and law, for the determining of my political, legal, standings or capacities, contractual obligations or commercial standing or identity, in context of or relation to any government function, or franchised licensed and regulated by government entity, wherein I was determined to be the exact same legal person as the entity TREVOR BROWN.

39.) The United States Attorney's office for the District of Columbia has arbitrarily determined that the defendant as identified, TREVOR BROWN, is the same exact legal person as the State Citizen Trevor Brown without evidence or process to do so. Had the United States Attorney evidence of record or such arbitrary determination the clerk's records would reflect that fact. There are no such records under case no. **1:21-mj-00498**

40.) Prisoner, Trevor Brown, declares that I could not , nor ever would recognize defective documents attempting to establish jurisdiction over me because if I did agree to be subject to defective government process, I would be involved in a fraud which I know would be a high crime of abuse of government powers possibly rising to overt acts against the governments the People created.

41.) Prisoner Trevor Brown, declares that I DO NOT CONSENT to being identified as the legal, or commercial or whatever kind of identity TREVOR BROWN truly is under any political, legal or commercial, process.

42.) I am not aware of, nor have I ever been advised by any one of any fact of public record evidencing that the construction of a legal person TREVOR BROWN was accomplished under full disclosure of all relevant material facts, presented to me so that I could consent to be bound to service or subject status, under the constructed identity of TREVOR BROWN.

43.) I am not aware of, nor have I ever been advised by any one or any fact or public record evidencing that the construction of the person TREVOR BROWN was done for my benefit and in accordance with the powers of government granted by the People.

44.) Prisoner, Trevor Brown, is fully informed from review of public record documents, particularly the files contained in this case, no **1:21-mj-00498** , that there is not one shred of evidence indicating that I have been properly identified to the court or Judge Colleen Kollar-Kotelly , or Magistrate Harvey G. Michael .

45.) Therefore, as a matter of law and procedure binding on this court the court Lacks Personal jurisdiction over me, Trevor Andrew Brown.

46.) Further, until the court has before it, and I have before me all the public documents identifying me as TREVOR BROWN the defendant, I will not be able to confront those of

accusing me of being TREVOR BROWN, nor will the court be able to identify me as TREVOR BROWN based on its own assumption while not providing me full due process, and having no evidence testifying that I Trevor Andrew Brown am the exact same legal person as TREVOR BROWN, because that would be enticing me into involuntary servitude under a misidentification.

47.) It appears from the records of criminal case no. **1:21-mj-00498** that the only mechanism the court has available to it to support exercising personal jurisdiction over Trevor Brown is to have on record the complete records from the beginning identifying the man Trevor Brown as the defendant TREVOR BROWN.

48.) Case no. **1:21-mj-00498** must be dismissed with instructions to the United States Attorneys to provide to the court proof from public records that Trevor Andrew Brown, the man before the court, is exactly the same legal person as TREVOR BROWN the defendant identified in the Indictment.

49.) The court is urged very strongly to appropriately sanction the Districts United States Attorneys office in order to caution them that bringing incomplete defective documents into the court could be considered a false statement and filings under the criminal code Title 18 USC § 1001 and others. **Exhibit XI.**

50.) The court, in order to comply with the law, adjudicative facts, copies of which I have provided herewith, will either dismiss criminal case no. **1:21-mj-00498** for Lack of Personal

Jurisdiction, or accept liability for breach of fiduciary obligations, create the official record of holding Trevor Brown to involuntary servitude under color of official right.

51.) Be advised Trevor Brown understands Civil Rule 65.1 and the duties of the clerk to attach all sureties through court sealed process when proper distress is filed identifying any federal official associated to this fatally defective process operating in breach of fiduciary duties, breach of employment contract, taking money, pay check, under false or deceptive practices.

#### LACK OF SUBJECT MATTER JURISDICTION.

52.) The first Adjudicative fact presented is **Title 18 USC § 4001**

(a) No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress. **Exhibit XII**; 18 USC § 4001 copy. United States Code binding aid will lead this court to the lawful statutes binding this court.

53.) Second Adjudicative fact presented is that the Legislative body of the United States Government is not granted personal jurisdiction over the People, nor granted the jurisdiction to identify the People as either subjects nor objects to be identified or controlled by legislative acts. Article I section 8, Constitution is provably, by simple reading and construction contract law, naked of authority over the People, such as Trevor Brown with two exceptions. **Exhibit XIII**.

54.) Third Adjudicative fact presented is the limits of criminal powers the United States may exercise over the People. Article 1 section 8 defines the felony subject matter over which

the Legislature may attach criminal jurisdiction to the People, particularly to Trevor Brown or identified defendant TREVOR BROWN, is clause 10. "To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations". And, clause 6; "To provide for the Punishment of counterfeiting the Securities and current Coin of the United States ". Trevor Brown is not accused of any of these actions controlled by Constitution and Legislation. Proof of fact and law is the charging document in care and custody of this court.

**Exhibit XIV.**

55.) These three Adjudicative facts declaring the law powers of the United States Government VOID the charging instrument Nunc pro Tunc. Meaning that public record facts and law prove this court is without either subject matter or personal jurisdiction over Trevor Brown.

56.) The court will either recognize the constitution, its Bill of Rights and the statutes governing this court or it will not.

57.) The record created by the processing of this criminal case no. **1:21-mj-00498** will be a conclusive judgment of whether the court is an honest public servant or not.

58.) Fourth documented public record fact causing this criminal action to be VOID, is the fact that Title 18 United States Code is not properly enrolled as an official act of the Congress Assembled. **Exhibit XV**, is presented to the court as a proper challenge to jurisdiction which is the right of any defendant properly identified or not.



59.) The Attached Memorandum of Fact and Law, Exhibit XIV properly and completely challenges this courts jurisdiction. The procedural rules require the government as a whole, this court and the Districts Attorneys in particular, to meet my challenge to jurisdiction by simply showing me on the record of authorities to act upon me Trevor Brown the man and American Citizen.

60.) Some one, operating under authority of this court please, simply show me the law and its fundamental authority to hold me restrained of full Liberty without disclosing the constitutional statute authority to do so.

61.) Until that authority is produced on the record I can-not in good conscience cooperate with any further processing of this criminal case against me. And no one can force me to because that would be slavery.

62.) In the event the criminal case no. **1:21-mj-00498** is not dismissed. I will be denied civil rights required to be provided to me by every government officer or employee.

63.) More to the point the court itself will provide the official records testifying to intentional denial of civil rights and actuating sham legal process effectively through force holding me, Trevor Andrew Brown to involuntary servitude through the law or legal process.

64.) I, Trevor Brown, reviewed on line Archivist of the United States documents verifying not only the thrust of Exhibit XIV above, yet more to the point documents proving

conclusively the charges presented by the United States Attorney for the District of Columbia are VOID on any venue within the jurisdiction of the United States. I was unable to verify the personal testimonies supporting the memorandum with the exception of the Harley Lappin memorandum to all Bureau of Prison employees which was shown to me by someone who obtained a copy through FOIA in 2011. The FOIA response letter was attached. **Exhibit XVI** presents declarations, issued by government officials, testifying to the veracity of the fact in the Memorandum of Facts and Law identified as Exhibit XIV is true, correct, complete perfect evidence and defining Adjudicative Fact of law.

65.) In the event the court fails to order the United States Attorneys to produce immediately the source of authority of the law they incorrectly assumed is valid, I will Subpoena the Archives records which as the court knows is my absolute right. I have contacted my federal representatives and requested certain specific documents to be provided.

66.) The simple fact is that the United States Attorneys did incredibly sloppy work, refused to recognize the limits of Constitutional authority, failed to present proper statutory authorities, breached their fiduciary duties to the Public Trust, knowing that their acts in this criminal action exposed criminal negligence of a very high order, from which there is no escape because these characters foisted their malversation off on the court, made public record of the facts, apparently hoping to draw the court into their conspiracy for protective and cover up purposes.

67.) These United States Attorneys associated with these January 6th 2021 matters are all criminally negligent under Presidential order found at 5 Code of Federal Regulations, Part 2635.

I Quote and present **Exhibit XVII**, another Adjudicative fact of law.

<https://www.ecfr.gov/current/title-5/chapter-XVI/subchapter-B/part-2635>, link to [ecfr.gov](https://www.ecfr.gov). “ Subpart A - General Provisions

§ 2635.101 Basic obligation of public service.

(a) Public service is a public trust. Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.

(b) General principles. The following general principles apply to every employee and may form the basis for the standards contained in this part. Where a situation is not covered by the standards set forth in this part, employees shall apply the principles set forth in this section in determining whether their conduct is proper.

(1) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.

(5) Employees shall put forth honest effort in the performance of their duties. My NOTE, honesty is one basic premise, doing things properly which is what these U.S. Attorney characters get paid to do and all know they are held to higher standards of knowledge and duties because they signed a fidelity bond when they took the job and ratified their honesty when they took the paycheck.

(6) Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government. My NOTE, the Attorneys for the government bound the government when they acted and represented that their acts were acts of the United States Government.

(11) Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

68.) In short the U.S. Attorney characters qualify as felons under their own action when they created the public records in this court at the Clerk's office that are naked of recognitions and failed to execute proper disclosures of jurisdiction and proper invoking the courts powers according to statutes.

69.) Trevor Brown presents Adjudicative fact as based on the records in this matter as they appear on the docket at this time. **Exhibit XVIII**, and a quote.

**“ §4. Misprision of felony**

70.) Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, 62 Stat. 684 ; Pub. L. 103–322, title XXXIII, §330016(1)(G), Sept. 13, 1994, 108 Stat. 2147 .)

**Historical and Revision Notes**

Based on title 18, U.S.C. 1940 ed., §251 (Mar. 4, 1909, ch. 321, §146, 35 Stat. 1114 ).”.

71.) Given Title 18 USC, 1948 version is VOID, not valid law, does not create an escape clause for these United States Attorneys. The 1940 USC is still in effect because the 1948 acts being VOID could not supersede the 1940 Code nor the Statutes identified as operative in 1909. The only method by which the United States Attorneys for the District could escape the misprision charges is if they are able to prove from public record the 1940 and the 1909 laws are invalid or do not contain the misprision felony iteration.

72.) The United States Attorneys presenting fatally defective documents will either admit their mistakes, dismiss the case no. **1:21-mj-00498** , make Trevor Brown whole, or double down and prove conclusively by their actions are intentional which qualify as felonies.

73.) Then the court will be required to act according to the facts of public record and apply the law.

74.) The U.S. Attorneys know and should have always known these rules and laws inside out because they're paid to. The duties to the public trust found at 5CFR 2635 are very clear and each one of these characters is in breach of the public trust by their own actions. So there is no excuse for not knowing and there is no excuse because they did not know Title 18, criminal code and the criminal rules of procedure were VOID before they attached them to Trevor Brown. Ignorance of the law is no excuse and every BAR Attorney in the country and every judge in the country knows this fact.

75.) No public servant is paid to do shoddy work causing the misleading or misguidance of any citizen. Nor are the Districts Attorneys paid to mislead the courts.

76.) All public records in care and custody of the United States agencies and offices of any kind are readily available to the United States Attorneys. Thus there is no excuse

77.) The official Bureau of Prisons notice document contained in Exhibit XIV A , section E, is the final determination that the fatally defective indictment holding Trevor Brown, or the look alike or sounds alike TREVOR BROWN, is **VOID on its face**. The Office of the Legal Counsel for the National Archives, official custodian of the records of the United States of America, and the Clerk, custodian of the official records, of the House of Representatives, determines that there is **NO LAW** identified as Title 18 United States Code, is definitive. Thus, there is no law or procedural process, criminal rules, available to move the Title 40 United States Code for application against Trevor Brown or the looks like and sounds like TREVOR BROWN.

#### CONCLUSION.

78.) The simple fact is the United States of America operating under its own law, Constitution and Statutes created under the authority of the States serving and protecting the People, the exclusive beneficiaries of all governments powers, creating the States, admits, from official records held by proper custodians, that the United States of America in this present matter is operating without jurisdiction. **Exhibit XIX**, Yick Wo v. Hopkins, 118 U.S. 356, declares;

“ When we consider the nature and the theory of our institutions of government, the principles upon which they are sup- [118 U.S. 356, 370] posed to rest, and review the history of their development, we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power. *Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power. It is, indeed, quite true that there must always be lodged somewhere, and in some person or body, the authority of final decision; and in many cases of mere administration, the responsibility is purely political, *no appeal lying except to the ultimate tribunal of the public judgment, exercised either in the pressure of opinion, or by means of the suffrage.* But the fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions, are secured by those maxims of constitutional law which are the monuments showing the victorious progress of the race in securing to men the blessings of civilization under the reign of just and equal laws, so that, in the famous language of the Massachusetts bill of rights, the government of the commonwealth 'may be a government of laws and not of men.' *For the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another; seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself.*”  
Emphasis added.*

79.) Trevor Brown a Michigan State Citizen is now properly defined as to standing and capacities in relation to the plaintiff and this court and the court's duties to him are declared by the controlling judicial power of the States United, the Supreme Court.

80.) **Note** to the court. District of Columbia Code at 11-101 defines by statute the Article III inferior tribunal powers authorizing this court to represent the judicial powers of the United States Government. The public trust duties for every federal public servant are re-presented here under Exhibit XV, which is the order to all federal employees from the Chief law enforcement officer for the United States of America, to operate at all times in a proper lawful manner. And more to the point, be able to prove from the government records, public servants are required to create, the proof of proper service to the principles, facts, laws and procedures that this country is founded upon.

81.) Otherwise the private color of law activities waives all protection from the law, the waiver of immunity recognized by reference to Title 28 U.S. Code § 2674 attaches to all federal actors involved in this instant matter.

“ The United States shall be liable, respecting the provisions of this title relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances, but shall not be liable for interest prior to judgment or for punitive damages.”

In short no qualified immunity no matter how many judges or attorneys for the government say so!

Note to the court. No criminal case defendant, properly identified or not, holds authority of law, to move to prosecute under the criminal code. Thus, in this instant matter, Trevor Brown, misidentified as Trevor Brown, is acting under the civil controls found a title 28 United States Code, the construction code of this code court allegedly granting its jurisdiction. Thus, this Motion to Dismiss for Lack of Jurisdiction performs as a counter complaint under the Federal Civil Rule 13, mandatory counter complaint required. The courts construction under Title 28 incorporates Incorporates the federal civil rule as the foundation for criminal prosecutions. Thus, this court must accept the counter complaint as valid. Or, attack the place and records granting this court authorities to act. Trevor Andrew Brown and private his chosen assistance for counsel, recognizes the legal mechanisms available under Title 42 U.S. Code §§ 1986; 1985;1983 procedures to move Title 18 U.S. Code §§ 241, 242 and many others into recognition requiring action by this court.

82.) **Exhibit XX**, Adickes v. Kress & Co., 398 U.S. 144, is absolutely clear in its orders to this court. Summary Judgment, this Motion to Dismiss for Lack of Jurisdiction, requires all the facts and inferences therefrom to be construed in favor of the opposing party.

“The resolution to all ambiguities, factual inferences in favor of a party against whom the summary judgment is sought must be decided.”



83.) When the official record keepers, the place and office that hold the records that define the authority for the opposing party, the United States of America, and define the jurisdiction of this court to be, THERE IS NO LAW, this criminal case no. **1:21-mj-00498** is settled by operation of law. More to the point lack of the law!

84.) The court will either act to dismiss the criminal case no. **1:21-mj-00498** , or, assume the surety position for all no law acts involved in this matter.

85.) When the court honors itself and dismisses case no. **1:21-mj-00498** , issues the order to make Trevor Brown whole, the integrity of the federal judiciary will be on the road to recovery from its current extremely low credibility and the People for whom all government was created will then have the opportunity to once again believe public servants deserve honor and trust.

86.) **Exhibit XXI**, COOPER V. PATE, 378 U.S. 546, Order from the Supreme Court of the United States of America to all judicial officers operating in United States Courts, must accept all allegations in pleadings as true, is ratified **by** Trevor Brown's Motion to Dismiss, is proved completely by the Office of Legal Counsel, the National Archives and Clerk of the House of Representatives, on written public record testimony, official government document, by Director of the Bureau of Prisons, Harley Lappin, exposing THERE IS NO LAW applicable to Trevor Brown identifiable in the pleadings from the United States Attorneys working for the United States in the limited venue of District of Columbia.

87.) Given that Trevor Brown's presentment to this court proves that at this point there is no genuine issue of material fact or law at controversy because there is no law to apply the court is required to dismiss, or become a plaintiff against Trevor Brown upon failing to dismiss.

88.) The court as a matter of fact and law execute, post haste the Orders as proposed because the damages accrue daily against the United States.

89.) Being that this court is a statutory construction, and there are no statutes granting this court jurisdiction over this instant matter. The custodians of those records at both the United States Archives and the Clerk for Congressional Official Records, offices of custodians declare, "there is no law" thus, this court lacks jurisdiction over this matter.

90.) In the event that the court fails or refuses to recognize the custodians of the source of the law that creates the court and empowers the court to act are not accepted as fact nor law, then the court will be attacking where its power comes from.

91.) REMEDY and RELIEF

Alleged defendant TREVOR BROWN demands the court:

1. Dismiss case no. **1:21-mj-00498** with prejudice.

2. Order the United States Attorney for the District of Columbia to pay the fully incorporated TORT INVOICE herein, within ten, 10, days, and provide the court with proof of payment and release from liability for damages against the United States Government, and the United States of America.
3. Craft orders of direction and appropriate sanctions to the United States Attorney Office for the District of Columbia, in accord with the powers of the court found by reference at 28 U.S. Code § 1361, action to compel.
4. Declaratory Judgment recognizing the Constitution for the United States of America, particularly the controlling Bill of Rights is in full force and effect and may be relied on by all parties before the court.

Proposed Order attached.

***TORT INVOICE.***

92.) **Exhibit XXII**, Waiver of Sovereign immunities found by reference to Title 28 US Code § 2674. Liability of the United States. “ The United States shall be liable, respecting the provisions of this title relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances, but shall not be liable for interest prior to judgment or for punitive damages.”.

93.) TORT perfected completely under Adjudicative Fact of public record **underwritten** by Office of Legal Counsel, the National Archives and Clerk of the House of Representatives, on written public record testimony, official government document, by Director of the Bureau of

Prisons, Harley Lappin, declaring THERE IS NO LAW with which to persecute Trevor Brown nor prosecute TREVOR BROWN no matter what that entity happens to be if it is ever fully and properly identified.

94.) **Exhibit XXIII, A**, Injuries under Federal laws. Found by reference to 42 U.S. Code § 1986. “

Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case;... “

#### DAMAGED PARTY

Trevor Andrew Brown.

Address: 844 N Calhoun St, Lapeer Mi 48446

Phone: (810) 614-1194

Email: Tboy.est@gmail.com

Bank coordinates; Chase Bank 1643 N Lapeer rd. Lapeer Mi, 48446

Account #746715694 Routing# 072000326

#### TORTFEASORS

95.) The United States of America, the United States Government, **underwriter** for all operations of every public servant, franchise, license holder, or contractor acting for or under the banner of disguise of the underwriting entities.

96.) United States Attorney, representing as legal counsel the District of Columbia, Seat of Government, at the City of Washington. Matthew M. Graves, BAR # ..... , and all federal public servants operating under Graves supervision from January 6, 2021, to the present moment.

97.) Court appointed representative, Todd Shanker , tasked with acting as competent counsel for defendant TREVOR BROWN, who misidentified Trevor Brown as the exact same legal identity, serving the underwriter for honest judicial services, Magistrate Judge Michael G. Harvey, making the appointment as the court's agent.

#### CAUSE OF TORT

98.) There is no Statutory authority for the court to exercise jurisdiction because Congress Assembled failed to comply with the law and its own rules to properly process and properly enroll the 1948 code governing criminal prosecutions.

1. Misidentifying Trevor Andrew Brown as defendant named as identified TREVOR BROWN, with no identity hearing and failure of full advisory disclosing all relevant material facts concerning the plaintiff and its agents authorities. Negligent application of proper functions of public servants office in breach of public trust duties. Theft of Reserved right to proper identification by government actors prior to arrest, imprisonment and restraint of full liberty. Violation of Amendment IX and X.
2. Denial of Rights secured by the constitution, in particular the proper identification of the law being applied against the defendant, has been ignored by the United States attorneys office for the District. Amendment XIV violation of civil rights to equality

under law. Violation of Amendment IX reserved the right to be properly identified and record of the acceptance of that identification.

3. Failure to provide valid grand jury indictment processed under valid law. Amendment V and VI violation.
4. Failure to inform of the nature and cause of the accusations. Impossible when there is no law supporting the charges or process through the courts. Amendment V and VI violation.
5. Failure to provide access to compulsory process for obtaining witnesses in his favor, and to have competent assistance of counsel for his defense as controlled by the courts appointment of standby counsel. Amendment VI violation.
6. Deprivation of unimpaired by fatally defective government process of life, liberty and property, the property right in having full access to and protection from the law.
7. Tampering with the right to free assembly for protesting against the government for redress of grievance, the THEFT of private property, citizens VOTES, through CONVERSION accomplished by what are clearly evidenced at this point fraudulent elections process. The limiting of the People's access to public property in which every citizen holds a property right interest. The invitation to confrontation by public servants in the District, enticement by show of unnecessary force and the invitation to certain portions of public properties while limiting access to others.
8. Unlawful taking of property rights, Trevor Browns, private property right in the Bill of Rights in Articles of Amendment, I, IV, V, VI, IX, X. Proved conclusively by the records constructed by the United States Attorneys office for the District of Columbia failing to mention one time rights owed to Trevor Brown and duties to recognize and

advise of rights by the United States Attorneys. Particularly relevant in context of Article III judge Colleen Kollar-Kelly believing it was necessary to issue a second order requiring all exculpatory materials in custody of the United States government be presented to Trevor Brown and defendant TREVOR BROWN.

WITNESS TO TORT.

99.) Clerk of the United States District Court, Angela D. Caesar , for the District of Columbia, custodian of the official records identified as criminal case no. **1:21-mj-00498** .

100.) Official court records testify, under personal signature, to the facts which have been constructed while performing public service to the United States public trust by individual public servants inclusive.

CAUSE OF TORT DAMAGES.

1. False Arrest: \$ 50,000.00
2. False Imprisonment: \$ 50,000.00 per day 7days. \$ 350,000.00
3. Restraint of full unimpaired liberty: \$ 20,000.00 per day

x 323 days from July 1, 2020 to present date. \$ 6,460,000.00

**Total damages. \$ 6,860,000.00**

101.) Damages of \$ 20,000.00 per day from May 28, 2021, accrue to total ledger collection account

102.) Pending damages accrual at \$ 50,000.00 per day beginning June 3, 2022 the hearing date in front of Article III judge Colleen Kollar-Kotelly to be ledgered separately with additional TORT charges for failure to perform public trust duties providing access to and protection from the law.

#### QUALIFICATIONS OF DAMAGES.

103.) Trevor Andrew Brown, a live flesh and blood American, a State Citizen, is the owner of the legal rights guaranteed to be recognized by every public servant to governments in both state and federal government operations. Trevor Brown has never assigned ownership, representative or trustee powers over personal legal rights. Thus, the value of the legal rights and Trevor Andrew Brown's determination is exclusively held by the beneficiary to the public trust all public servants serve of their own free will.

104.) Any public servant attempting to entice Trevor Brown into involuntary servitude by presenting governments limiting of value on rights assessment will be practicing an ownership position, slavery.

105.) Public servants attempting to entice Trevor Brown to limit damages on TORT will be trespassing, unlawfully intruding and interfering with legal rights, Trevor Brown's rights, and abandoning all protections of law that could be provided by their government employer.



I, Trevor Andrew Brown, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Done this 28th day of May, 2022, duly sworn within the venue jurisdiction of the United States of America recognized as separate from jurisdiction of the United States found by reference Title 28 U.S. Code 2671 (1).

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Trevor Andrew Brown, State Citizen of Michigan, All Rights Reserved.