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March 15, 2012

Bruce Haney, County Sheriff
PO Box 1228, 101 Memorial Drive
Weaverville, CA 96093-1228

Dear Sheriff Haney:

Thank you for the letter of 12/21/2011 and please accept my apology for this belated response due in part to my taking time to research the Constitutional Sheriffs and Peace Officers Association which you mentioned.

In your reply you cite the U. S. Constitution, the California Constitution, the Government Code and the California Penal Code as the source(s) of authority which grants local law enforcement jurisdiction in the County of Trinity. On page 1, paragraph 3 with reference to Article 11, Section 1(b) of the California Constitution and the Government Code Section 24000 you state, "A county has a definite geographic area which can also be defined as jurisdiction" and continuing, "Again, a county has a definite geographic area or jurisdiction that is the law enforcement responsibility and authority of the sheriff."

With reference to my letter dated 09/03/2011, on page 1, paragraph 3 I wrote, "For the record, Sheriff Haney, I am not challenging your authority to regulate and enforce written laws, i.e., codes, statutes and ordinances but to present the fact that all government, which includes the County of Trinity, has **limited jurisdiction** with regard to law, the land and people" (my emphasis added).

It is my understanding that - in America - the sheriff is an integral part of law enforcement and the law which is being enforced is written law, however, extensive and verifiable research has proven that unwritten English common law is still the law and that written law is limited to what government owns. Proprietary ownership is the right by which the owner of property may dictate the terms of operation and management according to the will of the owner or proprietor. Stated another way; "He who owns the land makes the rules."

English common law is the basic law for the people in 49 of the 50 States of the Confederacy known as the United States of America. The basic government and basic written law in all the 50 States of the Confederacy is the authority of the Articles of Confederation of November 15,

1777, the Northwest Ordinance of July 13, 1787 and the Constitution of the United States. The Constitution of the United States did not replace the Articles of Confederation of November 15, 1777, as is commonly taught. The ratification of the Constitution of September 17, 1787 by nine States established the Constitution of the United States among and between those States which permitted the purchase of territory within those States by the Confederacy thus the territory within those States became subject to the exclusive legislative power of the United States of America.

The English common law is unwritten law much the same as the "Laws of Nature and of Nature's God" of the Declaration of Independence of July 4, 1776. Written law is produced by government for government. The idea that judges produce the English common law is attributable to the common law's ancient English heritage in which the English monarch was in total charge of government and its bureaucracy which included common law judges. American English common law must be adjusted to function without a monarch. American judges are in the same position as the English judges with respect to the English common law. American judges' power and authority is based on the power and authority of the appointing entity. All American governments claim power through the Constitution of the United States, therefore, judicial and law enforcement power is territorially limited to what is owned by the Confederacy, the United States of America. American judges and law enforcement personnel are, therefore, in the position where they must accept the territorial limitation to their authority.

The State of California like the United States of America of the Articles of Confederation of November 15, 1777 is both a political and geographical entity. The State of California represents the interests of California, which has retained its "sovereignty, freedom and independence," by certain activities such as maintenance of the California National Guard.

Enclosed you will find a map entitled Trinity County Land Ownership dated December 31, 2011 which I obtained from the Trinity County Planning Department via a California Public Records Act Request (GOVT. CODE Section 6250 - 626.48). I requested a map which clearly and accurately demonstrated the following:

1. The territory, i.e., land within the exterior boundaries of the County of Trinity that has been ceded to and is owned by the federal government.
2. The territory, i.e., land within the exterior boundaries of the County of Trinity that has not been ceded to or owned by the federal government.

Ownership indicated on the enclosed map, which I have summarized below, clearly demonstrates that land within Trinity County is either held in private ownership or is owned by government.

Ownership, Dec. 2011

	Acres	Percent of Total
Private (Other, APZ,TPZ)	488,687	23.8
Government:		
County	9,368	.50
State of California	2,905	.10
Federal Government (BLM, BoR, Forest Service)	1,550,617	75.6
	Total 2,051,575	100

Please note that sections of the Revenue and Taxation Code of the State of California - which specifically limit taxation to federal territory within California - clearly defines that "in this State" or "in the State" means within the exterior limits of the State of California and includes all territory within these limits owned by or ceded to the United States of America.

§5304. "In this State" means within the exterior limits of the State of California, and includes all territory within these limits owned by or ceded to the United States of America.

On page 2, paragraph 1 you write, "Per 830.1 of the Penal Code sworn deputies and I can enforce state law on any lands ***within the State of California*** including federal land (my emphasis added). In the California Revenue and Taxation Code "In the State" or "within the State of California" identifies - with the most explicit language possible - federal territory as a State within a state, i.e., the State of California being the federal owned territory within California - the geographic state.

Lawmaking, law enforcement and taxation are expressly limited by the Constitution of the State of California in Article 3 Section 1: "The State of California is an inseparable part of the United States of America, and the United States Constitution is the supreme law of the land", tells the world the truth; the State of California is the land in California owned by or subject to the exclusive jurisdiction of the United States of America. Therefore, as a point of undeniable fact, your statement, which I quoted above, should read, ***"Sworn deputies and I may enforce the law only on land within the State of California"***.

Written law must state the truth about the law or it is not law. Ignorance of the law may not be an excuse, however, it is the reason practically everyone in California readily submits to written law and taxation.

Please note that a fact alleged is a fact sustained when not rebutted with a more complete and truthful exposition of the law.

Respectfully,

Edward J. Guenette

cc: Wendy Tyler, Clerk for the Board
Michael B Harper, District Attorney/Public Administrator
Derek P. Cole, County Attorney

ENCLOSURE

