

DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH DAKOTA, WESTERN DIVISION

David Schied, one of the *Sovereign* People;
Recognized by the U.S. CONSTITUTION
“BENEFICIARY” / RELATOR

v.

UNITED STATES OF AMERICA, et al
“CO-TRUSTEES”

Civ. No. 21-5030

JUDGE Lawrence Piersol

- 1) **“COMMON LAW ‘WRIT OF ERROR CORAM NOBIS’ IN OPPOSITION TO PRIMA FACIE EVIDENCE OF ‘CRIMINAL FRAUD AND CONSPIRACY TO DEPRIVE OF RIGHTS’ INVOLVING ‘JUDICIAL USURPERS’ AND ‘CLERKS OF THE COURTS’ AS ‘AGENTS’ OF THE NAMED ‘CO-TRUSTEES’ OF THE CASE CAPTIONED ABOVE”;**
- 2) **“FINDING OF CONTEMPT” AND “CERTIFICATION OF FAULT/DEFAULT WITH ‘DEFAULT JUDGMENT’ AND COMMON LAW ‘LEDGER OF [TREBLE] DAMAGES”;**
- 3) **“NOTICE OF ‘CLAIM OF APPEAL’ FOR THE REASONS CITED ABOVE AND BASED UPON ‘OVERRIDING AND PALPABLE ERRORS’ AND GROSS OMISSIONS OF FACTS; AND INTENTIONAL [TORTUOUS] VIOLATIONS OF THE ‘RULES ENABLING ACT’”**

These instant “DEFAULT”, “COMMON LAW WRIT”, and “NOTICE OF CLAIM(S)” actions come in opposition to the dated and signed (and undated and unsigned) actions deliberately taken by the actors and jesters who have long been collectively operating a “CONTINUING FINANCIAL CRIMES ENTERPRISE” as the so-called “UNITED STATES DISTRICT COURT”; one usurping the Federal jurisdiction of the “EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION” (hereafter “USDCEDM”) in the CITY OF DETROIT, and in the CHARTER COUNTY OF WAYNE, and the other usurping the Federal jurisdiction of the “DISTRICT OF SOUTH DAKOTA, WESTERN DIVISION” (hereafter “USDCSDWD”) in CITY RAPID CITY (and/or SIOUX FALLS) of the STATE OF SOUTH DAKOTA.

The basis for this “notice” is by Reason and Evidence that the “official” ACTS of the COURT CLERKS, the and the so-called “JUDGES” of USDCEDM and the USDCSDWD have long been engaging in much more than the mere “appearance” of a “DEEP STATE” criminal conspiracy to commit SEDITION, TREASON, and INSURRECTION against the sovereign People, against the STATE OF MICHIGAN, against the STATE OF SOUTH DAKOTA, and against the UNITED STATES, using a plethora of combined RICO CRIMES, SEDITION, TREASON, INSURRECTION, and DOMESTIC TERRORIST ACTS.

NOTICE OF INSTITUTING COMMON LAW “WRIT OF ERROR CORAM NOBIS”

The “*writ of error coram nobis*” is strictly a common law writ and does not issue out of a court of chancery. *Reid v. Strider*, 7 Gratt. 76 (Va. 1850) - (or 48 Va. 39). Hence, this Writ comes from the “*officer*” of this instant ARTICLE III COURT OF RECORD, with BENEFICIARY/RELATOR David Schied operating under “*WHISTLEBLOWER*” protections and in the public’s interest under the FALSE CLAIMS ACT, against “*judicial usurpers and imposters*” Victoria Roberts, Lawrence Piersol, **and others** (both named already and those to still be added) – along with their respective co-conspiring “*clerks of the [fake] courts*” – effectively functioning as organized crime syndicates, for which there is ample evidence that these individuals are operating under “*fraud*” and criminally under “*color of law*” as the “*UNITED STATES DISTRICT COURT,*” being also agents of the named CO-TRUSTEES for this case, the **UNITED STATES OF AMERICA** (*et alia*). (Bold emphasis added)

Most courts, which today recognize the writ, require a sworn affidavit showing to a reasonable certainty error of fact resulting in the erroneous decision. In this case there is a record of irrefutable and UNREBUTTED “*sworn affidavits*” and/or sworn “*CRIMINAL COMPLAINTS*” being central to this Case at hand. Therefore, there is much more than mere “*reasonable*” certainty that “*error of facts*” exists in the court record. There is, in fact, reasonable certainty that the **CO-TRUSTEES as “officers” of the USDCEDM and the USDCSDWD** have been acting for a very long time in *Treason* and a *Conspiracy to Treason* as “*INDURRECTIONISTS*” and “*DOMESTIC TERRORISTS*” to deprive litigants of their rightful claims to justice as otherwise constitutionally guaranteed by the FIRST AMENDMENT by “*access to the court*” for meaningful “*redress of grievances.*”

The purpose of this WRIT is not to authorize a court to review its own SEDITIOUS “*OPINION*”, but only to vacate some [PRETENDED] adjudication [FRAUDULENTLY] made [*Madden v. Ferguson*, 182 Ill. App. 210 (1913)].

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

DAVID SCHIED,

Plaintiff,

vs.

DEPOSITORS INSURANCE COMPANY,
et al.,

Defendants.

CIV 21-5030

JUDGMENT

This is FACTUAL EVIDENCE of criminal "FRAUD UPON THE COURT" by the "agents" of the "principal", being the CO-TRUSTEES of this instant case, the "UNITED STATES OF AMERICA, et alia".

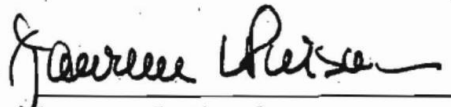
In accordance with the Order filed on this date with the Clerk granting Plaintiff's Motion to Proceed Without Prepayment of Fees and 28 U.S.C. § 1915 screening for dismissal,

IT IS ORDERED, ADJUDGED, AND DECREED that the case is dismissed in its entirety in favor of Defendants and against Plaintiff, and as stated in the Court's Order on this date, where the dismissal is based on immunity, the dismissal is with prejudice and for the remaining claims and Defendants, the dismissal is without prejudice.

Dated this 28th day of July, 2021.

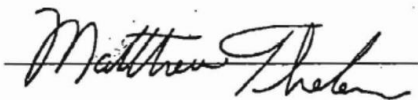
The so-called "Defendants" never even knew about this case, much less ever filed any "motion" or other documentation with notice upon BENEFICIARY/RELATOR.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
MATTHEW W. THELEN, CLERK



This "judge" sua sponte acted as their agent instead, while also creating a "fraudulent official record" under the official "seal" of the Court to hide the actual name of the CO-TRUSTEES that I was actually naming in this "whistleblower" lawsuit.

In this case, the ACTS of the federal “*District Court(s)*” to SUSTAIN and REINFORCE the underhanded CRIMINAL ACTS of the named CO-TRUSTEES located in both the STATE OF MICHIGAN and in WASHINGTON, D.C., without consideration for the FACTS or AFFIDAVIT(s) that explain the who, what, when, and how of the basis for such alleged “CIVIL” and “CRIMINAL” actions OCCURRED – by the combined criminal enterprises of the named CO-TRUSTEES as “*aided-and-abetted*” by the “*actors and jesters*” of the USDCEDM and the USDCSDWD in 2021 – is **inexcusable**. As such, BENEFICIARY/RELATOR David Schied has the right to reinstate the integrity of his own good name and reputation, as well as the good name of the CO-TRUSTEES’ and the Sovereign Peoples’ “UNITED STATES JUDICIARY”. Likewise, BENEFICIARY/RELATOR has the right to pursue all other just remedies due to the Sovereign American People inhabiting the Land(s), widely recognized by their Metes and Bounds, of Michigan, of South Dakota, and of the United States of America, as founded solidly in the MAXIMS OF COMMON LAW.

Whereas, this Federal case has been – in pattern and practice RECORDED in many previous cases at the USDCEDM and now more recently at the USDCSDWD – maliciously and tortuously mishandled, and summarily “*denied*” and “*dismissed*” without proper acceptance or prior litigation of the merits of the underlying basis for that any many other substantive filings of this case, **there is even more clear EVIDENCE that for the past two decades, public taxpayers have been paying for a sham operation of domestic terrorists passing themselves off as a legitimate federal “*courts*” and, the FALSE CLAIMS ACT allows BENEFICIARY/RELATOR David Schied as “WHISTLEBLOWER” – to be looking out for the public’s interests as well as his own private interests**, being those minimally who have ALL FILED AFFIDAVITS in this and previous “*backward-looking-access-to-court*” cases; giving plenty of “*just cause*” for this instant “WRIT OF ERROR CORAM NOBIS.”

**“CERTIFICATION OF FAULT/DEFAULT WITH ‘DEFAULT JUDGMENT’ AND
COMMON LAW ‘LEDGER OF [TREBLE] DAMAGES’”**

As a matter of significant FACT, the USDCEDM and the USDCSDWD have together exhibited a long “*chain*” of history in the *pattern and practice* of FRAUDULENT “SUMMARY DISMISSALS” of federal court cases which dates at least as far back as fifteen (15) years with BENEFICIARY David Schied and many others “*SIMILARLY SITUATED*”, especially those (yet to be named in this case) inhabiting the **CHARTER COUNTY OF WAYNE and other STATE OF MICHIGAN “counties”**. Not so coincidentally, these other “BACKWARD-LOOKING-ACCESS-TO-COURT” cases have ended much like this instant case as captioned on the “*Cover Page*” herein; and indeed, like the more recent cases filed in the EASTERN DISTRICT OF MICHIGAN and elsewhere in 2020 and 2021 by Sidney Powell, Rudy Giuliani, and other attorneys acting on named CO-TRUSTEE Donald Trump when he was still U.S. PRESIDENT. In literally all of these cases, Sworn and Notarized “WITNESS AFFIDAVITS” chock full of unrebutted STATEMENTS and CRIMINAL ALLEGATIONS also referencing a plethora of irrefutable EVIDENCE pertaining to the ELECTION 2020 and other bona fide crimes of INSURRECTION and DOMESTIC TERRORISM.

BENEFICIARY/RELATOR David Schied’s case alone contains and/or references allegations focusing on just the recent two-and-a-half (2 ½) years of these CIVIL and CRIMINAL offenses and their associated financial CLAIMS IN DAMAGES, which were all outlined in many earlier formal filings filed for this case listing ALL of the (95 + 17 named “DOES” + 13 unnamed “DOES”) **total one hundred twenty five (125) CO-TRUSTEES in this case**, as shown by the opening pages found below comprising the “ORIGINAL COMPLAINT” that was initially “*filed*” in April 2021, despite the EVIDENCE in the filings of this ARTICLE III COURT OF RECORD of fowl play and “OBSTRUCTION OF JUSTICE” as initially perpetrated by the so-called “*Clerk of the Court*” **Matthew Thelen**, and now again by **Lawrence Piersol**.

NOTE THAT THE ENTIRETY OF THE ORIGINAL COMPLAINT – along with all other documents listed as “*filed*” into this ARTICLE III COURT OF RECORD are incorporated hereby by reference as if written again herein verbatim; as are the previously referenced **EXHIBITS** that are ***SUPPOSED*** to be appearing on the CO-TRUSTEES’ “*federal court*” DOCKET SHEET(s).

Whereas, this Federal case has been – in *pattern and practice* RECORDED in many previous cases at the USDCEDM and now more recently at the USDCSDWD – maliciously and tortuously mishandled, and summarily “*denied*” and “*dismissed*” without proper acceptance or prior litigation of the merits of the underlying basis for that any many other substantive filings of this case, there is even more clear EVIDENCE that for the past two decades, public taxpayers have been paying for a sham operation of domestic terrorists passing themselves off as a legitimate federal “courts” and, the FALSE CLAIMS ACT allows BENEFICIARY/RELATOR David Schied as “*WHISTLEBLOWER*” – to be looking out for the public’s interests as well as his own private interests, being those minimally who have ALL FILED AFFIDAVITS in this and previous “*backward-looking-access-to-court*” cases; giving plenty of “*just cause*” for this instant **“DEFAULT JUDGMENT” AND COMMON LAW ‘LEDGER OF [TREBLE] DAMAGES”**

For the above-referenced reasons, the same long history of EVIDENCE supports the basis for MONETARY CLAIMS under the Laws of Commerce, as herein being issued against all of the named “CO-TRUSTEES”, which includes more recently the two named “*judges*” of both the UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN (Victoria Roberts and USDCEDM “*chief judge*” Denise Page Hood) as well as the two unnamed (until now) “*judges*” of the UNITED STATES DISTRICT COURT FOR SOUTH DAKOTA, WESTERN DIVISION (Lawrence Piersol and USDCSDWD “*chief judge*” Roberto Lange) in both their individual and corporate government capacities. These are persons who have been operating individually and severally along with the other named CO-TRUSTEES – as “*principals and agents*” of the CO-TRUSTEES calling themselves the “UNITED

STATES OF AMERICA”, as being predominantly common representative members of the STATE BAR(s) and the AMERICAN BAR, who have, thus far, held an ILLEGAL MONOPOLY over the People’s courts while affirmative acting tortuously and with criminal gross negligence and malfeasance in response to sworn AFFIDAVITS and CRIMINAL COMPLAINTS formally proffered and/or properly “*filed*” already with CO-TRUSTEES as “*fiduciary authorities*” operating under the “*PUBLIC TRUST*” of the U.S. CONSTITUTION and respective “*STATE*” constitutions.

“NOTICE OF ‘CLAIM OF APPEAL’ FOR THE REASONS CITED ABOVE AND BASED UPON ‘OVERRIDING AND PALPABLE ERRORS’ AND GROSS OMISSIONS OF FACTS; AND INTENTIONAL [TORTUOUS] VIOLATIONS OF THE ‘RULES ENABLING ACT’”

By reason of the above submitted UNREBUTTED (except in summary fashion by blatant fraud) FACTS, STATEMENTS, and ARGUMENTS submitted to this ARTICLE III COURT OF RECORD in accordance with common sense and Common Law, the following is herein established as a matter of official record:

- 1) The above-named “*officers of the court*” being found in “*contempt of court*,” and should be be immediately arrested by CO-TRUSTEES, the UNITED STATES ATTORNEY GENERAL and his/her “*agents*” of the CO-TRUSTEES DEPARTMENT OF JUSTICE; and thereafter, to be subjected to criminal proceedings as based upon the sworn FACTS and EVIDENCE levied against each of them as found in the numerous “*Sworn and Notarized Affidavits*”, sworn “*Criminal Complaints*” and other submitted and referenced documents of “*federal filings*” found in and referenced by this instant Article III COURT OF RECORD;
- 2) All personal bonds, performance bonds, blanket bonds, blanket insurance, “*errors and omissions*” insurance, and/or “*terrorism*” insurance should be immediately surrendered and made public for EACH of the individuals named by the Criminal Complaint(s) and as “*et al*” (shown above) to

include the CO-TRUSTEES of the USDCEDM, and those newly added to this “*whistleblower*” case at the USDCSDWD.

- 3) The instant case is to be “*appealed*” to the UNITED STATES COURT OF APPEALS in the “*circuit*” most appropriate for having jurisdiction over the “*federal judges*” who have affirmatively acted with “*BAD BEHAVIOR*” in this instant case as a matter of RECORD, with BENEFICIARY/RELATOR David Schied reserving his sovereign Right to file this case in a *Superior* COMMON LAW COURT, for rightful “*litigation on the merits*” in Common Law and a Jury Demand; with such litigation of the merits beginning with the legitimacy of the CLAIMS, as based upon the un rebutted STATEMENTS and irrefutable EVIDENCE presented by BENEFICIARY/RELATOR;
- 4) The UNITED STATES SENATE should be hereby put on NOTICE and should be directed to carry out “*impeachment trials*” against Victoria Roberts, Denise Page Hood, and other “*judges*” of the USDCEDM, as well as against Lawrence Piersol and Roberto Lange of the USDCSDWD, and for their malfeasance of fiduciary responsibilities and for what may also be interpreted by many other Sovereign Americans (should they be allowed to find out by the UNSEALING of Piersol’s and Lange’s hijacked and “SEALED” case as a matter of “*official*” RECORD) as their SEDITION and TREASON;
- 5) When this case is “*appealed*” to a “*higher*” UNITED STATES judiciary, as this ARTICLE III “*Third Branch*” of U.S. Government, should reassign this instant case to an ARTICLE III “*independent*” judge with “*lifetime employment*” in accordance with the U.S. CONSTITUTION as the “*Supreme Law of the Land*”;
- 6) As a proximate cause of the itemized damages incurred against BENEFICIARY/RELATOR and others “*enjoined*” as aggrieved litigants in these FALSE CLAIMS ACT (“*Qui Tam*”) matters, and as

referenced in prior and “*would be*” filings also previously “*hijacked*”, EACH of the named individuals as “CO-TRUSTEES” in this case – all acting in their private capacities to be “*aiding and abetting*” in ongoing “*secondary-level*” crimes, and/or acting to “*aid and abet*”, and/or as “*accessories after the fact*” in covering up the tortuous common law and statutory “*predicate*” crimes as has been repeatedly reported – are should be assessed, charged with, and mandated to Pay the following in accordance with the “LEDGER OF ‘COUNTS’ IN COMMERCE DEPICTING DEBTS OWED...” as previously submitted in the case in the amount of \$306 BILLION, **now again in TREBLE DAMAGES** because of the latest TORT evidenced by this latest “*case dismissal*” on the sole behalf of the named CO-TRUSTEES of the “**UNITED STATES**”:

- a) EACH should pay the “*original*” (**see below**) claimed by previous filings to this case;
- b) EACH should pay the (**see below**) for participating in “*Continuing Financial Crimes Enterprises*” by their “*Frauds and Swindles*” upon the BENEFICIARY/IES / RELATOR and upon the Public at Large;
- c) EACH should pay the (**see below**) as statutory fines for the listed FELONY offenses;
- d) EACH should pay the (**see below**) for their itemized infractions against the U.S. CONSTITUTION.

For the above-stated reasons, and for additional reasons reserved and NOT included herein, BENEFICIARY/RELATOR David Schied has determined that any “*Order*” signed by Victoria Roberts any time after January 31, 2021 and any “*Opinion*” or “*Judgment*” signed by Lawrence Piersol and/or by Roberto Lange any time after April 24, 2021 constitutes official FRAUD and “*conspiracy to defraud and to deprive of rights.*”

**LEDGER OF “COUNTS” IN COMMERCE DEPICTING DEBTS NOW COMPOUNDED
UPON THE PREVIOUS DEBTS STILL OWED TO BENEFICIARY/RELATOR DAVID
SCHIED – AND TO the PUBLIC AT LARGE – BY THE “CO-TRUSTEES” OF THE “UNITED
STATES, ET ALIA”; AND ADDITIONALLY OWED BY THE NEW CO-TRUSTEES
OTHERWISE KNOWN AS LAWRENCE PERSOL, ROBERTO LANGE, AND MATTHEW
THELEN AS “AGENTS” AND “PRINCIPALS” OF THE “UNITED STATES”**

Still acting herein by himself as a “*Federal Whistleblower*” and also in the capacity of PRIVATE ATTORNEY GENERAL on behalf of other Sovereign People of Michigan, the Sovereign People of South Dakota, and the Sovereign People of the United States of America, BENEFICIARY/RELATOR David Schied has documented in his many previous STATE and FEDERAL court filings – right up until and including this instant filing in this ARTICLE III COURT OF RECORD – his notices upon all of the “*officers*” of the USDCEDM and this USDCSDWD, being all jointly and severally members of affiliated (“*CO-TRUSTEES*”) “*STATE BAR*” (OF MICHIGAN or OF SOUTH DAKOTA) or “*AMERICAN BAR*” “*illegal monopoly*” and *crime syndicate and domestic terrorist network*, that there are debts owed to BENEFICIARY/RELATOR and other BENEFICIARIES as “*CLAIMANT(s)*” and “*CRIME VICTIM(s)*”, by the FACT that **BENEFICIARY/RELATOR David Schied has long been working on each of these filings in the public’s interest.**

Thus, as each of the CO-TRUSTEES are accountable for the “*aiding and abetting*” in the “*primary*” and “*secondary*” level (or factually speaking, for the third, fourth, or higher levels) of crimes of a grand conspiracy to cover-up the predicate level of crimes, they EACH are additionally culpable for the “*compounding*” debt claims of BENEFICIARY(s) against the CO-TRUSTEES “*STATE OF MICHIGAN*” and the “*UNITED STATES*” as previously noticed (numerous times as found at the links below) by way of TREBLE DAMAGES being applied and added to the previous (TREBLE) CLAIMS OF DAMAGES of **\$306 BILLION** pertaining to an earlier “*terrorism*” insurance policy originally valued at **\$100 BILLION**, and with the CO-TRUSTEES named by this instant case being deemed as criminal “*accessories after the fact.*”

As of the date of this document, links provided in “EXHIBIT #4” to the “ORIGINAL COMPLAINT” filed for this case – being identified in the DOCKET for this case as DKT. ITEM # (pp. 66-74 of total 78 pages) ¹ – are still to be found accessible as having been publicly posted since 2017, without objection or rebuttal from any of the CO-TRUSTEES who have thus, by default, “*acquiesced*” to these longstanding CLAIMS OF DAMAGES for the adjusted amount of the remaining \$6 BILLION now with TREBLE DAMAGES amounting to \$18 BILLION:

EXHIBIT #4

DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF MICHIGAN,
SOUTHERN DIVISION

David Schied, one of the Sovereign American People;
a recently totally and permanently disabled
quad-amputee; *CRIME VICTIM*; Sui Juris
Common Law and Civil Rights *GRIEVANT /*
CLAIMANT / BENEFICIARY
“*BENEFICIARY*”

v.

Ava Ortner, et al
COUNTERCLAIMANTS / DEFENDANTS /
ACCUSED CRIMINAL PERPETRATORS /
“*TRUSTEES*”

USDCEDM # 21-MC-50051
JUDGE Victoria Roberts
52-1 District Court (MICHIGAN)
No: 20-CO4694-LTLT

DATED: 2/13/2021

David Schied – as a REFUGEE now fleeing racketeering, insurrection and domestic terrorism

ADDRESS: HOMELESS as of 2/13/2021; as a CRIME VICTIM without STATE or UNITED STATES intervention, “*accommodation*” or assistance to one certified as “*totally and permanently disabled*”
(248) 974-7703

¹ It is to be noted herein that although sent by BENEFICIARY/RELATOR to the USDCSDWD for “*filing*” as a separate “EXHIBIT” to the “ORIGINAL COMPLAINT” along with three other numbered “EXHIBITS”, the “*Clerk of the Court*” Matthew Thelen feloniously SUBSTITUTED “*personal cover letters*” (written by BENEFICIARY/RELATOR **David Schied** to the “*clerk*” to address initial efforts to thwart and prevent BENEFICIARY/RELATOR from filing this case to begin with) for these other INTENDED numbered “EXHIBITS”.

“AIDING AND ABETTING” has defined as “*To assist someone in committing or encourage someone to commit a crime. Generally, an aider and abettor is criminally liable to the same extent as the principal. Also called ‘aid or abet’ and ‘counsel and procure.’*”

[See https://www.law.cornell.edu/wex/aid_and_abet with reference to *Stoneridge Inv. Partners, LLC. v. Scientific-Atlanta, Inc.* 552 U.S. 148 (2008)]

Further, **31 CFR** (Code of Federal Regulations) **§50.80** maintains:

(a) General. If the Secretary certifies an act as an act of terrorism pursuant to section 102 of the Act, there shall exist a Federal cause of action for property damage, personal injury, or death arising out of or resulting from such act of terrorism, pursuant to section 107 of the Act, which shall be the exclusive cause of action and remedy for claims for property damage, personal injury, or death arising out of or relating to such act of terrorism, except as provided in paragraph (c) of this section.

(b) Effective period. The exclusive Federal cause of action and remedy described in paragraph (a) of this section shall exist only for causes of action for property damage, personal injury, or death that arise out of or result from acts of terrorism that occur or occurred during the effective period of the Program.

(c) Rights not affected. Nothing in section 107 of the Act or this Subpart shall in any way:

- (1) Limit the liability of any government, organization, or person who knowingly participates in, conspires to commit, **aids and abets**, or commits any act of terrorism;
- (2) Affect any party's contractual right to arbitrate a dispute; or....

§ 50.55

Subpart G—Audit and Investigative Procedures

§ 50.60 Audit authority.

The Secretary of the Treasury, or an authorized representative, shall have, upon reasonable notice, access to all books, documents, papers and records of an insurer that are pertinent to amounts paid to the insurer as the Federal share of compensation for insured losses for the purpose of investigation, confirmation, audit and examination.

§ 50.61 Recordkeeping.

Each insurer that seeks payment of a Federal share of compensation under subpart F of this part shall retain such records as are necessary to fully disclose all material matters pertinent to insured losses and the Federal share of compensation sought under the Program, including, but not limited to, records regarding premiums and insured losses for all commercial property and casualty insurance issued by the insurer and information relating to any adjustment in the amount of the Federal share of compensation payable. Insurers shall maintain detailed records for not less than 5 years from the termination dates of all reinsurance agreements involving commercial property and casualty insurance subject to the Act. Records relating to premiums shall be retained and available for review for not less than 3 years

31 CFR Subtitle A (7-1-05 Edition)

following the conclusion of the policy year. Records relating to underlying claims shall be retained for not less than 5 years following the final adjustment of the claim.

[68 FR 59720, Oct. 17, 2003, as amended at 69 FR 39307, June 29, 2004]

Subpart H—Recoupment and Surcharge Procedures [Reserved]

Subpart I—Federal Cause of Action; Approval of Settlements

Source: 69 FR 44941, July 28, 2004, unless otherwise noted.

§ 50.80 Federal cause of action and remedy.

(a) General. If the Secretary certifies an act as an act of terrorism pursuant to section 102 of the Act, there shall exist a Federal cause of action for property damage, personal injury, or death arising out of or resulting from such act of terrorism, pursuant to section 107 of the Act, which shall be the exclusive cause of action and remedy for claims for property damage, personal injury, or death arising out of or relating to such act of terrorism, except as provided in paragraph (c) of this section.

(b) Effective period. The exclusive Federal cause of action and remedy described in paragraph (a) of this section shall exist only for causes of action for property damage, personal injury, or death that arise out of or result from acts of terrorism that occur or occurred during the effective period of the Program.

(c) Rights not affected. Nothing in section 107 of the Act or this Subpart shall in any way:

- (1) Limit the liability of any government, organization, or person who knowingly participates in, conspires to commit, aids and abets, or commits any act of terrorism;
- (2) Affect any party's contractual right to arbitrate a dispute; or
- (3) Affect any provision of the Air Transportation Safety and System Stabilization Act (Pub. L. 107-42; 49 U.S.C. 40101 note).

The Secretary of State's office and the FBI's website define "*domestic terrorism*" as in accordance with 18 U.S.C. § 2331 and 31 CFR 594.311 which state the following: the term "*domestic terrorism*" means activities that —

- (A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State;
- (B) appear to be intended—
 - (i) to intimidate or coerce a civilian population;
 - (ii) to influence the policy of a government by intimidation or coercion; or
 - (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and
- (C) occur primarily within the territorial jurisdiction of the United States.

18 U.S.C. § 2331. The term *terrorism* means an activity that:

- a) Involves a violent act or an **act dangerous to human life, property**, or infrastructure; and
- b) Appears to be intended:
 - 1) To intimidate or coerce a civilian population;
 - 2) To influence the policy of a government by intimidation or coercion; or
 - 3) To affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking.

31 CFR § 594.311 :



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31 CFR § 594.311 - Terrorism.

CFR

§ 594.311 Terrorism.

The term *terrorism* means an activity that:

- (a) Involves a violent act or an act dangerous to human life, property, or infrastructure; and
- (b) Appears to be intended:
 - (1) To intimidate or coerce a civilian population;
 - (2) To influence the policy of a government by intimidation or coercion; or
 - (3) To affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking.

In 1913, the New York Supplement (Vol. 143, p.209) This resource was located on 10/1/16 and again on 2/18/21 at:

[https://books.google.com/books?id=Zup-HC13YfoC&pg=PR5&lpg=PR5&dq=New+York+Supplement,+Vol.+143+\(1913\)&source=bl&ots=o3ZiBKIX3G&sig=g4y0u_Gvq0HNZYE-gvGW4CtGO0o&hl=en&sa=X&ved=0ahUKEwillOak_7vPAhWI4CYKHQ6ADewQ6AEIHDAA#v=onepage&q=dangerous%20to%20human%20life&f=false](https://books.google.com/books?id=Zup-HC13YfoC&pg=PR5&lpg=PR5&dq=New+York+Supplement,+Vol.+143+(1913)&source=bl&ots=o3ZiBKIX3G&sig=g4y0u_Gvq0HNZYE-gvGW4CtGO0o&hl=en&sa=X&ved=0ahUKEwillOak_7vPAhWI4CYKHQ6ADewQ6AEIHDAA#v=onepage&q=dangerous%20to%20human%20life&f=false)

The above depicted that the case of Hermann v. City of Buffalo, et al citing from Cochran v. Sess, 168 N.Y. 372, 61 N.E. 639 had defined “acts” that are “*dangerous to human life*” are being acts “*so threatening as to constitute an impending danger to persons in the enjoyment of their legitimate rights;*” and thus, allowed for determining the extent of defendant’s liability. In the instant case, such liability is being levied against the performance bonds, blanket bonds, the risk management insurance, malpractice insurance, errors and omissions insurance, and/or terrorism insurance coverage or policy procured by each of the named “*persons*” (i.e., “the accused”) herein identified as “*co-TRUSTEES*”.

ARGUMENT

The MAXIM OF LAW is that “*Fraud vitiates everything*” and renders it invalid. Further, any “*judge*” who commits fraud is NOT immune from prosecution for the crime of fraud, nor from civil damages resulting from such fraud.

CONCLUSION AND “FINDING OF CONTEMPT”

Prima facie, the above STATEMENTS, referenced EVIDENCE and ARGUMENTS prove intentional FRAUD and a collusion between all of the named CO-TRUSTEES acting in their individual and/or their corporate capacities. As such, the natural man, BENEFICIARY/RELATOR David Schied, acting within the scope of his human rights to self-preservation and self-defense, in common law, and under the Law of Nations, issues this instant FINDING OF CONTEMPT against the CO-TRUSTEES for their

engagement of FRAUD in their Affirmative Acts, both inside and outside the scope of “*administrative proceedings*”, and under the false pretense of conducting one or more “*impartial*”, “*independent*”, and/or “*discretionary*” government actions.

THIS “NOTICE OF CLAIM OF APPEAL”, “NOTICE OF DEFAULT”, “WRIT OF ERROR CORAM NOBIS,” “FINDING OF CONTEMPT,” AND “LEDGER OF DAMAGES” IS BASED IN THE EVIDENCE OF A LONG HISTORY OF “AIDING AND ABETTING” IN CRIMINAL ACTS BY “INSURRECTIONISTS” AS CO-TRUSTEES AS “RICO” CRIME SYNDICATE MEMBERS OF THE “STATE BAR” AND “AMERICAN BAR” ENGAGING MICHIGAN AND UNITED STATES “COURTS” IN A “DOMESTIC TERRORIST NETWORK”

CO-TRUSTEES at the USDCEDM and the USDCSDWD have more recently in 2021 been continuing their previous *pattern and practice* of acting unconstitutionally in their private and individual capacities, *under color of law* and/or in such matter that “*shocks the conscience*” of any rational person. The malicious and tortuous “*affirmative acts*” of all of the “*judges*” involved, particularly those of the CO-TRUSTEE of the USDCEDM and now the USDCSDWD that placed BENEFICIARY/RELETOR as a bona fide “WHISTLEBLOWER” first in fear of losing his life and all of his worldly possessions through EVICTION and, secondly, by persistent attack upon his personal integrity and hard-sought reputation, constitutes “*State Created Dangers*,” which altogether comprise the elements supporting the longstanding allegations that the fiduciary CO-TRUSTEES are “*Insurrectionists*” and “*Domestic Terrorists*”; bringing “*just cause*” for BENEFICIARY/RELATOR David Schied to establish herein his formalized “CLAIMS OF DAMAGES IN COMMERCE”.

The allegations, supported by EVIDENCE OF FACTS and irrefutable sworn and notarized “*AFFIDAVITS*” of himself and others as *WITNESSES*, contend that NONE of the named CO-TRUSTEES had any jurisdiction whatsoever for the commission of the alleged “*acts of terrorism*”; and that, as a result, **no amount of “immunity” is to be afforded to those deemed to be affirmatively acting unconstitutionally and/or in ways that provide “comfort and safe harbor” to others committing criminal acts as is being**

alleged, and by which proper “remedy” and penal action is warranted as a matter of state, federal, and international laws. This is not even mention that which may also be warranted by Customary Laws, Common Laws, Human Rights Laws, the Law(s) of Nations, and the Laws of Commerce.

Since the onset of this instant case, FACTS, EVIDENCE and UNREBUTTED SWORN STATEMENTS submitted by NOTARIZED AFFIDAVITS have been entered into this instant ARTICLE III COURT OF RECORD calling attention to the corrupt *pattern and practice* being used by the many common members of the very same STATE BAR(s) and AMERICAN BAR.

Moreover, the so-called STATE and FEDERAL “judges” have affirmatively chosen to act tortuously and criminally, with dereliction, gross negligence, misfeasance, and/or malfeasance, in the face of having either no jurisdiction or shirking such jurisdiction in defiance of BENEFICIARY/RELATOR’s legitimate attempts to have “access” to these “*continuing financial crimes enterprises*”. Through their “*railroaded*” hearings, *ex-parte* communications with one another, and sandbagging “*summary dismissals*”, these CO-TRUSTEES – being *judicial usurpers* – Travis Reeds (at the STATE level) and Victoria Roberts, Lawrence Piersol (and their respective supervisory “*chief judges*” at the FEDERAL level) perpetrated “*repeated frauds*” upon AGAINST THE SOVEREIGN PEOPLE and this instant ARTICLE III COURT OF RECORD. Again, the more recent acts and inactions of these STATE BAR and AMERICAN BAR crime syndicate and domestic terrorist members adds to a long and well-documented history of this ongoing *pattern and practice* of *affirmatively* CRIMINAL acts undermining these STATE and FEDERAL court cases.

At the federal level this undermining of the “*call to duty*” under judicial Oath of Office are being carried out under the “*privilege*” of these judges otherwise holding lifetime assigned positions ARTICLE III of the U.S. CONSTITUTION, which is secured only on the condition that these judges exhibit “*good behavior*”. Such “*bad behavior*” otherwise justifies not only IMPEACHMENT from office, but also criminal prosecutions under a plethora of UNITED STATES CODES, including but not limited to **18**

U.S.C. § 4 (“Misprision of Felony”), and 18 U.S.C. § 2382 (“Misprision of Treason”) because these criminal acts constitute significant threats to the National Security of (“We”) the People of the United States of America. (Bold emphasis added)

In light of these compounded criminal offenses, being committed and covered up by these CO-TRUSTEES otherwise operating widespread crime syndicate amounting to “*DOMESTIC TERRORISM*” as defined by CONGRESS, the UNITED STATES SECRETARY OF STATE, and the FEDERAL BUREAU OF INVESTIGATIONS (FBI), **BENEFICIARY/RELATOR David Schied – acting in the capacity of a Private Attorney General and FEDERAL WHISTLEBLOWER under the FALSE CLAIMS ACT –** is hereby DECLARING this case “*DISMISSED*” without litigation having occurred; indeed with Lawrence Piersol and his cohorts “*OBSTRUCTING JUSTICE*” by **barring even the “*serving*” of SUMMONS and the ORIGINAL COMPLAINT upon his CO-TRUSTEES.** Therefore, and BENEFICIARY/RELATOR will be filing, reconstituting, and incorporating all of the previously filed (and intended filings) into his “*appeal*” to a “*higher*” ARTICLE III COURT OF RECORD at the “*circuit*” level, **while continuing his COMMON LAW pursuits of a TRIAL JURY with CLAIMS OF DAMAGES IN COMMERCE amounting to what has been repeatedly presented in the “*ledgers*” associated with this case and amounting to compounded TREBLE DAMAGES reflective of the FACT and MAXIM of “*Justice Delayed is Justice Denied*”.**

CONTROLLING OR MOST APPROPRIATE AUTHORITY FOR RELIEF

The tactics used by Victoria Roberts and Lawrence Piersol to *dismiss* BENEFICIARY/RELATOR’s assigned jurisdiction in this multi-tiered case, exemplifies the criminal intent of the CO-TRUSTEES to Commit “*SEDITION*” and “*TREASON*,” which are allegations that are far from being “*frivolous*”.

In the history of case filings over the past year since proceedings started to unlawfully EVICT BENEFICIARY/RELATOR David Schied, which was aided and abetted by criminal “*railroading*” of BENEFICIARY/RELATOR’s multiple cases by judicial usurpers as STATE BAR and/or AMERICAN BAR crime syndicate and domestic terrorist members. Thus, “CLAIMS OF DAMAGES” have long been already been well-established against the UNITED STATES, in multiple tiers, each with TREBLE DAMAGES.

The first “*tier*” was against a \$100 BILLION terrorism insurance and risk management insurance companies of other named CO-TRUSTEES operating as the “*CHARTER COUNTY OF WAYNE*” and the “*MUNICIPAL TOWNSHIP OF REDFORD*”. That was a case filed in the USDCEDM in 2015, which was unlawfully railroaded and *dismissed* by judicial usurper Avern Cohn in 2016. At this point in time, there is no practical sense in detailing the facts of that case or the proceedings, since it suffices to state that the case is now classified as a “*Backward-Looking-Access-to-Court*” case. In fact, there have many preceding cases of this kind that were severely mishandled in longstanding “*chain*” pattern of denials of access, concerning countless sovereign People as named “*litigants*” who have been deprived of their numerous constitutional guarantees to *due process* and *access* to the Courts, by the insurrectionists operating with “*bad behavior*” while lifetime-employed as independent “*judges*”.

The second “*tier*” pertains to this case being determined and CLAIMED in the amount of \$306 BILLION, now compounded with TREBLE DAMAGES to total at \$918 BILLION + INTEREST not yet calculated and factored in.

In those many previous cases, dating back to 2005-2006 and consistently and meticulously RECORDED all the way up to the present day by BENEFICIARY/RELATOR David Schied has addressed previous countless injustices and denials of the court through unconstitutional “*dismissals*” of these scores of unresolved previous cases brought by repeated CONSTITUTIONAL guarantee of “*RIGHT TO REDRESS*”.

Therefore, BENEFICIARY/RELATOR has not only submitted scores of his own sworn, notarized AFFIDAVITS along with the Affidavits of others as victims and witnesses of similar injustices. BENEFICIARY/RELATOR has also documented his submission of other very many important legal “Memorandums” and researched “Arguments” which, though chock full of relevant state and federal legislation, case law, constitutional mandates, and common law history, were similarly DISMISSED without proper judicial address. As is clearly exemplified by the case at hand herein, “*access*” to the Court is not merely having one’s name on a docket or attending a railroad hearing. “***Access to the court***” requires “***meaningful access***” to be constitutionally sanctioned. [*Ryland v. Shapiro*, 708 F.2d 967, 1261 (5th Cir. 1983)] (Bold emphasis added)

Other controlling laws, as referenced in itemized memorandums previously submitted to the CO-TRUSTEES of the so-called “*UNITED STATES DISTRICT COURT*” include but are not limited to: 18 U.S.C. § 4; 18 U.S.C. § 2382; 18 U.S.C. § 242; 18 U.S.C. § 241; 18 U.S.C. § 1341; 18 U.S.C. § 1505; 18 U.S.C. § 1512; 18 U.S.C. § 1513; and the Crime Victims’ Rights Act of 2004, and Constitution of Michigan of 1963 (Art. I, § 24 – “Rights of Crime Victims”), among others not yet researched as pertaining to the Constitution of South Dakota.

Submitted truthfully, this day of 8/6/21 by,

/s/ David Schied

Date: 8/6/21

DISABLED / <u>BENEFICIARY</u> David Schied - <u>RELATOR</u> P.O. Box 321 SPEARFISH, S. DAKOTA 57783 605-580-5121 (all calls recorded)
