

**UNDER THE U.S. CONSTITUTION and the SOUTH DAKOTA CONSTITUTION
and the SPIRIT and LETTER of ALL LAWS COMPORTING WITH THE
COMMON LAW(S) OF THE LAND, AND THIS “ARTICLE III COURT OF RECORD”**

IN THE MATTER OF “*RIGHT TO APPEAL*”:

David Schied, one of the sovereign American People living in South Dakota as a totally and permanently disabled quad-amputee; a **BENEFICIARY** of the social welfare system; a Common Law **GRIEVANT** / **CRIME VICTIM** and **CLAIMANT** acting in his *Sui Juris* Private capacity; as well as in his “*EX REL*” capacity of a **PRIVATE, PUBLIC PROXY** on behalf of the South Dakota and American “*TAXPAYERS*” “*Beneficiary / Private Public Proxy*” –
Sui Juris Relator

v.

The ADMINISTRATIVE “*DEEP*” STATE of the STATE OF SOUTH DAKOTA as represented by multiplicity of GOVERNOR Kristi Noem, the BUREAU OF ADMINISTRATION as represented by Scott Bolinger And Catherine Williamson; ATTORNEY GENERAL and his/her agents as “*assistants*,” the S.D. DEPARTMENTS OF “DHS” and “DSS” acting by and through Laurie Gill Shawnie Rechtenbaugh and their respective BAR attorneys Jenna Howell, Jeremy Lippert, Eric Monson, Wade Reimers, and SUBPOENAED named others as “DOES #1-26” operating as a proven Corrupt Racketeering Criminal Enterprise “*CO-TRUSTEES*” acting in their Private and Public capacities

SOUTH DAKOTA
SUPREME COURT
and
UNIFIED JUDICIAL SYSTEM
via
FOURTH JUDICIAL CIRCUIT
LAWRENCE COUNTY
CASE # CIV22-116
ADMINISTRATIVE CASE NUMBERS
INCLUDED HEREIN AS “*APPEALED*”
Case # **OHE # PRR 22-02** (fraudulent)
referenced by “*CO-TRUSTEES*” on 5/6/22
Case # **001286794** (fraudulent) and
OAH # **22-365** (fraudulent)
referenced by “*CO-TRUSTEES*” on 5/12/22

**WITH NOTICE OF
CLAIM OF CONUSANCE**
and
**DEMAND FOR MULTI-
COUNTY CRIMINAL GRAND
JURY INVESTIGATION**

**DEMAND FOR
TRIAL BY JURY**

BENEFICIARY / RELATOR / PRIVATE PUBLIC PROXY David Schied’s:

- 1) “COMMON LAW ‘WRIT OF ERROR CORAM NOBIS’ IN OPPOSITION TO *PRIMA FACIE* EVIDENCE OF ‘*CRIMINAL FRAUD AND CONSPIRACY TO DEPRIVE OF RIGHTS*’ INVOLVING A ‘*JUDICIAL USURPER*’ AND ‘*ADMINISTRATIVE BUREAUCRATS*’ 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**” AS BASED UPON ‘*OVERRIDING AND PALPABLE ERRORS*,’ GROSS OMISSIONS OF FACTS, INTENTIONAL [TORTUOUS] VIOLATIONS OF THE ‘*RULES ENABLING ACT*, ‘*ACCARDI DOCTRINE*, AND ‘*OTHER CONSTITUTIONAL GUARANTEES*”
- 3) **MOTION TO MOVE THE SUPREME COURT TO RECONSIDER REVERSING ITS PREVIOUS “FORM OVER SUBSTANCE” DECISION**

“**OBJECTION**” dated 4/22/22-4/30/22 and filed with a “**SWORN AFFIDAVIT OF TRUTH**” and signed “**CRIMINAL COMPLAINT**” remains unrebutted, sustained and fully enforceable.

DEMAND FOR SANCTIONS AND DISBARMENT OF ALL “STATE BAR” member ATTORNEYS AND JUDGES associated with this case;
based on proven nineteen (19) months history of **FRAUD and DISCRIMINATION** and other “*secondary*” RICO coverups of “*predicate*” instances and formalized REPORTS of ‘NEGLECT AND ABUSE’ OF ELDERLY/DISABLED. DISCRIMINATION and CRIMINAL COMPLAINTS

EX REL, People of the State of South Dakota
P.O. Box 321
SPEARFISH, SOUTH DAKOTA 57793
605-340-4439 (all calls recorded)

This references numerous previous formal **“FILINGS TO CORRECT THE RECORD”** as administratively needed by the sovereign People to address the CO-TRUSTEES’ continual attempts to create a FRAUDULENT PAPER TRAIL of so-called “facts” for successive “administrative reviews” and/or “judicial reviews.”

Names and locations of those “served” with this document:

Eric Monson – ADJ; **Wade Reimers** – Ass’t AG
OFFICE OF ADMINISTRATIVE HEARINGS
DEPT. OF SOCIAL SERVICES
c/o Laurie Gill, DSS SECRETARY
700 Governors Drive
Pierre, SD 57501
DSSInfo@state.sd.us
Scott Bolinger and **Catherine Williamson**
OFFICE OF HEARING EXAMINERS
Emails: admhrngs@state.sd.us
GOV. Kristi Noem c/o Mary Beth Hollatz
Email: marybethhollatz@gmail.com
OFFICE OF THE SOUTH DAKOTA
ATTORNEY GENERAL and Mark Vargas
c/o Wade Reimers and Robert Morris
Email: DSS (above) as “Special Assistant Attorney
Generals” – bobmorris@westriverlaw.com

COMES AGAIN the sovereign People, by and through one “*totally and permanently disabled quad-amputee*” named in the Common Law as “**David Schied**” as “*Beneficiary*” of the PUBLIC TRUST documents of the SOUTH DAKOTA and UNITED STATES constitutions.

These instant “**DEFAULT JUDGMENT**”, “**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 “*STATE OF SOUTH DAKOTA*” operating by and through its CORPORATIZED QUASI-GOVERNMENT “*principals and agents*” of the “*DEPARTMENT OF SOCIAL SERVICES*,” the “*DEPARTMENT OF HUMAN SERVICES*,” its “*BUREAU OF ADMINISTRATION*,” “*OFFICE OF HEARING EXAMINERS*,” and its “*OFFICE OF THE ATTORNEY GENERAL*,” that are individually and severally usurping the sovereign Power of the sovereign People of the State of South Dakota and the United States as carried out between BUTTE COUNTY, LAWRENCE COUNTY, MEADE COUNTY, and HUGHES COUNTY – at minimum – within the STATE OF SOUTH DAKOTA of the UNITED STATES OF AMERICA.

The basis for this “*notice*” is by Reason and Evidence that the “*official*” ACTS of the multiplicity of “*principles and agents*” numbering well over thirty (30) 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 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”
BASED ON FACTS**

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 and PRIVATE, PUBLIC PROXY (hereafter “*B/R / PPP*”) David Schied operating under FEDERAL “*WHISTLEBLOWER*” protections and in the public’s interest under the FALSE CLAIMS ACT, against “*judicial usurper and imposter*” **Eric Monson and co-conspiring others** (both named already and those to still be added), effectively functioning as an organized crime syndicate, for which there is ample evidence that these individuals are operating under “*fraud*” and criminally under “*color of law*” as the “*ADMINISTRATIVE ‘DEEP’ STATE*,” being also agents of the named CO-TRUSTEES for this case, **the STATE OF SOUTH DAKOTA (et alia)**. (Bold emphasis added)

This “*WRIT OF ERROR CORAM NOBIS*” is written in response to the most recent of the latest conspiracy of actions committed by and through the CO-TRUSTEES of the STATE OF SOUTH DAKOTA (hereafter referred to as the “*STATE*”) as depicted in the following two pages constructively referenced as “*REFUSAL TO FILE BASED ON ‘FORM OVER SUBSTANCE’*” levied against B/R PPP David Schied by **Shirley Jameson-Fergel**:




Clerk of the Supreme Court


Shirley Jameson-Fergel is the Clerk of the South Dakota Supreme Court. It is the function of this office to assist the Supreme Court, and especially the Chief Justice, in the organization of the correspondence, exhibits, and other documentation related to the formal activities of the Supreme Court. This includes monitoring the progress of appeals; scheduling oral arguments before the Court; recording Court decisions, orders and directives; and controlling their release and distribution. The Clerk’s office is also responsible for the management of all legal records of the Court, compiling appellate statistics, and documenting and disseminating Court rules.

While acting OFFICIALLY to “assist the SUPREME COURT, and especially the CHIEF JUSTICE”

Shirley Jameson-Fergel was RECORDED as she first totally disregarded COURT FILINGS OF PUBLIC IMPORTANCE delivered to her through her publicly posted email address before those same documents were next sent again three weeks later to Shirley Jameson-Fergel via “*Certified Mail Delivery*,” after which she was RECORDED as having “LOST THEM ALTOGETHER” claiming on 8/24/22 that my documents “must be under review” (by the so-called “justices”).




South
Dakota
Unified
Judicial
System



Faulk County Courthouse

South Dakota Supreme Court

The South Dakota Supreme Court is the highest court in the state of South Dakota. It is composed of a chief justice and four associate justices appointed by the governor. One justice is selected from each of five geographic appointment districts. Justices face a nonpolitical retention election three years after appointment and every eight years after that. The justices also



Justices	<u>Opinions</u>	Term of Court	Judiciary Messages	Rules	Hearings	Summary Dispositions
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The opinions posted on this site are slip opinions subject to revision and correction. The official opinions of the South Dakota Supreme Court are those published in the bound volumes of North Western Reporter. Readers are requested to promptly notify, in writing, the Clerk of the South Dakota Supreme Court at SCClerkBriefs@ujs.state.sd.us or 500 East Capitol Avenue, Pierre, SD, 57501, of any typographical or other error in the opinion, in order that corrections may be made before the opinion is published.

Filings - Leave to the SUPREME COURT on Interlocutory Appeal from the 4TH CIRCUIT COURT

From: David Schied (deschied@yahoo.com)

To: scclerkbriefs@ujs.state.sd.us

Cc: deschied@yahoo.com

Date: Tuesday, August 9, 2022 at 04:17 PM MDT

Date: Tuesday, August 9, 2022 at 04:21 PM MDT

Dear CLERK OF COURT for the SUPREME COURT,

Please see my cover letter and attachments for further info on these filings fro a "totally and permanently disabled quad-amputee."

As a courtesy, I will send a second email shortly with additional filings received today by MAGISTRATE/CLERK Carol Latuseck. Thank you for your consideration in receiving these documents from me via email.

Cordially yours,
David Schied



080922_CvrLetr2SDSupCourtClerk.pdf
261kB



080922_CERTOFSERVICE2SDSupCourt.pdf
219.8kB



080822_OBJECTION&LEAVE4InterlucotyAppeal.pdf
6.1MB



080822_OBJECTION&MOT2CorrecttheRECORD.pdf
6.1MB



080822_OBJECTION&MOT2SHOWCAUSE4Beliefs.pdf
6.1MB



080822_OBJECTION&Mot4ReconsidofinfrmStmtsInLieuDECLARSTMTS.pdf
6.1MB



080922_ProofofDelivery24thCircuitCourt.pdf
366.1kB

PROOF is on the following pages that the SUPREME COURT “CLERK” Shirley Jameson-Fergel received the documents as sent to her via “*Certified Mail*” with TRACKING.

David Schied
P.O. Box 321
Spearfish, South Dakota 57783
605-340-4439 (all calls recorded)

8/11/2022 (follow-up to 8/9/22 email delivery)

Attn: CLERK OF COURT for the
SOUTH DAKOTA SUPREME COURT
500 East Capitol Ave. Pierre, SD. 57501

Dear SUPREME COURT CLERK,

Please SEND BACK
PROOF OF
DATE-STAMPED
“MOTION”
FILINGS

Please file the following documents as copied to the FOURTH (4TH) CIRCUIT COURT:

- 1) CERTIFICATION OF SERVICE (4 pages);
- 2) “FORMAL OBJECTION” and “LEAVE FOR INTERLOCUTORY APPEAL TO THE ‘SOUTH DAKOTA SUPREME COURT’ ON CONSTRUCTIVE AND DISCRIMINATORY DENIALS OF MOTIONS FOR ‘IMMEDIATE CONSIDERATION’ AND FOR ‘SERVICE ON ONE CONSTITUTING SERVICE ON MANY’ ... AS BASED ON ...” (41 pages)

Please also review and consider filing the added enclosed documents accompanying this cover letter as FIVE ATTACHMENTS; and note that I am a recent “*totally and permanently disabled quad-amputee*” requesting “*reasonable accommodations*” from this Court. The documents, inclusive of the following listing, are self-explanatory; however, if you have any questions, please notify me right away. I wish to have date-stamped copies returned to me of – at minimum – all of the following “*cover pages*” for each of these filings listed below (and on the “CERTIFICATE OF SERVICE” that were “*received*” today by the FOURTH CIRCUIT COURT, as considered thus “*filed*”:

- 1) CERTIFICATION OF SERVICE (4 pages);
- 2) “FORMAL OBJECTION” and “MOTION FOR RECONSIDERATION” AND TO “SHOW CAUSE” ON 7/29/22 INFORMAL AND DISCRIMINATORY “ARTICLE I MAGISTRATE” INSTRUCTIONS IN LIEU OF HEARING, ON 7/18/22 ACTUAL FILING DATE OF “MOTION FOR ARTICLE III COMPLIANT DECLARATORY STATEMENTS” (39 double-sided pages)
- 3) “MOTION FOR ‘THE COURT’ TO ‘SHOW CAUSE’ FOR ‘HIS’ SAID ‘BELIEFS’ DEEMED OTHERWISE TO BE ‘PREJUDICIAL,’ AND IN STARK VIOLATION OF THE UNITED STATES LAWS GOVERNING THE PRESERVATION AND PROTECTION OF THE ‘DIGNITY’ AND OTHER ‘RIGHTS OF DISABLED AMERICANS’ WHO – AS EXAMPLIFIED IN THIS CASE – ARE PERSISTINGLY RECLAIMING THEIR ‘SOVEREIGN’ STATUS AGAINST THE ‘ADMINISTRATIVE [DEEP] STATE’” (40 double-sided pages)
- 4) BENEFICIARY / RELATOR / PRIVATE PUBLIC PROXY David Schied’s: “MOTION TO CORRECT THE FOURTH (4TH) CIRCUIT COURT RECORD OF LAWRENCE COUNTY, BASED CRIMINALLY UPON FRAUD BY AGENTS OF ‘THE COURT’ ENGENDERED AS A ‘HE’ AND SERVING AS THE ALTER-EGO OF ‘JUDGE STAWN’”

[A.K.A. 'JUDGE STRAWN' / ACTING 'PREJUDICIALLY' AND OUTSIDE OF ARTICLE III COMPLIANCE ... AS BASED ON ...] (41 double-sided pages)

- 5) **“‘FORMAL OBJECTION’ and ‘LEAVE FOR INTERLOCUTORY APPEAL TO THE ‘SOUTH DAKOTA SUPREME COURT’ ON CONSTRUCTIVE AND DISCRIMINATORY DENIALS OF MOTIONS FOR ‘IMMEDIATE CONSIDERATION’ AND FOR ‘SERVICE ON ONE CONSTITUTING SERVICE ON MANY’ ... AS BASED ON ...”** (the same three reasons stated in #2 and #3 above) (41 double-sided pages)

ALSO NOTE that I have replied back to the MAGISTRATE/CLERK Carol Latuseck in response to the letter that she wrote to me dated 7/29/22, as follows in brief:

- 1) I have asked that (Latuseck) please provide to me all information about the “ODESSEY” filing system and how I may acquire direct access to filing in that system;
- 2) I have asserted that, given (Latuseck’s) assertion that I am being forbidden the ease and the “reasonable accommodation” of filing my documents in the same fashion of correspondence as she asserts a DEMAND upon me as a “totally and permanently disabled quad-amputee” without MEDICAID to pay for “ACCESSING” my community and Post Office to actually be MANDATED to go to the Post Office (without the STATE-guaranteed means for my doing so), then I REFUSE to accept (her) “directed” proposal that (she) be furnished with the ease of “serving” me more of (her) illicit “stuff” by email;
- 3) I have stated that, since I do not engage with the “STATE BAR” as a purported “CRIME SYNDICATE,” I have asked that she please NOT send back to me any more of her “STATE BAR” marketing paraphernalia in promotion of her/your networked MONOPOLY and “JUST US” club;
- 4) I have asked that (Latuseck) please send me any PROOF that she has that “the court” identified by the masculine pronoun “he”, has “opined” anything prior to 7/29/22 as she has referenced in paragraph #3 of her 7/29/22 letter.
- 5) I have asserted that, as a “totally and permanently disabled quad-amputee” without MEDICAID to pay for TRANSPORTATION and “ACCESS” to my community and Post Office, I AM NOT GUARANTEED TO RESPOND TO ANYTHING the MAGISTRATE/CLERK Latuseck sends to me as “directed by ‘the court’” since, in order to do so requires resources beyond my human means according to ANY COERCED schedule that either she or your “Judge Stawn / Judge Strawn” may attempt to impose upon me in DOMESTIC TERRORIST fashion.

Sincerely,

/s/ David Schied – one of the sovereign American People acting directly as “Beneficiary” and as “Private, Public Proxy” on behalf of the sovereign People as “TAXPAYERS” living in both the STATE OF SOUTH DAKOTA and elsewhere in the UNITED STATES

* The above signature is authorized by David Schied as a “totally and permanently disabled quad-amputee” with “reasonable accommodations” exercised by Right according to laws provided by the AMERICANS WITH DISABILITIES ACT. Also, given that this “quad-amputee” is not being properly afforded public transportation, prosthetic legs, or mobility devices maintained by the STATE; and given that he does not “drive” or have a “driver’s license,” it is a “reasonable accommodation” to provide such a disabled individual the entitlement to “serve process” upon these CO-TRUSTEES by electronic email instead.

David Schied
P.O. Box 321
Spearfish, South Dakota 57783
605-340-4439 (all calls recorded)

8/28/22 (began) – 9/14/22 (finished)

Attn: CLERK OF COURT for the
SOUTH DAKOTA SUPREME COURT
500 East Capitol Ave. Pierre, SD. 57501

Dear SUPREME COURT CLERK,

Please file the following documents as copied to the FOURTH (4TH) CIRCUIT COURT:

- 1) CERTIFICATION OF SERVICE (4 pages);
- 2) “FORMAL OBJECTION’ and ‘LEAVE FOR INTERLOCUTORY APPEAL TO THE ‘SOUTH DAKOTA SUPREME COURT’ ON CONSTRUCTIVE AND DISCRIMINATORY DENIALS OF MOTIONS FOR ‘IMMEDIATE CONSIDERATION’ AND FOR ‘SERVICE ON ONE CONSTITUTING SERVICE ON MANY’ ... AS BASED ON ...” (41 pages)

Please also review and consider filing the added enclosed documents accompanying this cover letter as FIVE ATTACHMENTS; and note that I am a recent “totally and permanently disabled quad-amputee” requesting “reasonable accommodations” from this Court. The documents, inclusive of the following listing, are self-explanatory; however, if you have any questions, please notify me right away. I wish to have date-stamped copies returned to me of – at minimum – all of the following “cover pages” for each of these filings listed below (and on the “CERTIFICATE OF SERVICE” that were “received” today by the FOURTH CIRCUIT COURT, as considered thus “filed”:

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Pierre, SD 57501

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☐ Return Receipt (hardcopy) \$0.00

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☐ Certified Mail Restricted Delivery \$0.00

☐ Adult Signature Required \$0.00

☐ Adult Signature Restricted Delivery \$0.00

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Total Postage and Fees \$6.16

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500 East Capitol Ave
Pierre, SD 57501

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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(800)275-8777

08/11/2022 03:18 PM

Product	Qty	Unit Price	Price
First-Class Mail®	1		\$2.16
Large Envelope	500		\$2.16
Pierre, SD 57501			
Weight: 0 lb 4.50 oz			
Estimated Delivery Date			
Mon 08/15/2022			
Certified Mail®			\$4.00
Tracking #:			
70221670000210585121			
Total			\$6.16
Grand Total:			\$6.16
Credit Card Remit			\$6.16
Card Name: VISA			
Account #: XXXXXXXXXX3144			
Approval #: 051800			
Transaction #: 640			
AID: A0000000031010			
AL: VISA CREDIT			Chip
PIN: Not Required			

The “COMMON LAW” RECORD
PROVES THAT THE DOCUMENTS
AS “FILINGS” were sent on 8/11/22
and RECEIVED by the SUPREME
COURT “CLERK OF COURT” Shirley
Jameson-Fergel on 8/15/22. (See next
page)

8/17/22, 10:54 AM

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7022 1670 0002 1058 5121

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
Pierre, SD 57501	
Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$2.16
Total Postage and Fees	\$6.16
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✓ Delivered, Individual Picked Up at Postal Facility

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August 15, 2022, 9:03 am

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August 15, 2022, 7:59 am

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PIERRE, SD 57501

August 13, 2022, 8:09 am

Available for Pickup

<https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tlc=2&text128777=&tlLabels=70221670000210585121%2C>

As PROVEN above graphic snapshots, I had used the publicly posted email address of **“CLERK OF THE SUPREME COURT,” Shirley Jameson-Fergel**, on 8/8/22 to email twice all of the documents that I then mailed again to her WITH A **“CERTIFICATE OF SERVICE”** reflecting the dated delivery (**8/15/22**) of the same as subsequently mailed out on **8/11/22** when my previous email were neither *“returned as undeliverable”* nor *“responded to as received ... with a ‘docket sheet or case number’ for the filings as clearly requested.”*

Therefore, **when I had still not received anything back by 8/24/22** – after letting **Shirley Jameson-Fergel** know full well that the underlying case was related to the **“DENIAL OF MEDICAL ASSISTANCE”** and the denial of STATE assistance in getting ACCESS to my community and an informed decision by the FOURTH CIRCUIT “judge” to FORCE me to interact with that court personally and WITHOUT STATE ASSISTANCE in travel as a **“HOMEBOUND** *totally and permanently disabled quad-amputee*” – **I made a subsequent RECORD of my telephoning the OFFICE OF THE SUPREME COURT CLERK on 8/24/22 and speaking directly with Shirley Jameson-Fergel.**

During that six (6) minute phone discussion with **Shirley Jameson-Fergel** who answered that phone, she looked up my name and FOURTH CIRCUIT COURT case number in her database and “found” nothing (while acting as if she never even saw or heard anything about that which was addressed by email and subsequently by mail DIRECTLY TO HER AS THE **“SUPREME COURT CLERK”**) from me as a *“totally and permanently disabled [quad-amputee] in LAWRENCE COUNTY who had [TWICE] ‘FILED’ my INTERLOCUTORY APPEAL [and other supporting documents] at that very OFFICE OF THE SUPREME COURT CLERK while reporting certain improprieties taking place at the lower FOURTH CIRCUIT COURT (with embedded PROOFS in all of the documents I had ‘filed’ with Shirley Jameson-Fergel.”* In response to finding *“nothing in the SUPREME COURT DATABASE”*, she stated simply that, *“it may be ‘UNDER REVIEW’ at this time.”*

In the middle of this **RECORDED** phone call I explained the background to my filing as being the DENIAL OF MEDICAL ASSISTANCE, the DENIAL OF TRANSPORTATION to send or pick up mail in timely fashion or to attend scheduled court hearings, etc., and my being in a **“DESPERATE NEED FOR HELP”** because I was being victimized by the EXECUTIVE BRANCH using **“PROCEDURE OVER SUBSTANCE ... to PROCEDURE [ME] TO DEATH!”**

Showing a clear comprehension of gravity of this **“REPORT OF ABUSE AND NEGLECT”** that I had just issued to her – INCLUDING FINANCIAL ABUSE in making me a

“DEBTOR” and COERCING ME INTO “INVOLUNTARY SERVITUDE” by what I had just then described to her on a RECORDED phone line – SUPREME COURT CLERK Shirley Jameson-Fergel merely went further to state, “usually when we get things up here they go ‘UNDER REVIEW’ and then we go from there.” She did NOT detail whether this is the “usual” PROCEDURE applied to “ALL FILERS” (including her fellow STATE BAR CRIME SYNDICATE member attorneys), or whether this PROCEDURE is DISCRIMINATINGLY reserved only to “PRIVATE/NON-BAR FILERS”, or to only “DISABLED and ELDERLY FILERS”, or only to the “SOVEREIGN AMERIGN PEOPLE FILERS” without an attorney.

Then, in spite of my GOOD FAITH “TRUST” in this SOUTH DAKOTA SUPREME COURT and it’s “CLERK OF COURT” Shirley Jameson-Fergel yet another “government CO-TRUSTEE” UNDER LEGAL – “MANDATORY” – OBLIGATION TO TAKE ACTION AFTER HAVING “REASONABLE CAUSE” TO KNOW THAT “NEGLECT AND ABUSE” WERE TAKING PLACE, instead sent me the following letter, again placing “FORM OVER SUBSTANCE”:



Supreme Court of South Dakota

OFFICE OF THE CLERK
500 East Capitol Avenue
Pierre, South Dakota 57501-5070
(605) 773-3511

Shirley A. Jameson-Fergel
Clerk

Laura J. Graves
Chief Deputy

August 24, 2022

Amy Hudson
Deputy Clerk

Sarah L. Gallagher
Deputy Clerk

Mr. David Schied
PO Box 321
Spearfish SD 57783

Re: Correspondence received

Dear Mr. Schied:

This acknowledges receipt of your submissions dated August 11, 2022.

We are returning the above documents as they are not in proper statutory form to invoke this Court's appellate or original jurisdiction.

Very truly yours,
A handwritten signature in blue ink that reads "Laura J. Graves".
Laura J. Graves

/ljb

Enc.


THE ABOVE “RECORDS” BEG THE MORE “IMPORTANT” QUESTIONS (TO THE ‘SOVEREIGN PEOPLE’) ARE: “WHO IS DOING THE ‘REVIEWS’ BEFORE MY DOCUMENTS GET ‘PROCEDURALLY FILED’?”; AND, “WHO IS RESPONSIBLE AND ACCOUNTABLE TO [TWE] THE SOVEREIGN [AND DISABLED, NEGLECTED AND ABUSED] AMERICAN PEOPLE?’ AT THE SO-CALLED ‘SOUTH DAKOTA SUPREME COURT’ THAT IS BEING FUNDED BY THE SOUTH DAKOTA ‘TAXPAYERS’”

→ ↻ governor.sd.gov

South Dakota Governor

Kristi Noem

HOME GOVERNOR NOEM PRIORITIES NEWS CONTACT



South Dakota: *Under God, the People Rule*



Chief Justice Steven R. Jensen

Justice Jensen was appointed to the Supreme Court by Governor Dennis Daugaard. He was sworn in on November 3, 2017. [View More ...](#)



Justice Janine M. Kern

Justice Kern, who was appointed to the Supreme Court on November 25, 2014, by Governor Dennis Daugaard, represents the First Supreme Court District, which includes Custer, Lawrence, Meade and Pennington counties. [View More ...](#)



Justice Mark E. Salter

Justice Salter began as a member of the Supreme Court on July 9, 2018, following his appointment by Governor Dennis Daugaard. [View More ...](#)



Justice Patricia J. DeVaney

Justice DeVaney was appointed to the Supreme Court by Governor Kristi Noem to represent the Third Supreme Court District. She was sworn in on May 23, 2019. [View More ...](#)



Justice Scott P. Myren

Justice Scott P. Myren, who was sworn in to represent the Fifth Supreme Court District on January 5, 2021, was appointed by Governor Kristi Noem. [View More ...](#)

Most courts, which today recognize the “WRIT OF ERROR CORAM NOBIS”, 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 “administrative” mishandling of the RECORDS being created by the “ADMINISTRATIVE ‘DEEP’ STATE” and in the UNIFIED JUDICIAL SYSTEM, and by the SOUTH DAKOTA SUPREME COURT by regular use of “FORM/PROCEDURE OVER SUBSTANCE”, GROSS OMISSIONS, and other means for creating a FRAUDULENT PAPER TRAIL.**

The following is graphic example as PROOF that an AFFIDAVIT was used even along with the “MOTION FOR INTERLOCUTORY APPEAL ...” recently returned to me OUTSIDE THE RECORD by the SUPREME COURT CLERK (after “*sitting*” on it for a full month) with a cover letter from Shirley Jameson-Fergel to me (as a “*totally and permanently disabled quad-amputee*” filing as “*One of the Sovereign People*”) which states that it was “*not in the proper statutory form*”.

SWORN AFFIDAVIT OF FACTS
SUPPORTING THIS INSTANT “OBJECTION” AND “LEAVE FOR INTERLOCUTORY APPEAL TO THE ‘SOUTH DAKOTA SUPREME COURT’...” AND OTHER THREE CONCURRENTLY FILED “MOTIONS”

1. On 6/10/22, the “*Deputy Clerk*” Kristie Gibbens, of the LAWRENCE COUNTY (4th) CIRCUIT COURT date-stamped a “Cover Letter” ONLY to give the mere appearance of filing that cover letter somehow as the entire set of documents shown above as the “*CLAIM OF APPEAL*” and “*MOTION TO EXTEND TIME*” but without explicitly demonstrating so; and without including her name on the UNSIGNED date-stamp “*name of clerk*” line as she was acting OFFICIALLY in the stead of “*CLERK OF THE COURT*” who had remained an unknown by actual name until when, **through direct and FRAUDULENT correspondence received on 8/3/22, was revealed to be the flesh-and-blood woman named as Carol Latuseck, operating the CORPORATE/FICTIONAL OFFICE of the so-called “CLERK / MAGISTRATE”** . (Bold and/or underlined emphasis added)
2. *See below* (on the next page) as the header of the document received on 8/3/22; and *see below that* (again on the next page) the UNSIGNED “*filing stamp*” sent by DEPUTY CLERK Kristie

There is, in fact, reasonable certainty that the CO-TRUSTEES as “*officers*” of the STATE OF SOUTH DAKOTA and its members of the BUREAU OF ADMINISTRATION (and its OFFICE OF HEARING EXAMINERS), the DEPARTMENT OF SOCIAL

SERVICES (hereafter “DSS”), the **DEPARTMENT OF HUMAN SERVICES** (hereafter “DHS”), and its **OFFICE OF ATTORNEY GENERAL** (hereafter “OAG”) the **FOURTH (4th) CIRCUIT COURT**, and the **SUPREME COURT** acting through their respective “*principals*” and “*agents*” – have been acting for a very long time in Treason and a Conspiracy to Treason as “*INDURRECTIONISTS*” and “*DOMESTIC TERRORISTS*” to deprive litigants like BR / PPP David Schied and the sovereign People as “*TAXPAYERS*” of their rightful claims to justice as otherwise constitutionally guaranteed by the FIRST AMENDMENT by proper “access to the court” for meaningful “*redress of grievances*” by constitutionally guaranteed “*due process*.”

The purpose of this WRIT is not to authorize any court to review its own SEDITIOUS “REFUSAL TO FILE BASED ON ‘FORM OVER SUBSTANCE’”, but only to vacate some [NONDISCRETIONARY] adjudication [FRAUDULENTLY] made [*Madden v. Ferguson*, 182 Ill. App. 210 (1913)] by the SUPREME COURT’s and FOURTH CIRCUIT COURT’s “*CLERK[s] OF COURT*” (Shirley Jameson-Fergel and Carol Latusek respectively) when first DELAYING FILING, then FILING WITH FRAUDULENT DATES, and ultimately thereafter REFUSING TO FILE ALTOGETHER DENYING legitimately “*filed*” documents placed into the mail for proper logging and registering according to “date received” by these respective “*courts*” owned by the Sovereign People.

JUSTICE DELAYED IS JUSTICE DENIED

At the lower UNIFIED JUDICIAL SYSTEM represented by the FOURTH CIRCUIT COURT – and here at the SOUTH DAKOTA SUPREME COURT – B/R / PPP David Schied has clearly shown that the “STATE BAR [CRIME SYNDICATE] member Eric Monson created a “FINAL ORDER OF DISMISSAL” that is FACTUAL EVIDENCE of criminal “*FRAUD UPON THE [ADMINISTRATIVE] COURT*” by the “*agents*” of the “*principal*”, being the CO-TRUSTEES of this instant case, the “DSS,” the “AG,” and the “STATE OF SOUTH DAKOTA”.

The named so-called “*WITNESSES*” – being also the named “*ACCUSED*” criminal co-conspirators of “*predicate*” and “*secondary*” levels of named perpetrators – though individually served with subpoenas, never even showed up to the HEARING as directed. This was a blatant violation of B/R / PPP David Schied’s “*RIGHT*” as stated openly into the

HEARING RECORD by the ADMINISTRATIVE LAW JUDGE (hereafter “*ADJ*”) Eric Monson, just prior to dismissing the HEARING, being done without addressing the refusals of these twenty-nine witnesses to show up as previously directed; and while also denying B/R / PPP David Schied’s other Rights to constitutionally guaranteed “*due process*,” as well as his Right to “*reasonable accommodations*” under the guarantees of the AMERICANS WITH DISABILITIES ACT (hereafter “*ADA*”).

Rather than be an unbiased and “objective” third party “judge,” this ALJ Monson sua sponte acted “arbitrarily and capriciously” as the co-conspiring agent of “the Accused” at the HEARING. Monson also created a “FRAUDULENT OFFICIAL RECORD” using the official “titles” and “delegated authorities” of the sovereign People of the STATE OF SOUTH DAKOTA and its OFFICE OF ADMINISTRATIVE HEARINGS, as well as that of the COUNTY OF LAWRENCE, in spite of the FACT that the criminal actions carried out by ADJ Monson at the HEARING were actually FRAUDULENTLY carried out in the COUNTY OF MEADE.

Considering the context of other relevant FACTS surrounding Monson’s FALSE CLAIM ON THE RECORD that B/R / PPP David Schied was “*waiving [his] Rights*” to this DUE PROCESS hearing by simply recording the meeting because he had no fingers to take handwritten notes ¹ Monson purportedly did all of this to hide the actual names of the many other CO-TRUSTEES that B/R / PPP David Schied was actually naming as “*witnesses*,” as well as to hide the amount that B/R / PPP David Schied (being “*I*,” the writer of this instant WRIT) was claiming in REMEDY against the STATE OF SOUTH DAKOTA “*CO-TRUSTEES*” in this

¹ B/R / PPP David Schied is a certified recent (2018) “*totally and permanently disabled quad-amputee*” with only two thumbs and a *pinky* finger on his *nondominant* left hand, being entitled under the Congressional legislation of the ADA to “*reasonable accommodation*” of recording the meeting (or the guarantee of being provided transcripts of Monson’s own recording without cost as otherwise refused by Monson as a matter of the official RECORD) because he is otherwise unable to collect handwritten notes of substantive importance.

Conspicuously, ALJ Monson DISCRIMINATINGLY and in CO-CONSPIRACY with SOUTH DAKOTA “*SPECIAL ASSISTANT ATTORNEY GENERAL*” Wade Reimers committed serious “*ERRORS AND OMISSIONS*” on behalf of the STATE OF SOUTH DAKOTA by constructing a FRAUDULENT “*OFFICIAL*” DOCUMENT that completely omitted B/R / PPP David Schied’s clearly articulated reasons for requesting/demanding federally required “*reasonable accommodations*” to be honored under the AMERICANS WITH DISABILITIES ACT based upon the “*reasons*” cited above in this footnote, as well as in numerous EXHIBITS of DOCUMENTS referenced as a matter of that ADMINISTRATIVE HEARING RECORD created on 5/5/22.

“whistleblower” (i.e., “FALSE CLAIMS ACT”), “RICO ACT,” “FOURTEENTH AMENDMENT” and “ADA violations” legal dispute.

What happened at the first “*appellate*” level for that case still remaining in the FOURTH CIRCUIT in LAWRENCE COUNTY is thoroughly covered by the above-referenced **SWORN AFFIDAVIT OF FACTS SUPPORTING ... “OBJECTION” AND “LEAVE FOR INTERLOCUTORY APPEAL TO THE ‘SOUTH DAKOTA SUPREME COURT’...**, **which is to be incorporated herein** – and as also filed into the FOURTH CIRCUIT COURT of this “*unified*” so-called “*judicial*” system that has the “*pattern in practice*” of otherwise placing “*FORM OVER SUBSTANCE*” in its “*administrative*” and “*procedural*” way of making “*decisions*” (i.e., which is NOT “*judicial*”) – **as if written out verbatim in its entirety within this instant “WRIT OF ERROR CORAM NOBIS ... “.** (Bold and underlined emphasis added)

In this case, the ACTS of the STATE to sustain and reinforce the underhanded CRIMINAL ACTS of the named CO-TRUSTEES 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 STATE throughout 2021 and this first three-fourths of 2022 – is inexcusable. As such, B/R / PPP 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’ “*STATE OF SOUTH DAKOTA.*”

Likewise, B/R / PPP David Schied 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 South Dakota, and of the United States of America, as founded solidly in the MAXIMS OF COMMON LAW.

Whereas, **this concurrent “*Federal jurisdiction*” and “*Common Law jurisdiction*” case has been – in pattern and practice RECORDED in many “*cases*,” civil discrimination and criminal “*complaints*,” “*appeals*,” “*notices*,” etc. –that have been maliciously and tortuously “*denied*,” tacitly “*disregarded*,” malfeasantly mishandled, and fraudulently “*dismissed*” using “FORM/PROCEDURE OVER SUBSTANCE” 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 full year and three-fourths, public taxpayers have been paying for a sham operation of domestic terrorists passing themselves off as a legitimate STATE “*departments*,” “*bureaus*,” “*divisions*,” “*sections*,” “*agencies*,” “*units*,” and “*offices*” while “weaponizing due process” through each to**

overwhelm a “*totally and permanently disabled quad-amputee*” with having to “*answer*” and “*appeal*” each acting as a separate “*arm*” of the monstrosity known as the “STATE” at the helm and head of this “*octopus*” that appears to not have any accountability (or care) over what each of its “*arms*” are doing on its own behalf, and on the behalf of the SOVEREIGN PEOPLE. (Bold and/or underlined emphasis added)

According to the FEDERAL CODE, 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 are DISABLED and/or DISCRIMINATED AGAINST and may have “*backward-looking-access*” cases; giving plenty of “*just cause*” for this instant “WRIT OF ERROR CORAM NOBIS.”

Similarly, according to the CIVIL RIGHTS ATTORNEY’S FEES AWARD ACT of 1976, (42 U.S.C. § 1988) American “*citizens*” with “*skin in the game*” – like me, B/R / PPP David Schied as a “*totally and permanent disabled quad-amputee*” – are being targeted and “*unjustly discouraged from instituting actions to vindicate their rights*”² by way of the “*spirit*”, if not the “*letter*” of the “PRIVATE ATTORNEY GENERAL DOCTRINE.” Herein, B/R / PPP David Schied is carrying out a similar role, but instead, while acting solely in the “*spirit*” of COMMON LAW (i.e., while having statutory authorities at his disposal, as do apparently “*administrative law judges*” use their “*discretion*” and “*informal proceedings*” ... “*under color of law*”) and outside of the “*letter*” of authority of both STATE and NATIONAL “*statutory*” laws and codes, which otherwise “*govern*” the “CO-TRUSTEES” and NOT the Sovereign People. (Bold and/or underlined emphasis added)

Kristi Noem



² Fleischmann Distilling Corp. v. Maier Brewing Co., 386 U.S. 714, 717 (1967)

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

As a matter of significant FACT, the STATE OF SOUTH DAKOTA – acting through its “*principals and agents*” under the auspices of acting on behalf of being the GOVERNOR, the ATTORNEY GENERAL, the DSS and the DHS and their innumerable sub-categorical “*quasi-governmental*” CORPORPORATE “*DEEP STATE*” administrative hierarchy – has together exhibited a long “*chain*” of history in the pattern and practice of FRAUDULENT “*SUMMARY DISMISSALS*” of “*MEDICAL ASSISTANCE*” (i.e., **the DENIALS OF “MEDICAID” BY “CO-TRUSTEES” OF THE “STATE” constitute “ABUSE AND NEGLECT” against this “totally and permanently disabled quad-amputee” and the REFUSAL TO “MANDATORY REPORT” CONSTITUTES ADDITIONAL CRIMES**) applications and addendums, ADMINISTRATIVE APPEALS, DISCRIMINATION and CRIMINAL “*complaints*,” and “NOTICES OF OPEN RECORDS VIOLATIONS,” which date back to March of 2021.

This stems back to the beginning, whereby B/R / PPP David Schied was acting on his own behalf but soon afterwards submitted his FEE SCHEDULE to these wayward STATE “*actors*” while seeing his need to also be acting on the behalf of other SIMILARLY SITUATED “*disabled, poor, and elderly*” sovereign Americans being “*abused and neglected*,” as well as acting on behalf of the STATE and UNITED STATES “*TAXPAYERS*” footing the costs of this “*CONTINUING FINANCIAL CRIMES ENTERPRISE*” operating under FRAUD, SEDITION, INSURRECTION, TREASON, and DOMESTIC TERRORISM, against the **populations** of both the “*disabled, poor, and elderly*” and the legitimate “**governments** ... *by, for, and of the People.*”

In many earlier informal and formal filings for this case listing AT LEAST an estimated twenty-nine (29) total CO-TRUSTEES are to be found in the opening pages of these documents going back to March 2021, now included as EVIDENCE for this ARTICLE III COURT OF RECORD initially showing “*predicate RICO*” crimes of foul play and subsequently, of “*secondary RICO*” crimes of “*cover-up*” and most recently, of “*OBSTRUCTION OF JUSTICE.*”

NOTE THAT THE ENTIRETY OF THESE ORIGINAL “COMPLAINTS” – 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 “*presented*” by the CO-TRUSTEES’ in response to the various “*administrative ‘due process’ hearings*” being carried out by the BUREAU OF

ADMINISTRATION and its OFFICE OF ADMINISTRATIVE HEARINGS like “*dog and pony shows*,” “*clown performances*,” and other “*circus acts*.”

This instant “*case*” has been – in *pattern and practice* – RECORDED as maliciously and tortuously mishandled, and summarily “*denied*” and “*dismissed*” and now “*returned*” (as by the SUPREME COURT CLERK) without proper acceptance or prior proper address of the “*merits*” of the underlying basis for these many previous other substantive filings in this case. Thus, there is even more **clear EVIDENCE that for the past year and three fourths, public taxpayers have been paying for a sham operation of domestic terrorists passing themselves off, individually and severally, as a legitimate “*principals and agents*” of STATE “*departments*,” “*bureaus*,” “*divisions*,” “*sections*,” “*agencies*,” “*units*,” “*offices*,” and now, “*judges*” and “*justices*.”**

As such, the FALSE CLAIMS ACT allows B/R / PPP David Schied as “*WHISTLEBLOWER*” – to be looking out for the public’s interests as well as his own private interests, being those minimally who are “*similarly situated*” with previous “*backward-looking-access*” cases, whereby they are being “*DENIED*” of their sovereign Rights and “*DISMISSED*” of their many case, giving plenty of “*just cause*” for this instant “**DEFAULT JUDGMENT’ AND COMMON LAW ‘LEDGER OF [TREBLE] DAMAGES**” to be filed also on their behalf, as well as on the behalf of STATE and UNITED STATES “*taxpayers*.”

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 named “*administrative law judge*” Eric Monson and all others employed by the DSS, the DHS, the BUREAU OF ADMINISTRATION (hereafter “BOA”), its OFFICE OF HEARING EXAMINERS (hereafter OHE”), by the OFFICE OF THE ATTORNEY GENERAL, and the OFFICE OF THE GOVERNOR ... the FOURTH CIRCUIT COURT and the SOUTH DAKOTA SUPREME COURT, in both their individual and corporate government capacities.

Some of these individuals are persons who have been operating individually and severally along with the other named CO-TRUSTEES – as “*principals and agents*” of the those calling themselves the “STATE OF SOUTH DAKOTA,” being predominantly common representative members of the STATE BAR OF SOUTH DAKOTA, and those others who have, thus far, held an ILLEGAL MONOPOLY over the People’s STATE and UNITED STATES courts. They are the ones “*affirmative acting*” tortuously and with criminal gross negligence and malfeasance in response to sworn AFFIDAVITS and CRIMINAL COMPLAINTS formally proffered and/or properly “*filed*” in other “*legal*” venues with CO-TRUSTEES as “*fiduciary authorities*,” who are

supposed to be otherwise operating under the “PUBLIC TRUST” of the U.S. CONSTITUTION and respective “STATE” constitutions.

“MOTION TO MOVE THE SUPREME COURT TO RECONSIDER REVERSING ITS PREVIOUS ‘FORM OVER SUBSTANCE’ DECISION FOR THE REASONS CITED ABOVE; AND BASED UPON ‘OVERRIDING AND PALPABLE ERRORS’ AND GROSS OMISSIONS OF FACTS, AND INTENTIONAL [TORTUOUS] AND UNCONSTITUTIONAL VIOLATIONS OF BOTH THE “SPIRIT” OF THE ‘ACCARDI DOCTRINE’ AND THE “LETTER” OF THE ‘RULES ENABLING ACT’”

Additionally, incorporated herein, is the following thirty-five (35) page NOTICE and LEDGER as recently (9/13/22 and 9/14/22) delivered to the following several addressees:

David Schied; David E. Schied; DAVID SCHIED; DAVID E. SCHIED; DAVID E SCHIED as actual “CREDITOR”

P.O. Box 321
Spearfish, South Dakota 57783
605-580-5121 (all calls recorded)

8/23/22 (begin) – 9/12/22 (finish)

WARNING! The actions that you undertake constitute perceived THREATS of a conspiracy to “Forced Slavery”, a criminal violation of 18 U.S.C. § 1589 which carries a prison sentence up to 20 years!

ATTN: Nancy Stone and/or “NANCY STONE” AND Joel Stanley and/or “JOEL STANLEY” in her/his private and CORPORATE capacities along with All Others Operating In and From Bismark, North Dakota, from Rapid City, South Dakota, and from Somewhere in Tennessee CREDIT COLLECTIONS BUREAU – in FALSE CLAIM as “CREDITOR”

P.O. Box 778
Bismark, ND 57709
and,
P.O. Box 9490
Rapid City, SD 57709

ATTN: Matthew Banton – Financial Counselor
in his private and CORPORATE capacities
c/o SPEARFISH CLINIC – Dept. of SPEARFISH HOSPITAL
MONUMENT HEALTH in FALSE CLAIM as “CREDITOR”
1420 N. 10th St.
SPEARFISH, S.D. 57783
mbanton@monument.health

ATTN: Dr. Daniel Berens
c/o MONUMENT HEALTH
1420 N. 10th St.
SPEARFISH, S.D. 57783
(by hand-delivery)

**NOTICE TO AGENT is
NOTICE TO PRINCIPAL
and
NOTICE TO PRINCIPAL
is NOTICE TO AGENT**

Governor Kristi Noem – c/o Mary Beth Hollatz – marybethhollatz@gmail.com

Eric Monson and Wade Reimers – c/o Laurie Gill, DSS SECRETARY – DSSInfo@state.sd.us

OFFICE OF THE SOUTH DAKOTA ATTORNEY GENERAL – c/o Wade Reimers and

Robert Morris as “Special Assistant Attorney Generals” – bobmorris@westriverlaw.com

Re: 1) Ongoing REPORTS OF “NEGLECT AND ABUSE” OF A “TOTALLY AND PERMANENTLY DISABLED QUAD-AMPUTEE” BY “AGENTS OF THE STATE”; 2) YOUR ongoing billing for unauthorized CORPORATE COLLECTIONS “Accounts” too numerous to list herein and bearing the ALL CAPS name of “DAVID E SCHIED” in LONG TIME DISPUTE of debt collections in the name of MONUMENT HEALTH; 3) NOTICE OF NEW INCURRENCE OF DEBTS BASED ON PREVIOUS CONTRACT AND FEE SCHEDULE. 4) Allegations of COLLUSION to “deprive of rights under color of PROCEDURE” by Dr. Daniel Berens in allegedly reporting “neglect and abuse” of an adult disabled man to an unidentified “supervisor” of the DSS and making such report by calling the phone number for “CHILD NEGLECT AND ABUSE” and using his AGENTS to cover-up this dereliction and malpractice

In the months that has transpired since last communicating with the “CO-TRUSTEES” of the MONUMENT HEALTH “BUSINESS OFFICE” and its “agents” at the CREDIT COLLECTIONS BUREAU on 11/4/21 – WHICH HAD REITERATED THE INCLUSION OF “B/R / PPP” David Schied FEE STATEMENT FOR DEALING WITH THEIR “CIVIL” AND “CRIMINAL” ACTS against him as an elderly, poor, and totally and permanently disabled quad-amputee man and “BENEFICIARY” being pressured (like here by the SUPREME COURT and FOURTH CIRCUIT COURT “CLERKS” (Shirley Jameson-Fergel and Carol Latusek respectively) as depicted herein and in numerous previous “filings”) to take manual labor action in dealing with their both personal and CORPORATE THREATS upon his financial and personal integrity and safety – have done the following:

- 1) On or about 1/4/22, MONUMENT HEALTH and its CORPORATE “collection” AGENTS operating as CREDIT COLLECTIONS BUREAU sent to me, “B/R / PPP” David Schied, THREE LETTERS, each referencing separate “accounts” numbers of #4753823, #4754350, and #4754399 bearing my (“B/R / PPP” David Schied’s(COPYRIGHTED NAME – without my prior authorization – and threatening to ruin my good credit and, in turn, causing OTHER HARM, if I/he did not subscribe to the INVOLUNTARY SERVITUDE of “call[ing] or writ[ing]”, with EACH being CONSTITUTIONAL VIOLATIONS committed by COERCION, constituting also DOMESTIC TERRORISM.
- 2) In addition – placing the above and below in multiple separate envelopes to FORCE a known disabled man WITHOUT FINGERS OR STATE-PROVIDED “ADAPTIVE EQUIPMENT” FOR OPENING SEALED ENVELOPES to LABOR INVOLUNTARILY to address the COERCIVE contents of each envelope – the following THREE MORE ADDITIONAL LETTERS were also mailed out on 1/4/22 by MONUMENT HEALTH and its CORPORATE “collection” AGENTS operating as CREDIT COLLECTIONS BUREAU, each referencing separate “accounts” numbers of #4755144, #4755233, and #4755408, again bearing my (“B/R / PPP” David Schied’s) COPYRIGHTED NAME – without my/his prior authorization – and threatening to ruin my good credit and, in turn, causing OTHER HARM, if I/he did not subscribe to the INVOLUNTARY SERVITUDE of “call[ing] or writ[ing]”, with EACH being CONSTITUTIONAL VIOLATIONS committed by COERCION, constituting also DOMESTIC TERRORISM.
- 3) In addition – placing the above and below in multiple separate envelopes to PERSISTENTLY and TORTUOUSLY FORCE a known disabled man WITHOUT FINGERS OR STATE-PROVIDED “ADAPTIVE EQUIPMENT” FOR OPENING SEALED ENVELOPES to

LABOR INVOLUNTARILY to address the COERCIVE contents of each envelope – FOUR MORE ADDITIONAL LETTERS were also mailed out on 1/4/22 by MONUMENT HEALTH and its CORPORATE “collection” AGENTS operating as CREDIT COLLECTIONS BUREAU, each referencing separate “accounts” numbers of #4754616, #4754880, #4754933, and #4755137, again bearing my (“B/R / PPP” David Schied’s) COPYRIGHTED NAME – without my prior authorization – and threatening to ruin my/his good credit and, in turn, causing OTHER HARM, if I/he did not subscribe to the INVOLUNTARY SERVITUDE of “call[ing] or writ[ing]”, with EACH being CONSTITUTIONAL VIOLATIONS committed by COERCION, constituting also DOMESTIC TERRORISM.

- 4) As if all of the above was not enough HARASSMENT against a man WITHOUT PUBLICLY-PAID TRANSPORTATION as the means of “*responding in writing IN TIMELY FASHION*” the following **FOUR MORE UNDATED LETTERS** were also mailed out by MONUMENT HEALTH and its CORPORATE “collection” AGENTS operating as CREDIT COLLECTIONS BUREAU – placing the above and below in multiple separate envelopes to PERSISTENTLY and TORTUOUSLY FORCE a known disabled man WITHOUT FINGERS OR STATE-PROVIDED “ADAPTIVE EQUIPMENT” FOR OPENING SEALED ENVELOPES to LABOR INVOLUNTARILY to address the COERCIVE contents of each envelope –each referencing separate “accounts” numbers of #4959479, #5037753, #5087722, and #5087740 again bearing MY (“B/R / PPP” David Schied’s) COPYRIGHTED NAME – without my/his prior authorization – and threatening to ruin my/his good credit and, in turn, causing OTHER HARM, if I did not subscribe to the INVOLUNTARY SERVITUDE of “call[ing] or writ[ing]”, with EACH being CONSTITUTIONAL VIOLATIONS committed by COERCION, constituting also DOMESTIC TERRORISM.
- 5) Going then even further on 8/24/22, the following **LETTER and ACCOUNTING LEDGER DATED 8/23/22** were also mailed out by MONUMENT HEALTH and its CORPORATE “collection” AGENT(s) of Joel Stanley (a.k.a. “JOEL STANLEY”) operating as CREDIT COLLECTIONS BUREAU,– placing the above and below in a separate envelope to PERSISTENTLY and TORTUOUSLY FORCE a known disabled man WITHOUT FINGERS OR STATE-PROVIDED “ADAPTIVE EQUIPMENT” FOR OPENING SEALED ENVELOPES to LABOR INVOLUNTARILY to address the COERCIVE contents of that latest envelope –each referencing separate “accounts” bearing MY (“B/R / PPP” David Schied’s) COPYRIGHTED NAME – without my/his prior authorization – and threatening to ruin my/his good credit and, in turn, causing OTHER HARM, if I/he did not “ACT

TODAY” and subscribe to the INVOLUNTARY SERVITUDE of “paying the account”) identified only as the SINGLE account of 4654373), with this DEMAND being a CONSTITUTIONAL VIOLATION committed by COERCION, constituting also DOMESTIC TERRORISM.

SAMPLES OF THE ABOVE (to save pages herein)

Credit Collections Bureau
PO BOX 778
Bismarck, ND 58502-0778
1-605-961-2705
www.payccb.com

To: DAVID E SCHIED
PO BOX 321
SPEARFISH SD 57783-0321

Account: 5037753

Credit Collections Bureau is a debt collector. We are trying to collect a debt that you owe to MONUMENT HEALTH. We will use any information you give us to help collect the debt.

Our information shows:

Account Identification: MONUMENT HEALTH
Reference #: 500002047809

As of 01-31-22, you owed:	\$333.00
Between 01-31-22 and today:	
You were charged this amount in interest:	+\$0.19
You were charged this amount in fees:	+\$0.00
<u>You paid or were credited this amount toward the debt:</u>	-\$291.08
Total amount of the debt now:	\$42.11

How can you dispute the debt?

- **Call or write to us by 08-25-22, to dispute all or part of the debt.** If you do not, we will assume that our information is correct.
- **If you write to us by 08-25-22, we must stop collection on any amount you dispute until we send you information that shows you owe the debt.** You may use the form below or write to us without the form. You may also include supporting documents.

What else can you do?

Credit Collections Bureau
PO BOX 778
Bismarck, ND 58502-0778
1-605-961-2705
www.payccb.com

Received 8/8/22

To: DAVID E SCHIED
PO BOX 321
SPEARFISH SD 57783-0321

Account: 5087722

Credit Collections Bureau is a debt collector. We are trying to collect a debt that you owe to MONUMENT HEALTH. We will use any information you give us to help collect the debt.

Our information shows:

Account Identification: MONUMENT HEALTH
Reference #: 500001586805

As of 05-12-21, you owed:	\$833.00
Between 05-12-21 and today:	
You were charged this amount in interest:	+\$0.10
You were charged this amount in fees:	+\$0.00
<u>You paid or were credited this amount toward the debt:</u>	-\$806.92
Total amount of the debt now:	\$26.18

How can you dispute the debt?

- **Call or write to us by 09-15-22, to dispute all or part of the debt.** If you do not, we will assume that our information is correct.
- **If you write to us by 09-15-22, we must stop collection on any amount you dispute until we send you information that shows you owe the debt.** You may use the form below or write to us without the form. You may also include supporting documents.

What else can you do?

- **Write to ask for the name and address of the original creditor, if different from the current creditor.** If you write by 09-15-22 we will stop collection until we send you that information. You may use the form below or write to us without the form.
- **Go to www.cfpb.gov/debt-collection to learn more about your rights under federal law.** For instance, you have the right to stop or limit how we contact you.
- **Contact us about your payment options.**

Mail this form to:
PO BOX 778
Bismarck, ND 58502-0778
1-605-961-2705

How do you want to respond?

Check all that apply:

- ☐ I want to dispute the debt because I think:
- ☐ This is not my debt.
 - ☐ The amount is wrong.
 - ☐ Other (please describe on reverse or attach additional

Credit Collections Bureau
PO BOX 778
Bismarck, ND 58502-0778
1-605-961-2705
www.payccb.com

Received
8/8/22

To: DAVID E SCHIED
PO BOX 321
SPEARFISH SD 57783-0321

Account: 5087740

Credit Collections Bureau is a debt collector. We are trying to collect a debt that you owe to MONUMENT HEALTH. We will use any information you give us to help collect the debt.

Our information shows:

Account Identification: MONUMENT HEALTH
Reference #: 500002014890

As of 01-31-22, you owed:	\$560.00
Between 01-31-22 and today:	
You were charged this amount in interest:	+\$0.10
You were charged this amount in fees:	+\$0.00
<u>You paid or were credited this</u> amount toward the debt:	-\$534.01
Total amount of the debt now:	\$26.09

How can you dispute the debt?

- Call or write to us by 09-15-22, to dispute all or part of the debt. If you do not, we will assume that our information is correct.
- If you write to us by 09-15-22, we must stop collection on any amount you dispute until we send you information that shows you owe the debt. You may use the form below or write to us without the form. You may also include supporting documents.

What else can you do?

- Write to ask for the name and address of the original creditor, if different from the current creditor. If you write by 09-15-22 we will stop collection until we send you that information. You may use the form below or write to us without the form.
- Go to www.cfpb.gov/debt-collection to learn more about your rights under federal law. For instance, you have the right to stop or limit how we contact you.
- Contact us about your payment options.

Mail this form to:

PO BOX 778
Bismarck, ND 58502-0778
1-605-961-2705

How do you want to respond?

Check all that apply:

PO BOX 778
BISMARCK, ND 58502-0778

ADDRESS SERVICE REQUESTED

PERSONAL AND CONFIDENTIAL



Credit Collections Bureau

605-341-4414
PO Box 9490

Rapid City SD 57709

08-23-22

4754373

SCHIED, DAVID E
PO BOX 321
SPEARFISH SD 57783

CREDITOR: MONUMENT HEALTH

AMT. DUE \$ 1006.63

WANT TO MAKE PAYMENTS?

WOULD YOU CONSIDER PAYING YOUR ACCOUNT IF YOU WERE ALLOWED
TO MAKE MONTHLY PAYMENTS?

\$167.79 PER MONTH?

IF YOU WILL COMPLETE THE ENCLOSED PAYMENT APPLICATION AND
RETURN IT TO ME I WILL PRESENT IT TO OUR COLLECTION MANAGER FOR
THEIR CONSIDERATION.

IF YOU CAN ENCLOSE A GOOD FAITH DOWNPAYMENT WITH THE PAYMENT
APPLICATION, IT WILL HELP GET THE MONTHLY PAYMENT PLAN APPROVED.

ACT TODAY - MAKE A DEAL!

THIS IS AN ATTEMPT TO COLLECT A DEBT BY A DEBT COLLECTOR AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

SINCERELY,


JOEL STANLEY
1-605-799-1449
PAY ON-LINE OR CORRESPOND WITH CCB AT
WWW.PAYCCB.COM

USE THIS ADDRESS FOR PAYMENTS:

PAYMENT PROCESSING CENTER
PO BOX 778
BISMARCK, ND 58502-0778

ENCLOSURE: PAYMENT APPLICATION

The SOCIAL SECURITY ACT requires that disabled, poor, and elderly not be forced to lose their dignity. Where is the "dignity" in compelling a "totally and permanently disabled quad-amputee" to "apply" for the "privilege" of kissing the ass of these CORPORATE "FICTIONS"?

CREDITOR	AMOUNT	INTEREST	FEES	TOTAL
MONUMENT HEALTH	25.43	2.60	0.00	28.03
MONUMENT HEALTH	35.82	5.00	0.00	40.82
MONUMENT HEALTH	25.43	3.86	0.00	29.29
MONUMENT HEALTH	222.12	31.03	0.00	253.15
MONUMENT HEALTH	38.91	5.44	0.00	44.35
MONUMENT HEALTH	60.64	8.47	0.00	69.11
MONUMENT HEALTH	84.25	11.77	0.00	96.02
MONUMENT HEALTH	28.50	3.99	0.00	32.49
CLINICAL LABORATORY	14.98	2.88	0.00	17.86
MONUMENT HEALTH	13.15	1.35	0.00	14.50
MONUMENT HEALTH	25.43	2.60	0.00	28.03
MONUMENT HEALTH	25.43	2.60	0.00	28.03
MONUMENT HEALTH	19.46	1.99	0.00	21.45
MONUMENT HEALTH	26.45	2.70	0.00	29.15
MONUMENT HEALTH	35.92	3.67	0.00	39.59
MONUMENT HEALTH	13.15	1.35	0.00	14.50
MONUMENT HEALTH	19.46	1.99	0.00	21.45
MONUMENT HEALTH	25.43	2.60	0.00	28.03
MONUMENT HEALTH	25.43	2.60	0.00	28.03
MONUMENT HEALTH	19.46	0.98	0.00	20.44
MONUMENT HEALTH	25.43	1.28	0.00	26.71
MONUMENT HEALTH	41.92	0.93	0.00	42.85
MONUMENT HEALTH	25.99	0.34	0.00	26.33
MONUMENT HEALTH	26.08	0.34	0.00	26.42
TOTAL	904.27	102.36	0.00	1006.63

**NOTICE OF LATEST INCURRENCE OF DEBTS BASED ON
PERSISTING CONTRACT AND PREVIOUSLY RECEIVED FEE SCHEDULE**

All governments and “*licensees*” of governments are SUBJECT TO the legislation set forth by the legislatures of the STATE and the UNITED STATES by CONTRACT of the PUBLIC TRUST between the Sovereign People and those CORPORATE government and their licensed servicing CORPORATIONS.

To reinforce these CONTRACTS of the PUBLIC TRUST – and witnessing firsthand the contemptuous VIOLATIONS of the PUBLIC TRUST – I, David Schied, as “*BENEFICIARY*” of this PUBLIC TRUST, and as “*One of the Sovereign People*” as GUARANTOR acting on behalf of the Sovereign People as “*TAXPAYERS*” having “*created and ordained*” the constitutions of the STATE and UNITED STATES as the “*PUBLIC TRUST*” CONTRACT, have provided – and CCB and MONUMENT HEALTH and the STATE OF SOUTH DAKOTA as embodied (in part) have accepted by TACIT AGREEMENT – my FEE SCHEDULE for servicing this PUBLIC TRUST contract on behalf of the Sovereign People as “*Taxpayers*” funding these CRIMINAL VIOLATIONS of the PUBLIC TRUST and seeking to put a “*screeching*” stop to it.

**THE STATE ATTORNEY GENERAL, THE DSS, AND THE DHS – ACTING THROUGH
THEIR RESPECTIVE “ASSISTANT ATTORNEY GENERALS” – ALL KNOW THAT
FINANCIAL EXPLOITATION OF VULNERABLE ADULTS
IS CRIMINAL ABUSE**

4/26/22, 8:31 AM

South Dakota Attorney General



[Home](#) >> [Victim Resources](#) >> [Senior Citizens](#) >> Elder Abuse

Additional Resources

Vulnerable Adult Abuse, Neglect and Financial Exploitation

Older Americans and adults with disabilities are often the targets of abuse. This is because they are often unable to make a complaint or are afraid to lodge a complaint.

Vulnerable adult abuse is especially tragic because in many of these cases the abuser is in a position of trust; as a caregiver, a guardian, a trustee, or even a family member. By being aware of the signs of possible abuse, neglect and exploitation, you can help protect victims.

Some Common signs of financial exploitation include:

- Social Isolation;
- Inability to pay for healthcare,
- New power of attorney by unknown person;
- Lack of funds to pay for common life expenses.

“Governments” absolutely refuse to admit that the chief offenders are the “officers” and “court-appointed guardians” of the “DEEP” STATE. In my case, it is the “actors and jesters” as AGENTS of the “STATE” as manifest in the “trusted” DSS and DHS “arms” of the STATE who are GUILTY OF NEGLECT AND ABUSE by their refusal to provide me with MEDICAL ASSISTANCE (a.k.a. “MEDICAID”) that helps to pay for needed SERVICES, EQUIPMENT and TRANSPORTATION to ACCESS my community.

As shown by many previous pages above, until such time that the CCB was reporting that MONUMENT HEALTH had taken the step to establish an “arbitrary and capricious” entry into their FRAUDULENT PAPER TRAIL of me, as a “debtor” by written assertion of “You paid or were credited this” – placing accountability against me (B/R / PPP David Schied) by the former and no accountability to either MH or CCB in the latter side of the “OR” grammatical qualifier for whatever action was taken on THEIR PART – **the amounts used against me as FINANCIAL ABUSE were astounding to cause both stressful emotion and financial harm** to my reputation as a reliably insured “credit” risk and as a medical “patient” in a lifetime of need of post-amputations mobility issues and other internal medicine complications otherwise being DENIED FOR SERVICES because of my “inability to pay.”.

In addition to the above-referenced WRITTEN forms of financial harassment, there were near equal numbers of harassing telephone calls and messages left by the MONUMENT HEALTH "BUSINESS OFFICE" in purported "effort to collect upon" those astounding amounts for which the STATE was refusing to pay by support of "MEDICAL ASSISTANCE" ("MEDICAID") to pay what MEDICARE did not pick up on "covered" expenses. This put me into the position of – like with having to grovel for TRANSPORTATION services to access my community for the above-referenced various medical appointments – I was having to beg and borrow for having needed other services including needed DENTAL CLEANING AND SURGERY because the STATE also refused to provide to me what MEDICARE does not cover and the SOCIAL SECURITY ACT otherwise pays to the STATES to provide for their elderly, poor, and disabled.

ACCORDING TO MY (B/R / PPP David Schied's) PREVIOUSLY PROVIDED FEE SCHEDULE – LEDGERED AT \$2,000,000 PER INCIDENT BASED UPON THE CONSTITUTIONAL, FAIR DEBT CREDIT ACT, AND OTHER FEDERAL STATUTORY VIOLATIONS OF MY "CIVIL RIGHTS" AND THE ANTICIPATED COSTS OF "COLLECTING" UPON THESE DEBTS WHILE UP AGAINST "STATE BAR CRIME SYNDICATE" MEMBERS AND CORRUPT STATE AND UNITED STATES COURTS – THE DEBTS INCURRED BY THE ABOVE ENTITIES OF "MONUMENT HEALTH" AND "CREDIT COLLECTIONS BUREAU" ARE FACTORED AS FOLLOWS AS BEING ADDITIONALLY OWED BY ALL OF THEM AND THEIR FLESH-AND-BLOOD "AGENTS" AS "CO-TRUSTEES" OF MY "BENEFICIARY" SERVICES

From 10/28/21 through 8/23/22 referencing separate "accounts" numbers listed above of:

#4753823 – \$2,000,000	#4754350 – \$2,000,000	#4754399 – \$2,000,000
#4755144 – \$2,000,000	#4755233 – \$2,000,000	#4755408 – \$2,000,000
#4754616 – \$2,000,000	#4754880 – \$2,000,000	#4754933 – \$2,000,000
#4755137 – \$2,000,000	#4754373 – \$2,000,000	

$$\begin{array}{r} 2,000,000 \\ \times 11 \\ \hline 22,000,000 \end{array} + \begin{array}{|c|} \hline 11 harassing calls \\ \hline 22,000,000 \\ \hline \end{array} = \begin{array}{|c|} \hline \$44,000,000 \\ \hline \end{array}$$

CREDITED THE EQUIVALENT OF TEN (10) HARASSING CALLS
TALLING (\$20,000,000)

THEY ONLY OWE = \$24,000,000

PAYABLE IMMEDIATELY

UPDATED FEE SCHEDULE

(as of 4/30/22)

David Schied © (“**CREDITOR**”)

PRIVATE PUBLIC PROXY

P.O. BOX 321

SPEARFISH, SD 57783

FEE SCHEDULE AND INTEREST COMPOUNDED (QUARTERLY)

(updated 4/30/22 to begin in effect immediately and included in the next billing cycle for 2022) ***

QUASI-GOVERNMENT AGENTS

AND/OR CORPORATE LICENSEES

OF ANY STATE OR THE “UNITED STATES”

AND/OR EMPLOYEES OR OTHER

SUBCONTRACTORS OF ANY

GOVERNMENT DEPARTMENT,

BUREAU, DIVISION, SECTION,

UNIT, AGENCY, OR OFFICE

REF. ACCNT Nos. / AGENCY CLAIMS

1) All separate account
or “case” numbers
referencing David Schied
or DAVID SCHIED

2) CLAIMS include
EACH and the
accumulation of every
fraudulent entry to the
RECORD for case(s)

Any others (known or unknown)

DAMAGE ASSESSMENTS,

PUBLIC PROSECUTIONS

COSTS *

FAILURE TO RESPOND /

CONTINUED DEFAULT

REFUSAL TO PAY ON

DEBT COLLECTION

NOTICES **

COMPOUNDED QUARTERLY

INTEREST AT THE LOW RATE

OF

PER VIOLATION

\$ 2,000,000

\$ 2,000,000

(each billed agency)

5 %

* This cost is evenly distributed amongst the Consortium of All Listed “Quasi-Government Agents” and “Corporate Licensees” Participating in the Common Objectives of Damaging the Man of David Schied © in Any Way Whatsoever, Including “In Commerce”

** This fee is a punitive amount added for the continued Common Law “tor” violations in damaged personal credit and persisting fraud upon the public for which future litigation may be necessary.

*** Additionally, “Golden Opportunities” may be magnanimously offered in good faith in effort to “settle” the “accounts” on an individual bases at the discretion of David Schied © as “CREDITOR”

Again, **in reiteration of what I (B/R / PPP David Schied) had written to the “agents and principals” at MONUMENT HEALTH and CREDIT COLLECTIONS BUREAU on 10/28/21, I had refrained from charging anything in GOOD FAITH that they would honor the terms of my first correspondence (which was earlier in 2021 as addressed to Matthew Banton (and/or MATTHEW BANTON) and Nancy Stone (and/or NANCY STONE) and leave me alone and in peace to take care of my own needs in accordance with the recommendations and prescriptions of my doctor, who appears to me to be acting in accordance with the standards set by the Medical Community for treating a recent “totally and permanently disabled quad-amputee”. However, THEY ALL have nevertheless persisted to harass and threaten me even further, as shown above and AFTER that previous SERVICING CONTRACT was initiated by them without their rebuttal and, consequently, by their silence in TACIT AGREEMENT with these TERMS and COUNTERCLAIMS.**

See the next page as Dr. Berens’ letter dated a over a full year ago on 8/31/21 verifying my “totally and permanently disabled” status.



MONUMENT HEALTH FAMILY MEDICINE
1420 N 10TH ST
SPEARFISH SD 57783-1532
605-717-8595
Dept: 605-717-8595

David E Schied
Po Box 321
Spearfish SD 57783

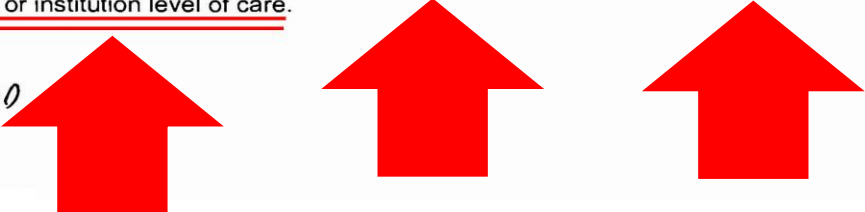
08/30/21

To whom it may concern:

David is a patient of mine. He has had amputations of 7 of his fingers and bilateral below the knee amputations. He is permanently and totally disabled. From his amputations he is essentially a quad amputee. Because of these amputations he has difficulty completing ADLs and is frequently home bound due to complications of his amputations. David is dependent on equipment for his daily life and is essentially considered nursing home or institution level of care.

Sincerely,

Daniel Berens DO



IT'S THE STATE'S DUTY TO ENSURE
THAT "TOTALLY AND PERMANENTLY
DISABLED" ARE PROPERLY
EVALUATED AND "PERMANENTLY"
CARED FOR UNDER THE TERMS
WRITTEN BY THE U.S. CONGRESS
UNDER THE SOCIAL SECURITY ACT

<https://www.ssa.gov/history/1986dibhistory.html>

Based on the recommendations of the 1948 Advisory Council, the House of Representatives, in 1949, passed a bill containing provisions for the payment of benefits under title II of the Social Security Act to permanently and totally disabled insured workers. However, the Senate-passed version of the bill made no provision for disability insurance benefits. Instead, provision was made for grants in aid to the States for public assistance to permanently and totally disabled, needy individuals. The Senate version was adopted in conference and reflected in the final bill enacted as the Social Security Act Amendments of 1950.

The new program of Federal grants to States for aid to the permanently and totally disabled was enacted as title XIV of the Social Security Act. It complemented similar programs for State public assistance to the aged and the blind enacted in the original Social Security Act of 1935 as titles I and X, respectively. These three programs for State public assistance would be replaced in 1974 by the Federally administered program of Supplemental Security Income for the Aged, Blind, and Disabled--the current title XVI program.

...

In passing the 1980 legislation, Congress also sought to strengthen Federal management of the State disability determination process to ensure effective and uniform administration of the disability programs throughout the United States. To this end, it abolished the system of individual State agreements and required the Secretary to promulgate regulations specifying performance standards and administrative requirements and procedures to be followed by the States in performing the disability

determination function. In addition, a provision in the 1980 Amendments requires the Secretary to assume the determination function from a State if the Secretary finds that the State agency is substantially failing to make disability determinations in a manner consistent with published regulations and written guidelines. To ensure uniformity and consistency of State agency determinations, the Amendments further required the Secretary to gradually reinstitute a system of preeffectuation review of a majority of State agency disability allowances and determinations of continued disability.

...

PERIODIC REVIEW OF CONTINUING DISABILITY

In another provision of the 1980 Amendments, Congress sought to ensure the integrity of the disability programs by requiring that the status of disability beneficiaries be reviewed at least once every 3 years, unless the individual's disability is considered permanent. Prior to the Amendments, continuing disability reviews were conducted only in selected cases where the individual's condition was expected to improve (medical diary cases), or the individual had returned to work. Congress thought that this highly selective review process was inadequate as a means of ensuring that only persons who continued to be disabled remained on the rolls.

Shortly after implementation of the continuing disability review provision, the periodic review process came under criticism from the public and some members of Congress for the effects it was having on some beneficiaries. There were adverse reactions to both the increased number of cases subjected to review, and the fact that the reviews resulted in the termination of payments to many beneficiaries who had been on the rolls for some years

The case NOW in the FOURTH CIRCUIT COURT AND S.D. SUPREME COURT proves ...

...

During this same period a growing number of Federal courts were issuing decisions requiring the use of a medical improvement standard in continuing disability reviews. For example, in Finnegan v. Mathews (1981), the Ninth Circuit held that the Secretary may not terminate an individual's disability benefits based on medical factors absent a finding of clear error in the previous determination of disability, or evidence of medical improvement sufficient to establish that the individual is no longer disabled. This holding was reaffirmed by the Ninth Circuit in Patti v. Schweiker (1982), and Lopez v. Heckler (1983). Several other Courts of Appeals issued somewhat similar rulings.

...

In June 1983, Secretary Heckler announced a package of major reforms affecting the continuing disability review program. These included, among others, a temporary moratorium in the review of most mental impairment cases pending a thorough review of the standards for evaluating certain mental impairments, a substantial increase in the percentage of beneficiaries classified as having permanent disabilities and exempt from normal periodic review, selecting cases for review on a random basis instead of based on specific profiles, and an acceleration of a top-to-bottom review of standards, policies and procedures affecting disability evaluation. These reforms were in addition to many administrative initiatives undertaken in 1982 to improve the periodic review process and the quality of disability determinations.

... that the **SOUTH DAKOTA**
ADMINISTRATIVE ‘DEEP’
STATE agents of the DSS and DHS
have been this past year violating
what even the U.S. “SECRETARY” is
not allowed to do in re-evaluating
whether a “totally and permanently
disabled” man is “eligible” for
“MEDICAL ASSISTANCE.”

For more EVIDENCE, see the DOCUMENTARY VIDEO posted into the PUBLIC RECORD at:
<https://www.youtube.com/watch?v=QS-ukmfvuCY>

IN FACT, MY EVIDENCE AGAINST THE STATE OF SOUTH
DAKOTA PROVES THAT THE “DEEP STATE AGENTS”
WORKING FOR THEIR “DEEP STATE PRINCIPALS” OF THE
“DEPARTMENTS” OF “SOCIAL SERVICES” AND “HUMAN
SERVICES” HAVE BEEN IN GROSS VIOLATIONS OF THEIR
OWN DUTIES TO REPORT EACH OTHER FOR “NEGLECT”
AND THE “FAILURE TO PROVIDE ADEQUATE MEDICAL CARE”
AS THE “JOINT TRUSTEES” OF THE GOVERNMENTS’ “TRUST
CONTRACT” BETWEEN THE “UNITED STATES” AND THE
“STATES” UNDER THE SOCIAL SECURITY ACT
(AS AMENDED)



DEPARTMENT OF HUMAN SERVICES

<https://dhs.sd.gov/lts/adultprotective.aspx>

SHAWNIE RECHTENBAUGH, DEPARTMENT SECRETARY

LONG TERM SERVICES AND SUPPORTS

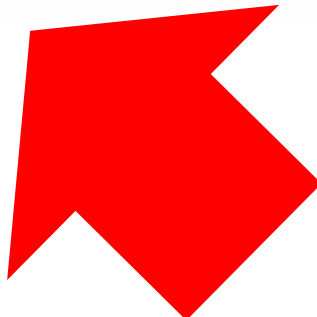
ADULT PROTECTIVE SERVICES

Adult Protective Services (APS) provides elders and adults with disabilities protection from abuse, neglect or exploitation. If you suspect that an elder or a disabled adult is the victim of abuse, neglect or exploitation, please click this link to complete the Adult Protective Services Referral form. For guidance on completing the referral form, please refer to the document below

- **Adult Protective Service Referral Form**
- **Guide to completing APS referral**

NEGLECT

Neglect is defined as harm to the health or welfare of an elder or an adult with a disability, without reasonable medical justification, caused by a caretaker, within the means available for the elder or adult with a disability, including the failure to provide adequate food, clothing, shelter or medical care.



WHEN TO REPORT

The following indicators may be helpful when deciding whether abuse, neglect or exploitation may be taking place.

Physical Indicators

- Injuries that have not been cared for properly.
- Lack of necessary equipment such as walkers, canes, bedside commode.
- Lack of necessities such as heat, food, water and unsafe conditions in the home.

Behavioral Indicators

- Agitation, anxiety
- Withdrawal
- Ambivalence
- Fear
- Depression
- Anger
- Isolation
- Resignation

The “**DEEP STATE**” ACTORS do not give one iota of care, as “**CO-TRUSTEES**” of funds issued to them by the federal government; even despite my extraordinarily high level of “**self-advocacy**” in reporting **DISCRIMINATION** Instead, they **RETALIATE**.

The “**cause**” leading to my loss of both (2) legs and seven (7) fingers in 2018 is reasonably due to an “**INJURY**” that cannot possibly be cared for properly when the patient is **FORCED** by the “**DEEP STATE**” AGENTS to forgo treatments because of a **DENIAL OF PAID TRANSPORTATION**, the refusal of the STATE to furnish electronic wheelchairs; or to even reimburse for costs to maintain functional performance to wheelchairs and prosthetic legs and diseased “stumps” left on the body.

Indicators from Family/Caregivers

- The elder may not be allowed to speak for himself/herself
- Obvious absence of assistance
- Failure to provide physical aids such as eyeglasses, hearing aids or dentures.
- Inappropriately leaving an older person alone for long periods of time.

MANDATORY REPORTING

South Dakota law requires individuals in the medical and mental health professions and employees or entities that have ongoing contact with and exposure to elders and adults with disabilities, to report knowledge or reasonable suspicion of abuse, neglect or exploitation of elders and adults with disabilities.

- **Abuse, Neglect and Exploitation of Elders or Adults with Disabilities Brochure**
- **Abuse, Neglect and Exploitation Video (with audio)**

Mandatory Reporters

There are two groups of mandatory reporters and the process for reporting is different for each group.

The first group of mandatory reporters of abuse, neglect and exploitation includes:

- Physician, dentist, doctor of osteopathy, chiropractor, optometrist, podiatrist, religious healing practitioner, hospital intern or resident, nurse, paramedic, emergency medical technician, social worker or any health care professional;
- Psychologist, licensed mental health professional or counselor engaged in professional counseling; or
- State, county or municipal criminal justice employee or law enforcement officer.

These individuals must make an oral or written report within twenty-four hours to law enforcement, the state's attorney or DHS.

“**Self-Advocacy**” means nothing to the “**DEEP STATE**” PRINCIPALS of the STATE such as GOVERNOR Kristi Noem, the ATTORNEY GENERAL Jason Ravnsborg, DHS SECRETARY Shawnie Rechtenbaugh, and DSS SECRETARY Laurie Gill. They refuse to “answer” written COMPLAINTS, and they “weaponize” their respective “assistant attorney generals” – as all being STATE BAR (CRIME SYNDICATE) members – to repeatedly DENY “OPEN RECORDS REQUESTS” for documents submitted by me under the laws of “government transparency”; and they RAILROAD “Due Process Hearings” when conducting their so-called “ADMINISTRATIVE APPEALS.”

“**Self-Advocacy**” should means something more to Dr. Daniel Berens, D.O. than to repeatedly postpone reporting my detailed COMPLAINTS to him as my “**trusted**” and “**licensed**” health care professional – that **I am being DENIED corrective lenses, DENIED dental cleanings, being DENIED reimbursement on wheelchair batteries, being DENIED care for amputated “stumps” and need prosthetic legs** – than to claim that I am “**a victim of my own success**” and/or to **delay reporting for many weeks and/or months.**

The second group of mandatory reporters of abuse and neglect includes:

- Any staff member of a nursing facility, assisted living facility, adult day care center or community support provider, or any residential care giver, individual providing homemaker services, victim advocate or hospital personnel engaged in the admission, examination, care or treatment of elders or adults with disabilities.
- Any individual in this group must report to the person in charge of the institution where the elderly or adult with a disability resides or is present, or the person in charge of providing the services within twenty-four hours.

The person in charge must also make an oral or written report within twenty-four hours to law enforcement, the state's attorney or DHS.

WHAT TO REPORT

To report abuse, neglect, or exploitation of an elder or an adult with disabilities, please contact your local law enforcement agency, local state's attorney's office or contact [Dakota at Home](#) or [Adult Protective Services](#).

In addition to mandatory reporting, people can make reports on a voluntary basis. Any person who knows or has reason to suspect that an elder or adult who is disabled has been abused, neglected or exploited may report that information. Persons who in good faith make a report of abuse, neglect or exploitation of an elderly or adult with a disability are immune from liability.

Facilities or programs that are licensed or regulated by the Department of Health or Department of Human Services will follow department procedures in place for reporting.

A mandatory reporter who knowingly fails to make the required report is guilty of a Class 1 misdemeanor.

Include the following if you know or have reason to believe someone needs protection from abuse, neglect or exploitation:

- The name, age, physical address and contact information of the elder or adult with a disability;
- The name, age, physical address and contact information of the person making the report;
- The name, age, physical address and contact information of the caretaker of the elder or adult with a disability;
- The name, age, physical address and contact information of the alleged perpetrator;
- The nature and extent of the elder or adult with a disability's injury, whether physical or financial, if any;
- The nature and extent of the condition that required the report to be made; and
- Any other pertinent information.

“Self-Advocacy” should mean something more to GOVERNOR Kristi Noem, the ATTORNEY GENERAL Jason Ravnsborg, DHS SECRETARY Shawnie Rechtenbaugh, and DSS SECRETARY Laurie Gill ... especially when the elderly and disabled *“self-advocate”* has the demonstrated intelligence, educational background, disability training, and organizational capability to SUPPORT HIS CLAIMS WITH EVIDENCE of DISCRIMINATION, RETALIATION, and other *“RICO”* CRIMES of *“DEPRIVATION OF RIGHTS UNDER COLOR OF”* LAW / PROCEDURE / OFFICE OF AUTHORITY.

See the “ACCARDI DOCTRINE” and the “RULES ENABLING ACT”

Simply publishing the AFFIRMATIVE DUTY of these *“CO-TRUSTEES”* operating as STATE and UNITED STATES *“officers”* and *“agents”* does NOT automatically grant them *“immunity”* from civil and criminal prosecutions when they REFUSE to follow their own policies and procedures, and/or the use *“procedure”* to undermine *“substance”* by way of *“weaponized due process”* to yield results opposite of those intended by the procedures themselves.

SWORN AFFIDAVIT OF David Schied FOR THE "TRUTH IN FACTS OF RECORD":
MEMORIALIZING THAT DR. Daniel Berens, HIS AGENTS, AND/OR THE AGENTS OF
MONUMENT HEALTH – DESPITE AGREEING THAT THEY HAD THE LEGAL
REASON, AND THE RESPONSIBILITY, OF REPORTING "ABUSE AND NEGLECT OF A
VULNERABLE AND DISABLED ADULT" TO AUTHOROTIES OF THE "STATE" (AS I
HAD PREVIOUSLY REPORTED TO HIM IN HIS OFFICE AND IN THE COMPANY OF
WITNESSES BY PHONE BY WAY OF MY OWN "SELF-ADVOCACY") – NEVERTHELESS
REPORTED BACK TO ME THAT DR. Berens HAD INSTEAD MADE HIS "REPORT OF
NEGLECT AND ABUSE" TO THE DSS' TOLL FREE NUMBER FOR REPORTING "CHILD
NEGLECT AND ABUSE"; AND HOW THAT ADDS TO THE AMOUNTS OWED

1)

THE FOLLOWIN IS THE "LEDGER" OF INDIVIDUAL ACTIONS THAT I TOOK TO
HOLD Dr. Daniel Berens AND MONUMENT HEALTH Up to the LEGAL STANDARD,
FOR WHICH THE "RECORDS" I HAVE SUGGEST THAT REPORTING "ABUSE AND
NEGLECT OF A VULNERABLE ADULT" TO "CHILD PROTECTION" SERVICE
AGENCIES BRINGS FORTH THE QUESTION OF MEDICAL "MALPRACTICE"
AND/OR OTHER "NEGLIGENCE" (IN FAILURE TO PROPER FOLLOW-UP) LIABILITY

Dr. Berens

1) Report of neglect & abuse by court officials - no chore
Services result from retaliation to den. action =
no help w/ food purchasing, transportation to
doctors, no help w/ payments = no services (eyes)
no continued physical therapy, ENT on chronic
nasal problem, no vacuuming or help w/ food
preparation - drive by STATE is to weaken me
not strengthen me - because I won't play into their
socialist game & demand to see written policies & laws.
- Using Dr. Berens name & reputation to trick me.

2) Nephrologist - back on Aplodapine - high blood pressure

3) Soreness in right nipple / soreness in tongue & neck

4) Re fill of Norco pain meds. Pain increased (L) shoulder
overuse of pinky finger due to sleep

5) PSA or other routine screening or physical?

6) Lysonaphris (Viagra) - get back lost libido after Sep 16

7) Need new pair of shrinkers

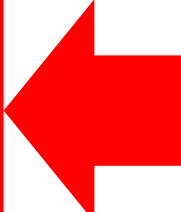
8) Pre-cancer on shoulder (L)?

9) Blood pressure Life Line Screening (Plaque bul)

10) Ana Kit expires in August + Norco

Court
No Dental
& need tooth
extraction

+ Cars
(max +
phone)



(para #1 cont'd) On **7/13/22**, I spoke in-person with Dr. Berens while HE WAS BEING PAID to provide to me with MEDICAL SERVICES in response to reporting to him that I had many medical needs that were not being attended or serviced – including numerous SAFETY and HEALTH HAZARDS being forced upon me in my home environment BECAUSE THE “AGENTS” AND “PRINCIPALS” OF THE “STATE OF SOUTH DAKOTA” were DISCRIMINATINGLY RETALIATING against me by taking away (since April 2022) assigned people to assist me once weekly for TRANSPORTATION, for CHORE SERVICES, and other things around the home such as vacuuming, meal preparation, grocery shopping, and other general cleaning around the home, making the home environment unsanitary and dangerous for me attempting to work with sharp food-cutting utensils without fingers or other ADAPTIVE EQUIPMENT supplied by the STATE, which was also reported the previous year and a half as illegally DENYING ME NEEDED “MEDICAL ASSISTANCE.” **In entering Dr. Beren’s office, I handed his nurse a copy of the above-referenced LIST OF MEDICAL NEEDS to which I was being DEPRIVED because of “inability to pay;” which Dr. Berens entered the room with that LIST in his hands stating, “What is this?” (He kept that copy of the list afterwards.)**

- 2) On **7/27/22**, I AGAIN spoke in-person with Dr. Berens while HE WAS BEING PAID to provide to me with MEDICAL SERVICES in response to reporting to him that I had many medical needs that were not being attended or serviced – including numerous SAFETY and HEALTH HAZARDS being forced upon me in my home environment BECAUSE THE “AGENTS” AND “PRINCIPALS” OF THE “STATE OF SOUTH DAKOTA” were DISCRIMINATINGLY RETALIATING against me, **I asked him if he had yet done as I asked in reporting “NEGLECT AND ABUSE” on my behalf as I had requested earlier in the month and he responded by stating that HE HAD NOT YET DONE SO.** Therefore, I reiterated my request, reporting that I believed there to be both SAFETY and HEALTH hazards at home about which I had also been “self-reporting” to the STATE to no avail. **I also informed Dr. Berens that I had also taken my CLAIMS to the CIRCUIT COURT, naming the SOUTH DAKOTA “DEEP STATE” actors discriminatingly depriving me of these very important “daily living” needs, to additionally include TRANSPORTATION, as well as all other items on the previous list provided to him.**
- 3) In those last five (5) minutes of that appointment, **I asked Dr. Berens to respond to my pointing out that three months earlier he took no action when I had reported to him** through his “*triage nurse Rene*” **that the STATE DEPARTMENT OF HUMAN SERVICES (Kelli Werner) had deceptive used his (Dr. Berens’) name, reputation, and career in an effort to fraudulently trick me into allowing them to come into my home by her FALSE CLAIM that he (Dr.**

Berens had provided a “referral” for help from the STATE when he had otherwise made no such referral – i.e., the DHS agent Kelli Werner was attempting to deceive me in order to again determine a **level of “HUMAN” need for BATHING and DRESSING** (instead of evaluating my needs for adaptive EQUIPMENT) **as they had done previously while DENYING me MEDICAID under claim that I was being DISQUALIFIED for my ability to “bath and dress [my] self”** (to which Dr. Berens had laughed a year earlier while stating to me that, in his “progressive” but “discriminatory” view against perceived “privileged white males”, I “was a victim of my own success” as an Anglo-American disabled quad-amputee) – yet **when I have asked him (Dr. Berens) myself to report “abuse and neglect”** (in response to my reporting to him the DISCRIMINATORY treatment, the allowance of FINANCIAL ABUSES, and the SAFETY AND HEALTH HAZARDS at my home due to the DHS retaliating against me for taking my previous CLAIMS about their DERELICTION and CRIMINAL NEGLIGENCE in DENIAL OF MEDICAL ASSISTANCE/MEDICAID to the JUDICIAL BRANCH from the equally derelict and negligent EXECUTIVE BRANCH), **Dr. Berens has also done nothing in relaying my reports of these TRUTHS to his medical associates and STATE “law enforcement” authorities to provide me with the REMEDIES that are needed to alleviate these serious problems of “NEGLECT AND ABUSE” by these STATE agents.**

- 4) The fuller background story behind all of this was produced as a three (3) hour documentary video with RECORDED meetings and telephone calls depicting the CRIMINAL MALFEASANCE of the related STATE ACTORS as “AGENTS” and “PRINCIPALS” using “*procedure over substance*” to DISCRIMINATE then RETALIATE against me by creating the conditions for this NEGLECT and ABUSE through the above-described FINANCIAL ABUSES, and the SAFETY AND HEALTH HAZARDS at my home. **That DOCUMENTARY VIDEO is posted into the PUBLIC RECORD at: <https://www.youtube.com/watch?v=QS-ukmfvuCY>**
- 5) **We discussed during the last 5 minutes of my appointment on 7/27/22 how, around April, the DHS had used Dr. Berens name, reputation, and career to COERCE me into allowing them into my home to “qualify” me for a “NON-MEDICAID” DHS “program” based on FRAUD. (similar to what they had done for the entirety of the previous year based upon their evaluation of my need for strictly “HUMAN” SERVICES, and without proper consideration of either my need for INDEPENDENCE or my needs for EQUIPMENT (instead of a “personal butler” for maintaining my “Least Restrictive Environment” AT TAXPAYER EXPENSE).**

- 6) **When (on 7/27/22) Dr. Berens said that he would not even know who to call and asked if I had a contact person or number, I stated that the “*justice delayed is justice denied*” insolence of the DSS has brought me to taking this entire matter out of the EXECUTIVE BRANCH and placing it into the hands of the JUDICIAL BRANCH; but that if he needed my help in locating a number for help to abused and neglected disabled adults, for him to let me know. I also stated, “*Abuse and Neglect hotlines are out there and that is what I am reporting [to him]*”. His bottom line was that he “[*was*] *not sure*” whether he would call or not (because he had never done so before); promising to “*talk with DSS when [he] get[s] some time*”.**
- 7) On **8/4/22** – per a phone call back to me from Dr. Daniel Berens’ “*triage nurse Rene*” on 8/11/22 citing on RECORD what she had found in the MONUMENT HEALTH “*chart*” on/for me – Dr. Daniel Berens had personally stuck a note in chart; and Rene read to me verbatim from that note stating that, “[*Dr. Berens wrote*] that he *did* speak with a LAWRENCE COUNTY DEPARTMENT OF SOCIAL SERVICES and will have a supervisor contact [David Schied] to discuss where [David Schied] is in [his] application for MEDICAID, and what services [he] may qualify for, and what can be done for [him] for [his] needs. [And then he wrote] Then [Dr. Berens] will have a call back from the DSS supervisor after the discussion with [David Schied] to see what next step Dr. Berens needs to do.” Rene stated that **Dr. Berens’ note did not include the specific name of the “supervisor” that he purportedly had spoken with.**
- 8) On **8/11/22** – I spoke with “*triage nurse Rene*” about the FACT that despite it having been over a year since I arrived to South Dakota from out-of-state, the MONUMENT HEALTH “*chart*” for me still has not shown that Dr. Berens had ever issue a “*full physical*” for me; and that – per the list (i.e., *see above*) that I gave to Dr. Berens a full month prior on 7/13/22 and even though I had spoken again with him on 7/27/22 and made subsequent phone calls to the office about needing to schedule a full “*annual*” physical – that I still did not have such a full physical scheduled.
- 9) I also reminded “*triage nurse Rene*” about our RECORD of previous conversations from months prior (which are also depicted in the DOCUMENTARY VIDEO referenced at the bottom of the previous page above *verbatim*) in which **DHS “STATE AGENT” Kelli Werner** had abused her DEEP STATE position and made the FALSE CLAIM that Dr. Berens had provided a “*referral*” to the STATE for evaluation and “*HUMAN*” SERVICES when he otherwise had not. I also informed “*triage nurse Rene*” that in the aftermath of exposing that CRIMINAL CORRUPTION that the DEEP STATE AGENTS of the STAT OF SOUTH DAKOTA had RETALIATED against me by canceling what “*homemaker/chore services*” that I was receiving the previous year,

creating HEALTH AND SAFETY HAZARDS at my home, and giving me cause to report such NEGLECT AND ABUSE by these STATE AGENTS to Dr. Berens, requesting that he simply do for me what the STATE had LIED about in saying that he had already done for me when he otherwise had not. I then told “*triage nurse Rene*” that my purpose in calling this day of 8/11/22 was to find out if Dr. Berens had actually made such a “*referral*” to the appropriate agency of the STATE after our last two direct conversations.

- 10) In looking through “*my*” chart (which I never see and only MONUMENT HEALTH creates and maintains), “*triage nurse Rene*” stated that she saw no reference whatsoever to such a “*referral*.” I then informed “*triage nurse Rene*” that prior to scheduling a full “physical” with Dr. Berens, I wished for her to get with Dr. Berens about his apparent lack of support to my concerns as a “*totally and permanently disabled quad-amputee*” man and “*vulnerable adult*” and get back with me since **I needed to know more about my relationship with this doctor before deciding to continue with such a man who refuses both to do anything about the STATE using his name, reputation, and professional career in effort to COERCE me into some form of “involuntary” action without being “fully informed” or even “truthfully informed”; while it would appear that this same doctor would not assist me in properly bringing forth my own TRUTHFUL CLAIMS about being NEGLECTED AND ABUSED by these very same STATE AGENTS.**
- 11) It was after our discussion of all of the above, and with my emphasizing that this matter of NEGLECT AND ABUSE was so important that I wished her to talk with Dr. Berens immediately and get back with me later in the day, that “*triage nurse Rene*” finally admitted that “[*she*] should have told me much earlier in the conversation that Dr. Berens is out of the office on vacation and will not be back until the [August] 17th.” In ending my conversation with her, I provided “*triage nurse Rene*” with an update to my DENTAL NEEDS by stating that a local church had stepped up to assist me in dealing with the gaping hole in the front of my face with two missing teeth in the front (and with tooth fragment still stuck in my gums), which had occurred since the beginning of this 2022 year.
- 12) On **8/11/22**, “*triage nurse Rene*” called me back later in the afternoon stating that she had “*found a note in ‘my’ chart*” in which Dr. Berens had telephoned the “*DSS SUPERVISOR IN LAWRENCE COUNTY*”. The details of that 2-minute follow-up call while Dr. Berens was on vacation is covered on the previous page under the LEDGER entry for 8/4/22.
- 13) On **8/16/22**, I received an unsolicited phone call from “*Kay Lynn or Kate Lynn as Dr. Beren’s CLINICAL ASSISTANT*” who stated that she too had found the RECORDS ENTRY showing that “*Dr. Berens [indeed] DID contact the DEPARTMENT OF SOCIAL SERVICES and spoke with*

one of the supervisors; and ‘THEY’ said they were going to get a hold of [me, David Schied] and he had done that on the fourth [4th] of August ” In response, to this verification, I informed “Kay Lynn as Dr. Beren’s clinical assistant” that in the past two weeks “nobody has reached out to me from the DSS” and that previously “triage nurse Rene” had mentioned that the “DSS SUPERVISOR” had specifically resided at the LOCAL GOVERNMENT LEVEL of LAWRENCE COUNTY. In reading directly from the RECORD, “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” reaffirmed Rene’s assertion by stating, “It looks like he [Dr. Berens] spoke with the LAWRENCE COUNTY DEPARTMENT OF SOCIAL SERVICES ... spoke to the supervisor ... ‘THEY’ were to contact David to discuss where he is in his application with MEDICAID and to discuss for other services that he would qualify for. And then he said that he [Dr. Berens] will get a call back from ‘the supervisor’ to discuss ‘next steps’ ... but he’s [Dr. Berens has] been out of the office for about [the past] ten [10] days.”

14) In what amounted to only a 4-minute phone conversation, I explained to “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” that in the world of personal accountability for actions, vagueness does not count and that CORPORATE/FICTIONAL “TITLES do not mean a whole lot;” so I asked if Dr. Berens had “included the NAME of somebody [at the DSS] that was ACCOUNTABLE for that phone call. “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” replied that **Dr. Berens had NOT provided the actual name of the so-called “SUPERVISOR” with whom he claimed to have spoken.** She then quickly added that she “had gotten to speak with him yet” and that “he [was] not in yet today”. “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” then promised to “talk with him tomorrow and give [me, David Schied] a call back”; HOWEVER, SHE NEVER CALLED BACK in such follow-up.

15) Before hanging up on 8/16/22, I also secured her promise that **SINCE DR/ BERENS had also apparently grossly neglected to document the exact PHONE NUMBER that he had called to reach that “UNNAMED ‘LAWRENCE COUNTY DSS SUPERVISOR’” that she would get that number also from Dr. Berens so that I may properly do a “follow-up” myself ,,,** since I had heard nothing whatsoever from that “supervisor” as purportedly promised by that UNNAMED DSS individual to Dr. Berens on or before 8/4/22. Before hanging up, “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” also added that she had **PERSONALLY WITNESSED Dr. Berens “talking on the phone with the DEPARTMENT OF SOCIAL SERVICES” during that purported conversation with the LAWRENCE COUNTY DSS “SUPERVISOR.”** “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” then promised a second time to speak to Dr. Berens the following day and give me a call back with the name of the “DSS Supervisor” and the phone

number at which that “DSS Supervisor” was purportedly contacted by Dr. Berens; **YET SHE NEVER FOLLOWED THROUGH WITH THAT PROMISE the next day as promised – nor even the next WEEK – in spite of the FACT that I had sincerely and profusely expressed my gratefulness** at finding out that Dr. Berens had (purportedly) been supportive enough to make that telephone “referral” on my behalf, while reiterating the **IMPORTANCE of my having names and numbers for proper follow-up in case the DERELICT “CO-TRUSTEES” as “DSS AGENTS OF THE DEEP STATE” should fail (again) their legal obligations to assist me as the “BENEFICIARY” of both the MEDICAL system and the WELFARE system in place for that very purpose.**

- 16) On **8/18/22**, I received a call from “*Jessy from Dr. Berens’ office*” leaving a message on my voicemail service with a lab result. She left no word at all about the information that “*Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant*” had promised two days before that was one day overdue back to me. So, I telephoned Dr. Berens’ office and “*Angela a receptionist*” got put on hold for seven (7) minutes before being told that nobody was answering my call at Dr. Berens’ office. Angela took a detailed message that I was calling “*Jessy from Dr. Berens’ office*” in follow-up to being told the previous two days prior (8/16/22) that I would receive a call back the day before (8/17/22) with the relevant information that Dr. Berens’ office had promised.
- 17) On **8/19/22**, “*Shaylee from Dr. Berens’ office*” said that she could not locate ““*Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant*” but that she had seen her earlier in that office. Gave a message to “*Shaylee from Dr. Berens’ office*”, who **told me that she will look more for “*Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant*” and give her the message and ask her to give me a call back in follow-up to her unkept promise from two days prior.**
- 18) On **8/25/22**, after waiting another week and a full nine days for “*Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant*” to return my call with the information that she grossly neglected to retrieve for me from Dr. Berens with the phone number and contact person’s name that he had purportedly spoke with as the so-called “LAWRENCE COUNTY DSS SUPERVISOR,” a receptionist named “*Kelly from Dr. Berens’ office*” again placed me on hold as the caller attempting once again to contact “*Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant*” for that same information. Eventually “*Kelly from Dr. Berens’ office*” came back to take yet another message from me while stating that she is “*not getting a response from them so they must be in with a patient.*” “*Kelly from Dr. Berens’ office*” took a detailed message in my wanting the specific name and phone number from Dr. Berens that he as referenced as purportedly using to call in a “*report of abuse and neglect*” on my behalf to the “LAWRENCE COUNTY DSS SUPERVISOR”

that “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” had otherwise promised to retrieve for me about 10 days prior but who had still not properly followed up with me about with a return phone call as promised. “Kelly from Dr. Berens’ office” stated that she would the pass that message along to “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” along with my request for a call back about the same.

- 19) On 8/25/22, a while after leaving the above-referenced message with “Kelly from Dr. Berens’ office”, “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” telephoned me back stating, “I spoke with Dr. Berens about the situation with the DSS that he had called the **NEGLECT ... and he told me that he put in a note that he had called and talked to a supervisor. HE DOESN’T REMEMBER THE NAME OF THE SUPERVISOR; BUT THE PHONE NUMBER THAT HE CALLED WAS ... 877-244-0864.**” When I confirmed with “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” that the number that she had just given to me was the very number that Dr. Berens had called in speaking to that UNNAMED supervisor, **she REAFFIRMED THAT THE NUMBER – 877-244-0864 – WAS THE VERY ONE THAT DR. BERENS HAD CALLED.** Then, when I asked “Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant” to send me a copy of that note by Dr. Berens to which she referred, she told me that she would NOT and that I would instead need to do the work myself to “get a hold of [MONUMENT HEALTH] MEDICAL RECORDS because [she] can’t [administratively] print these off of the computer”.

Report Child Abuse or Neglect

1.877.244.0864

To report an emergency situation regarding child abuse or neglect before 8 a.m., after 5 p.m., on the weekends or during a holiday, please contact local law enforcement.

For more information regarding mandatory reporting:

Email

CPS@state.sd.us

Online

dss.sd.gov/childprotection

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BROCPS04



Mandatory Reporting

of Child Abuse and Neglect
in South Dakota



South Dakota
Department of
Social Services

- 20) On that same day of 8/25/22, and immediately following my having received the phone number confirmed by “*Kay Lynn or Kate Lynn as Dr. Beren’s clinical assistant*” as the number for the “DSS SUPERVISOR” called by Dr. Berens on my behalf, I made a long-awaited follow-up call the number given to me of 877-244-0844. **That call began with an automated service telling me as the caller that this was NOT the phone number of the DSS for “ADULT PROTECTIVE SERVICES”; but it was instead the phone number for the DSS’ “CHILD PROTECTION SERVICES”.** After a very long twenty (20) minute wait on “*hold*,” speaking with “*CHILD PROTECTION Jessica*” who eventually answered that line.
- 21) As a matter of official RECORD, I explained to “*CHILD PROTECTION Jessica*” that I was following up on my doctor having confirmed that he called this very phone number of 877-244-0844 on 8/4/22 and speaking on my behalf to a “DSS SUPERVISOR” in lawful report that I – as a disabled and elderly individual – was being “*neglected and abused*” by this woman’s fellow “DEEP STATE” AGENTS. I stated right away that I was out to locate who it was that was the “DSS SUPERVISOR” who spoke with my doctor (in front of the “*witness*” to that call who had given me this number). “*CHILD PROTECTION INTAKE Jessica Summers or Somers*” replied right away stating that “*because we are CHILD PROTECTION we do not get involved with adults*” (**even though the laws cited in this instant letter show that ALL social services professionals and administrators operating under have CRIMINAL PENALTIES for their failure to respond to MANDATORY REPORTING regulations under the STATE laws**). She instead attempted to COERCE me into doing HER WORK of reporting, while looking for the ADULT PROTECTIVE SERVICES phone number.
- 22) When I explained to “*CHILD PROTECTION INTAKE Jessica Summers or Somers*” that I was not looking to be “*forwarded*” to a different AGENCY, but that I had RECORDS from my doctor’s office that he had indeed spoken with a DSS SUPERVISOR doing an “INTAKE” from my doctor on “*neglect and abuse*” against me as an adult at the very number that she was answering – regardless of whatever rhetoric she was that day spewing about what she “*does*” or “*does not*” typically do, **“CHILD PROTECTION INTAKE Jessica Summers or Somers” began to conduct her own “intake” by asking me if I was an adult (reporting “neglect and abuse” AGAIN this day to the DSS in follow-up as the SUBJECT of the previous report of “neglect and abuse” on 8/4/22 by my doctor to the “DSS SUPERVISOR”) and logging in the proper spelling of my first and last name .**
- 23) **Even after accepting my “ORAL REPORT OF NEGLECT AND ABUSE AS A DISABLED ELDERLY ADULT”, “CHILD PROTECTION INTAKE Jessica Summers or Somers”**

REFUSED to forward anything of my own report of “neglect and abuse” to HER as the AGENT of the DSS. Instead, - knowing that my call with her was being RECORDED – she again attempted to COERCE me into diverting my attention to a separate DEPARTMENT (“DHS”) altogether by FORCING ME TO DO HER WORK of calling “DAKOTA AT HOME” that purportedly (i.e., she provided me with no supporting evidence but her own words just like my doctor’s office) “take[s] care of ‘abuse and neglect’ for adults.” The number that she gave me for DAKOTA AT HOME was 1-833-663-9673.

24) Again, I reiterated that I had RECORDED three (3) separate occasions of calls with my doctor’s office in which my doctor was certain in providing me with the phone number being answered by “CHILD PROTECTION INTAKE Jessica Summers or Somers” as the line he had instead called and received a detailed “INTAKE” by a “DHS SUPERVISOR” and NOT a “DAKOTA AT HOME” or “DAH SUPERVISOR”. **“CHILD PROTECTION INTAKE Jessica Summers or Somers” agreed that, given her assertions on a RECORDED LINE, that my doctor would have most likely NOT actually called the “CHILD PROTECTIVE SERVICES” and spoken with any “DSS SUPERVISOR”, she contended that I – as a “totally and permanently disabled quad-amputee” – should otherwise be doing the WORK MYSELF in using her own RECORDED TESTIMONY against the MONUMENT HEALTH doctor** who otherwise appeared to have LIED about his actions IN VIOLATION OF THE LAWS MANDATING THAT HE REPORT THESE CRIMES WITHIN 24 HOURS.

25) **“CHILD PROTECTION INTAKE Jessica Summers or Somers” then resumed further her own “INTAKE” with further questioning on whether or not I had “any kids in the home.”** Next, she told me that she needed to also “check one more placeI,” virtually admitting that she does not know about everything that comes into the DSS through the phone number that was given to me by my doctor as the line he had called to reach the “DSS SUPERVISOR” (i.e., as shown by the graphic EVIDENCE many pages back, the DAKOTA AT HOME is affiliated with the STATE’s “DHS” not the STATE’s “DSS”); so she stated to me (while typing) that she was “e-mailing [her] TEAM as well [to include her own “DSS SUPERVISOR”].

26) I then reiterated that, **“According to my doctor, somebody from this office has MISREPRESENTED themselves at this phone number – calling themselves a ‘DSS SUPERVISOR’ and doing a FULL INTAKE on ME, through him (i.e., my doctor), on 8/4/22; and this is NOT ACCEPTIBLE for this [discrepancy in RECORDED AGENCY testimonies) to be going on.”**

“CHILD PROTECTION INTAKE Jessica Summers or Somers” then asked to INTAKE my phone number “just in case [she’s] missing something on [her] end ... [she] can call me back in follow-up.” I only gave her my phone number (in my apparently calling a “CHILD ABUSE AND NEGLECT HOTLINE”) on condition that my PRIVATE cell phone number NOT be made part of and CORPORATE or GOVERNMENT RECORD associated with “child abuse.” As a matter of preference, I informed “CHILD PROTECTION INTAKE Jessica Summers or Somers” that, since I am establishing my own set of (more credible) “OFFICIAL RECORDS”, that any future correspondence with the DSS be placed into WRITING and gave her my e-mail address requesting that “she send to me the results of your findings.” On the RECORDED LINE she again AGREED (on 8/25/22) to sending me the results of her finding, completing her INTAKE with my e-mail address.

“CHILD PROTECTION INTAKE Jessica Summers or Somers” then concluded the call by stating that she would be checking with her “DSS TEAM” to see if any UNNAMED individuals had spoken with my (UNNAMED in this RECORDED call) doctor and get back with me IN WRITING with the results of her own INTERNAL investigation into this number. She then reiterated that the ALTERNATE number that she had just given me for “DAKOTA AT HOME” was the “ADULT HOTLINE” for reporting “neglect and abuse” of adults.

27) After hanging up from speaking with “CHILD PROTECTION INTAKE Jessica Summers or Somers”, I conducted further research that showed the FACT that **SOMEBODY WAS LYING TO ME about having spoken to and RECEIVED AN “INTAKE” FROM the “DSS SUPERVISOR at the phone number of 877-244-0844 on 8/4/22.** For this reason – amongst many others – **I AM ASSESSING MY “\$2,000,000 / PER INCIDENT” COST IN ACCORDANCE WITH MY FEE SCHEDULE** (that’s **\$2,000,000 for the doctor’s MONUMENT HEALTH “MALPRACTICE” and another \$2,000,000 for the DSS’ “MALFEASANCE” in the VIOLATIONS OF MANDATORY REPORTING of each**) – in acting on behalf of the Sovereign People as STATE and UNITED STATES “TAXPAYERS”, as well as on my own behalf as “BENEFICIARY” of the WELFARE and of the “NEGLECT AND ABUSE HOTLINE” systems set up by the STATE that are in apparent DYSFUNCTION; **particularly given the FACT that “CHILD PROTECTION INTAKE Jessica Summers or Somers” NEVER FOLLOWED THROUGH WITH HER PROMISE TO**

PROVIDE ME WRITTEN RESULTS OF HER (INTERNAL) INVESTIGATION after getting with the rest of her “TEAM.”

28) Notwithstanding everything I have provided to you already, please AGAIN take note that THE ACTIVITIES YOU ARE CONSPIRING TOGETHER TO UNDERTAKE AGAINST ME CONSTITUTES UNWARRANTED “FORCED LABOR” – a criminal violation of the laws for which YOU (not your CORPORATIONS) could receive 20 YEARS in prison (while your CORPORATIONS’ “shareholders” will be busy paying against my CLAIMS IN COMMERCE against your “forced labor” of an ELDERLY, POOR, and totally and permanently DISABLED quad-amputee living on PUBLIC WELFARE. (See next page for the specific federal code)

18 U.S. Code § 1589 - Forced labor

Current through Pub. L. 114-38. (See Public Laws for the current Congress.)

(a) Whoever knowingly provides or obtains the labor or services of a person by any one of, or by any combination of, the following means—

- (1) by means of force, threats of force, physical restraint, or threats of physical restraint to that person or another person;
- (2) by means of serious harm or threats of serious harm to that person or another person;
- (3) by means of the abuse or threatened abuse of law or legal process; or
- (4) by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint, shall be punished as provided under subsection (d).

(b) Whoever knowingly benefits, financially or by receiving anything of value, from participation in a venture which has engaged in the providing or obtaining of labor or services by any of the means described in subsection (a), knowing or in reckless disregard of the fact that the venture has engaged in the providing or obtaining of labor or services by any of such means, shall be punished as provided in subsection (d).

(c) In this section:

- (1) The term “abuse or threatened abuse of law or legal process” means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.
- (2) The term “serious harm” means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm.

(d) Whoever violates this section shall be fined under this title, imprisoned not more than 20 years, or both. If death results from a violation of this section, or if the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title, imprisoned for any term of years or life, or both.

29) **“CLAIMS IN COMMERCE”** (Updated since 10/28/21 when the *“balance owed”* was **uncontested as \$4,000,000**) – As has been clearly articulated as a matter of RECORD, I have long been establishing other CLAIMS AGAINST THE STATE that are *“inextricably intertwined”* with the CRIMES depicted in a instant letter addressed to Matthew Banton and other “agents” of MONUMENT HEALTH and the CREDIT COLLECTIONS BUREAU as completed on 9/12/22. The ADMINISTRATIVE COSTS associated with that *“separate”* case jointly now in the FOURTH CIRCUIT COURT and the SOUTH DAKOTA SUPREME COURT are NOT factored into the CLAIMS being LEDGERED herein in the instant *“WRIT OF ERROR CORAM NOBIS ...”*.

30) **As shown below, my CLAIMS AGAINST MONUMENT HEALTH and CREDIT COLLECTIONS BUREAU around 10/28/22 were, conservatively, \$4,000,000:**

David Schied; David E. Schied; DAVID SCHIED; DAVID E. SCHIED; DAVID E SCHIED
P.O. Box 321
Spearfish, South Dakota 57783
605-580-5121 (all calls recorded)

10/28/2021

WARNING! The actions that you undertake constitute perceived THREATS of a conspiracy to *“Forced Slavery”*, a criminal violation of 18 U.S.C. § 1589 which carries a prison sentence up to 20 years!

ATTN: Nancy Stone and/or “NANCY STONE” in her private and CORPORATE capacities
CREDIT COLLECTIONS BUREAU
P.O. Box 9490
Rapid city, SD 57709

NOTICE TO AGENT is
NOTICE TO PRINCIPAL
and
NOTICE TO PRINCIPAL
is NOTICE TO AGENT

ATTN: Matthew Banton – Financial Counselor
in his private and CORPORATE capacities
c/o SPEARFISH CLINIC – Dept. of SPEARFISH HOSPITAL
MONUMENT HEALTH (“CREDITOR”)
1420 N. 10th St.
SPEARFISH, S.D. 57783
mbanton@monument.health

• • •

YOU NOW OWE \$4,000,000. Interest will begin to accrue beginning immediately!

31) NOW, **when factoring in the LATEST CLAIMS as itemized (from page 27 herein) above, the amount actually owed to me in ADDITION to what was previous owed by the NEW CLAIMS AGAINST THE STATE OF SOUTH DAKOTA’s “DSS” and the MONUMENT HEALTH / CREDIT COLLECTION BUREAU conglomerate is reflected on the next page as follows below:**

ACCORDING TO MY PREVIOUSLY PROVIDED FEE SCHEDULE – LEDGERED AT \$2,000,000 PER INCIDENT BASED UPON THE CONSTITUTIONAL, FAIR DEBT CREDIT ACT, AND OTHER FEDERAL STATUTORY VIOLATIONS OF MY “CIVIL RIGHTS” AND THE ANTICIPATED COSTS OF “COLLECTING” UPON THESE DEBTS WHILE UP AGAINST “STATE BAR CRIME SYNDICATE” MEMBERS AND CORRUPT STATE AND UNITED STATES COURTS – THE DEBTS INCURRED BY THE ABOVE ARE FACTORED AS FOLLOWS AS BEING ADDITIONALLY OWED BY ALL OF YOU AS “CO-TRUSTEES” OF MY “BENEFICIARY” SERVICES

From 10/28/21 through 8/23/22 referencing separate “accounts” numbers listed above of:

#4753823 – \$2,000,000	#4754350 – \$2,000,000	#4754399 – \$2,000,000
#4755144 – \$2,000,000	#4755233 – \$2,000,000	#4755408 – \$2,000,000
#4754616 – \$2,000,000	#4754880 – \$2,000,000	#4754933 – \$2,000,000
#4755137 – \$2,000,000	#4754373 – \$2,000,000	

$\begin{array}{r} 2,000,000 \\ \times 11 \\ \hline 22,000,000 \end{array}$	+	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> 11 harassing calls <hr/> 22,000,000 </div>	=	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> \$44,000,000 </div>
<p>CREDITED THE EQUIVALENT OF TEN (10) HARASSING CALLS TALLING (\$20,000,000) = charge of only \$2,000,000</p>				
<p><u>THEY ONLY OWE</u></p>				
				<div style="border: 1px solid black; padding: 5px; display: inline-block;"> \$24,000,000 </div>

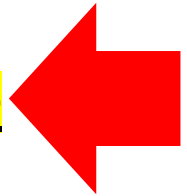
32) After hanging up from speaking with “*CHILD PROTECTION INTAKE Jessica Summers or Somers*”, I conducted further research that showed the FACT that **SOMEBODY WAS LYING TO ME about having spoken to and RECEIVED AN “INTAKE” FROM the “DSS SUPERVISOR” at the phone number of 877-244-0844 on 8/4/22.** For this reason – amongst many others – **I AM ASSESSING MY “\$2,000,000 / PER INCIDENT” COST IN ACCORDANCE WITH MY FEE SCHEDULE** (that’s **\$2,000,000 for the doctor’s MONUMENT HEALTH “MALPRACTICE”** and another **\$2,000,000 for the DSS’ “MALFEASANCE” in the VIOLATIONS OF MANDATORY REPORTING of each**) – in acting on behalf of the Sovereign People as STATE and UNITED STATES “*TAXPAYERS*”, as well as on my own behalf as “*BENEFICIARY*” of the WELFARE and of the “*NEGLECT AND ABUSE HOTLINE*” systems set up by the STATE that are in apparent DYSFUNCTION; particularly given the FACT that “*CHILD PROTECTION INTAKE Jessica Summers or Somers*” NEVER FOLLOWED THROUGH WITH HER PROMISE TO

PROVIDE ME WRITTEN RESULTS OF HER (INTERNAL) INVESTIGATION after getting with the rest of her “TEAM.”

- 33) Thus, along with the \$4,000,000 assessed in 2021 and another \$4,000,000 assessed in 2022 (so far) by way of the MONUMENT HEALTH (and Dr. Daniel Berens’) MALPRACTICE and DSS MALFEASANCE:

THEY ALTOGETHER NOW OWE \$32,000,000

... with interest beginning to accrue beginning immediately!



- 34) I have also magnanimously offered to the STATE OF SOUTH DAKOTA “DSS”, the MONUMENT HEALTH, and the CREDIT COLLECTIONS BUREAU the opportunity to apply for making monthly payments of \$2,000,000 per month for sixteen (16) months. Additionally, as an incentive for applying (should they be interested), I suggested a “GOOD FAITH DOWNPAYMENT” of only \$20,000,000 to get their “MONTHLY PAYMENT PLAN” approved quicker.
- 35) As a final reminder, I warned that any furtherance of any aspect of this matter – including damage to my or “David Schied’s” © or “DAVID SCHIED’S” © or “David E Schied’s” © or “DAVID E. SCHIED’S” © reputation, credit integrity, or name (as copyrighted in its many varied forms of birthright ownership) will result in further CLAIMS made against these CORPORATE entities as further punitive penalties against these each and every one of these DEBTORS; as “all future labors by me will be charged according to the above-referenced ‘common law jurisdiction’ FEE SCHEDULE” and ONGOING 2021 CONTRACT, to which THEY HAVE ALREADY TACITLY ACQUIESCED.
- 36) I am sending a copy of the “NOTICE” sent to MONUMENT HEALTH and their “agents” of the CREDIT COLLECTIONS BUREAU and Dr. Daniel Berens; as well as this instant “WRIT OF ERROR CORAM NOBIS” to the following list of “WITNESSES as CORROBEROTING PERPETRATORS” operating as the “STATE OF SOUTH DAKOTA”:
- Kim Malsam-Rysdon, SECRETARY and SENIOR ADMINISTRATOR for DOH – Kim.Malsam-Rysdon@state.sd.us
Shawnie Rechtenbaugh, SECRETARY and SENIOR ADMINISTRATOR for DHS – shawnie.rechtenbaugh@state.sd.us
Laurie Gill – SECRETARY and SENIOR ADMINISTRATOR for DSS – DSSInfo@state.sd.us
Mary Rea – mary.rea@state.sd.us
Leslie Lowe – leslie.lowe@state.sd.us
Rogine Page – rogine.page@state.sd.us
Laura (Nord) Charter – laura.charter@state.sd.us ; laura.nord@state.sd.us
Sharon Maher – Sharon.Maher@state.sd.us

Nancy Giovanetti – nancy.giovanetti@state.sd.us

Jennifer Lewis – jennifer.lewis@state.sd.us

Val Clauser – val.clauser@state.sd.us

SOUTH DAKOTA DEPARTMENT OF SOCIAL SERVICES – PROGRAM INTEGRITY

ProgramIntegrity@state.sd.us

John Osburn – ADMINISTRATOR, SOUTH DAKOTA DEPT. OF HEALTH, OFFICE OF HEALTH PROTECTION – john.osburn@state.sd.us

Senator Mike Rounds – james_selchert@rounds.senate.gov

Congressman Dusty Johnson – katy.murray1@mail.house.gov

State Rep. Mary Fitzgerald – mary.fitzgerald@sdlegislature.gov

State Rep. Scott Odenbach – scott.odenbach@sdlegislature.gov

Assistant Attorney General Jenna Howell – via DHS SECRETARY Shawnie Rechtenbaugh
shawnie.rechtenbaugh@state.sd.us and Jenna.Howell@state.sd.us

State Attorney Jeremy Lippert – via DSS SECRETARY Laurie Gill
DSSInfo@state.sd.us and Jeremy.Lippert@state.sd.us

I swear to God, and declare “*under penalty of perjury*,” that the statements in the above thirty-five (35) numbered paragraphs AFFIDAVIT are honest, accurate, and complete as I can make them, to the best of my understanding and belief.

/s/ **David Schied** * – one of the sovereign American People acting directly as “*Beneficiary*” and as “*Private, Public Proxy*” on behalf of the sovereign People as “*TAXPAYERS*” living in both the STATE OF SOUTH DAKOTA and elsewhere in the UNITED STATES.

* (The above signature is authorized by David Schied as a “*totally and permanently disabled quad-amputee*” with “*reasonable accommodations*” exercised by Right according to laws provided by the AMERICANS WITH DISABILITIES ACT.)

ARGUMENT AND LEDGER 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 “STATE OF SOUTH DAKOTA, ET ALIA”; AND ADDITIONALLY OWED BY THE CO-TRUSTEES OTHERWISE Eric Monson AND Wade Reimers and others of the “DSS” AS “AGENTS” AND “PRINCIPALS” OF THE STATE

Still acting herein by himself as a STATE and NATIONAL “*Whistleblower*,” and while also in the capacity and *spirit* of PRIVATE ATTORNEY GENERAL on behalf of other Sovereign People of South Dakota, and the Sovereign People of the United States of America as “*TAXPAYERS*,” B/R / PPP David Schied has documented in his many previous STATE filings – right up until and including this instant filing in creation of this instant COMMON LAW ARTICLE III COURT OF RECORD – that his notices upon various “*officers*” of the STATE, being all jointly and severally members of affiliated (“CO-TRUSTEES”) “*STATE BAR*” (OF

SOUTH DAKOTA) “*illegal monopoly*” and crime syndicate and domestic terrorist network, all clarify that there are debts owed to B/R / PPP David Schied and other BENEFICIARIES as “CLAIMANT(s)” and “CRIME VICTIM(s),” by the FACT that B/R / PPP 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 “*predicate*” 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 these BENEFICIARIES against the CO-TRUSTEES “STATE OF SOUTH DAKOTA” as previously noticed (numerous times as found at the link below) by way of TREBLE DAMAGES being applied and added to the previous CLAIMS OF DAMAGES, which are now estimated at a THREE-QUARTERS OF A BILLION DOLLARS in value, with the CO-TRUSTEES named by this instant case being deemed as criminal “*accessories after the fact.*”

As of the date of this instant “WRIT OF CORAM NOBIS” document, links to the EVIDENCE in support of my case against the STATE are still to be found accessible as having been publicly posted for the past few months and prior to the STATE’s BAR attorney Eric Monson’s fraudulent 5/5/22 “HEARING” and subsequent fraudulent “ORDER OF DISMISSAL,” without objection or rebuttal from any of the CO-TRUSTEES who have thus, by default, “*acquiesced*” to these longstanding CLAIMS OF DAMAGES. These documents, as addressed directly to the OFFICE OF THE SOUTH DAKOTA GOVERNOR Kristi Noem and many others of her ADMINISTRATIVE “DEEP” STATE *principals and agents*, dated 3/17/22 is found at:

http://www.ricobusters.com/?page_id=1105

The fuller background story behind all of this was produced as a three (3) hour documentary video with RECORDED meetings and telephone calls depicting the CRIMINAL MALFEASANCE of the related STATE ACTORS as “AGENTS” and “PRINCIPALS” using “*procedure over substance*” to DISCRIMINATE then RETALIATE against me by creating the conditions for this NEGLECT and ABUSE through the above-described FINANCIAL ABUSES, and the SAFETY AND HEALTH HAZARDS at my home. **That DOCUMENTARY VIDEO is posted into the PUBLIC RECORD at:** <https://www.youtube.com/watch?v=QS-ukmfvuCY>

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.

In law, the **Accardi Doctrine** refers to the legal standing which holds that an agency must abide by its own regulations. This doctrine is named after the Supreme Court decision from which the doctrine was developed, *US ex rel Accardi*. The Accardi Doctrine provides that when an agency fails to follow its own procedures or regulations, that agency's actions are generally invalid. Therefore, an agency's failure to afford an individual with procedural safeguards required under its own regulations may result in the invalidation of the ultimate administrative determination.

The **RULES ENABLING ACT OF 1943** – which is codified by **UNITED STATES CODE, TITLE 28 § 2072 (1976)** similarly maintains that, “ *Such **rules shall not abridge, enlarge or modify any substantive right and shall preserve the right of trial by jury as at common law and as declared by the Seventh Amendment to the Constitution.***”

CONTROLLING OR MOST APPROPRIATE AUTHORITIES FOR RELIEF

The tactics used by the STATE’s BAR attorneys Eric Monson and Wade Reimers to dismiss B/R / PPP David Schied’s assigned “*administrative jurisdiction*” in this multi-faceted and multi-tiered case against the STATE – which is being “*administratively*” and “*discretionarily*” in the same fashion that “*predicate dismissals*” of B/R / PPP David Schied’s rights to “*MEDICAL ASSISTANCE / MEDICAID*” are being carried out by the “*principals and agents*” of the DSS and DSS, and the investigation into CRIME VICTIMIZATION are being DENIED and “*dismissed*” by GOVERNOR Kristi Noem and ATTORNEY GENERAL Jason Ravnsborg and their “*agents*,” and the many OPEN RECORDS “*requests/demands for documents*” are being DENIED and DISMISSED by the STATE’s other BAR attorneys Jenna Howell and Jeremy Lippert ... **and the CLERK(s) OF COURT(s) for the SUPREME COURT (Shirley Jameson-Fergel in Pierre) and the FOURTH CIRCUIT COURT (Carol Latusek in Deadwood) first delaying then filing with fraudulent entry dates or then refusing to file my documents altogether based upon “FORM OVER SUBSTANCE” (as shown herein in this instant case) – exemplifies the criminal intent of all these CO-TRUSTEES ... to Commit “SEDITION” and “TREASON,” which are allegations that are far from being “frivolous” and/or having “no facts upon which relief may be granted.”**

Herein, it is being shown that the SOUTH DAKOTA SUPREME COURT is allowing all of the above “SUBSTANCE” of the STATE BAR attorneys’ actions, so they REJECT the entire matter – purportedly because they do not like the “FORM” in which a “totally and permanently disabled quad-amputee” has “self-advocated” his various “COMPLAINTS.”

In the history of filings related to the multiple “cases” generated by “*the ACCUSED*” STATE “*principals and agents*” over the course of the past year and three-quarters as it concerns a single “*totally and permanently disabled quad-amputee.*” there have been “*predicate RICO crimes*” committed against B/R / PPP David Schied, for which “*secondary RICO crimes*” of **aiding and abetting** were carried out. The most recent instance was by Monson and Reimers criminally “*railroading*” B/R / PPP David Schied’s “*DUE PROCESS*” HEARING while the DSS currently conspires in a concurrent and still ongoing other case being similarly RAILROADED by the STATE’s DHS and DSS “BAR” attorneys over OPEN RECORDS violations in the venue of the STATE’s “*BUREAU OF ADMINISTRATION*” as carried out “*arbitrarily and capriciously*” by the BOA’s – similarly documented as corrupt – “*OFFICE OF HEARING EXAMINERS.*”

Again, these criminalized multi-faceted and multi-tiered “*administrative acts*” suppress and supplant the “*judicial*” process with the same effect of corrupt and seditious “*judicial usurpers*” as named “*principal*” leaders and “*agent*” members of the STATE BAR crime syndicate and domestic terrorist network. Thus, “CLAIMS OF DAMAGES” have long been already well-established against the STATE OF SOUTH DAKOTA, in multiple tiers, each with TREBLE DAMAGES applied towards the CLAIMS of each of the multi-faceted “*predicate*” RECORDED cases.

Notably, as governed by the COMMON LAW in the issuance of FEE SCHEDULES at each “*prong*” of the multi-faceted and multi-tiered “*schematic of DENIALS and DISMISSALS*” as the institutionalized application of “*weaponized due process*” against B/R / PPP David Schied, the **“fee” of “\$2,000,000” has been applied “per incident;”** else the STATE is red-handedly violating the THIRTEENTH AMENDMENT and additionally subjecting B/R / PPP David Schied illegally to “*involuntary servitude*” in exercising his constitutional guarantees to “*Redress of Grievances,*” and “*administratively*” enforcing – on behalf of the sovereign People as “*taxpayers*” – **what these STATE “principals and agents” otherwise refuse to do, though paid to do and as they have sworn an OATH to do, by their own “faithful performance” to their DUTIES OF OFFICE to provide “due process” to B/R / PPP David Schied, and “honest government services” to the sovereign People as “taxpayers.”** (Bold and/or underlined emphasis added)

In light of these legitimately applied and “LEDGERED” COMMON LAW “CLAIMS IN COMMERCE,” EACH of the named twenty nine (29) named “WITNESSES” as STATE “principals and agents” – as well as the CLERK(s) OF COURT(s), the so-called “judge” of the FOURTH CURCUIT COURT and all of the so-called “justices” of the SOUTH DAKOTA SUPREME COURT – in this case need to surrender their “government performance bonds,”

their “*insurance*” and/or blanket insurance policies, their “*errors and omissions*” insurance policies, their “*terrorism*” insurance policies and “*riders*,” and reveal their RISK MANAGEMENT insurance and bonding companies by name and address.

At this point in time, there is no practical sense in detailing the facts of each case or the proceedings of each instance of multi-faceted and multi-tiered RICO activity carried out in the name of the STATE and its “*principals and agents*” over the course of this past year-and-a-half, since it suffices to state simply that these multitude of cases are all now classified as “*Backward-Looking-Access*” cases. In fact, there have many other cases of this kind that have been severely mishandled in longstanding “*chain*” and “*wheel*” patterns of denials of access to many other “*poor, disabled, and/or elderly*” sovereign American People, concerning countless other sovereign People as South Dakota “*TAXPAYERS*” named herein as “*litigants*” who have been deprived of their numerous constitutional guarantees to due process and access to “*honest government services*,” by these named CO-TRUSTEES and other insurrectionists operating with “*bad behavior*” while employed by the STATE. Therefore, the second “*tier*” of this government “*racketeering and corruption*” presents CLAIMS into the HUNDREDS OF MILLIONS OF DOLLARS, compounded with TREBLE DAMAGES + INTEREST, which altogether have not yet been calculated and factored in.

Therefore, as is clearly exemplified by the case at hand herein, “*access*” to “*services*” and any type of “*Court*” perceivably providing “*constitutional due process*” is not merely having one’s name on “*client list*” or on a “*docket*” for attending a railroad hearing like the one carried out by the STATE’s BAR attorneys of “*ALJ*” Eric Monson and “*SPECIAL ASSISTANT ATTORNEY GENERAL*” Wade Reimers as RECORDED on 5/5/22, or similarly, in the FOURTH CIRCUIT COURT and/or the SUPREME COURT. “Access” 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, their “*principals*” and their “*agents*” of the so-called “*STATE OF SOUTH DAKOTA*” 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 South Dakota Constitution (as amended most recently in 2020) (Art. V, § 29 – “*Rights of Crime Victims*”), among others not yet researched as pertaining to the Constitution of South Dakota.

Note that “*AIDING AND ABETTING*” is 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...*”

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: In 1913, the New York Supplement (Vol. 143, p.209) This resource was located on 10/1/16 and again on 2/18/21 and 5/25/22 at:

https://books.google.com/books?id=aeIKAAAAAYAAJ&pg=PA209&lpg=PA209&dq=so%20threatening%20as%20to%20constitute%20an%20impending%20danger%20to%20persons%20in%20the%20enjoyment%20of%20their%20legitimate%20rights.%20Cochran%20v.%20Sess,%20168%20N.Y.%20372,%2061%20N.E.%20639&source=bl&ots=8Fk0nxERiz&sig=dwDwW9GzDmUqsX3Y4PjII6Ada3s&hl=en&sa=X&ved=0ahUKEwiixeK_kc_KAhXGbSYKHdsUBtoQ6AEIHDAAC#v=onepage&q=so%20threatening%20as%20to%20constitute%20an%20impending%20danger%20to%20persons%20in%20the%20enjoyment%20of%20their%20legitimate%20rights.%20Cochran%20v.%20Sess%20C%20168%20N.Y.%20372%20C%2061%20N.E.%20639&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*” as 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”.

CONCLUSION AND “FINDING OF CONTEMPT” BASED IN THE EVIDENCE OF A LONG HISTORY OF “AIDING AND ABETTING” IN CRIMINAL ACTS BY “INSURRECTIONISTS” as “CO-TRUSTEES,” BEING “RICO” CRIME SYNDICATE MEMBERS OF THE “STATE BAR” AND OTHERS ENGAGED IN REPRESENTING “THE ‘DEEP’ STATE”, ITS BUREAUCRACY OF “PRINCIPALS AND AGENTS,” AND ITS “ADMINISTRATIVE COURTS,” IN A “DOMESTIC TERRORIST NETWORK.”

Prima facie, the above STATEMENTS, AFFIDAVIT, 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 the “*STATE OF SOUTH DAKOTA*”. As such, the natural man, B/R / PPP 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.**

CO-TRUSTEES have more recently in 2021-‘22 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 STATE’S BAR attorneys involved were ACCURATELY RECORDED as they were committed by those of the CO-TRUSTEES of – minimally – **Eric Monson, Wade Reimers, Jenna Howell, Jeremy Lippert, and Jason Ravensborg, “Judge Strawn / Stawn” (at the FOURTH CIRCUIT COURT), the “CLERK(s) OF COURT(s)” (Carol Latusek and Shirley Jameson-Fergel) and the SUPREME COURT “justices”** that have repeatedly placed B/R / PPP David Schied (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 B/R / PPP David Schied to establish herein his formalized “*CLAIMS OF DAMAGES IN COMMERCE*”.

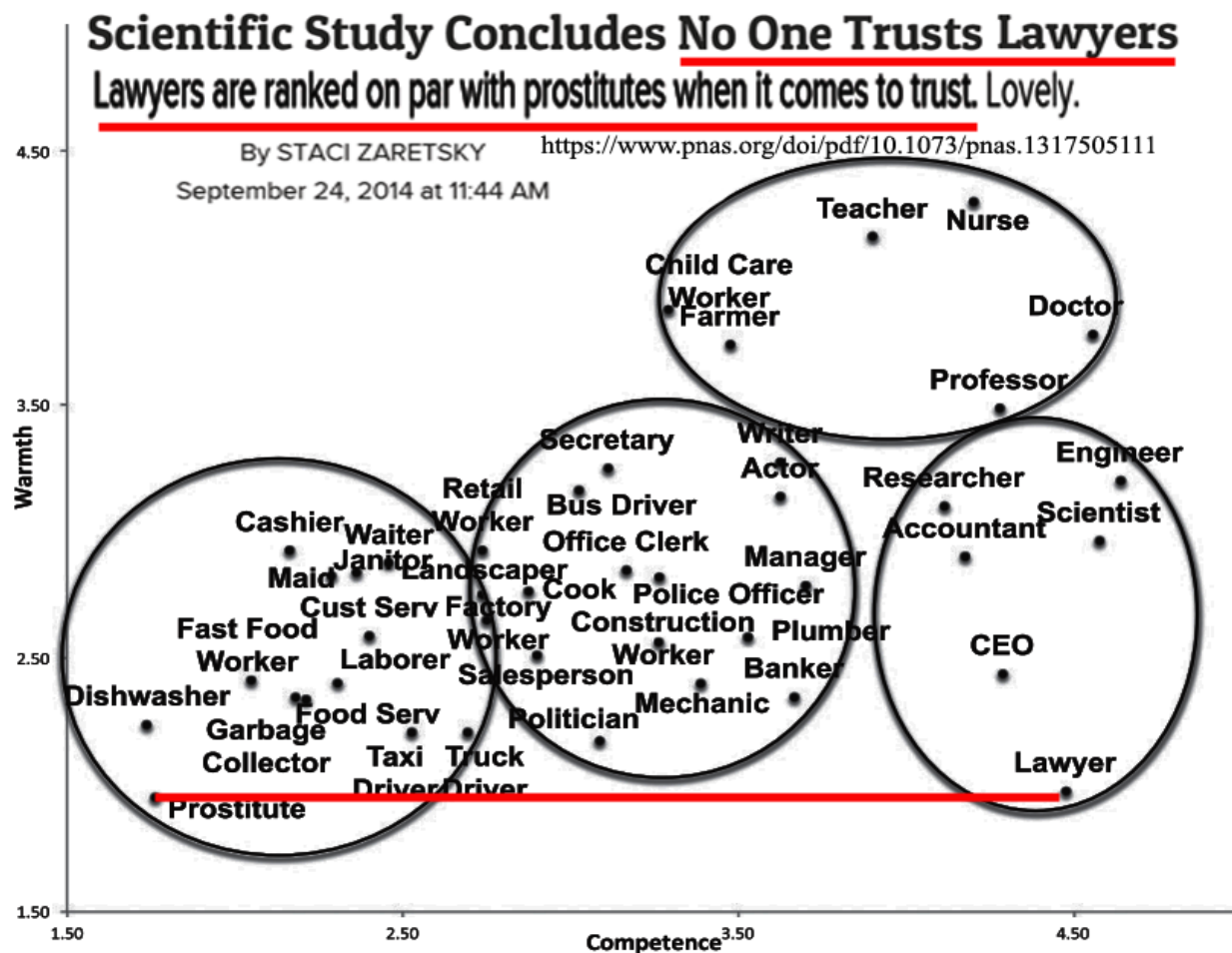
The allegations, supported by EVIDENCE OF FACTS and at least one irrefutable sworn and notarized “AFFIDAVIT” with himself and others as WITNESSES, contend that **NONE of the named CO-TRUSTEES had any jurisdiction whatsoever for the commission of the alleged “acts of terrorism”; and that, as a result, 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 to 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 at least one NOTARIZED AFFIDAVIT 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 “*actors*” as all being BAR attorneys. Moreover, the so-called STATE’s “*administrative law judge*”, FOURTH CIRCUIT COURT “*judge*,” and SUPREME COURT “*justices*” 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 B/R / PPP David Schied’s legitimate attempts to have “*access*” to these “*continuing financial crimes enterprises*” – otherwise referred to by the STATE as an “*administrative ‘due process’ hearing*” by depending upon his RIGHT to “*federal*” ADA compliance and “*reasonable accommodations*” of recording the meeting as it was being criminally RAILROADED by the STATE’s BAR member attorneys

Eric Monson and Wade Reimers, because B/R / PPP David Schied is a “*totally and permanently disabled quad-amputee*” (who cannot take handwritten notes because he has only two thumbs and a single pinky finger on his nondominant left hand).

Through their “*railroaded*” hearings, *ex-parte* communications with one another, and sandbagging “*summary dismissal*”, these CO-TRUSTEES – being a conspiracy of judicial usurpers – perpetrated “*repeated frauds*” upon me (B/R / PPP David Schied) and AGAINST THE SOVEREIGN PEOPLE, as well as upon this instant ARTICLE III COURT OF RECORD.

Again, the more recent acts and inactions of the “*STATE BAR crime syndicate*” and other *domestic terrorist* members adds to a long and well-documented history of this ongoing *pattern and practice* of affirmatively CRIMINAL acts undermining this *railroaded* STATE “*court*” case, now with FEDERAL jurisdiction by way of my invoking the ADA and RECORDING its violations.



At the federal level this undermining of the “*call to duty*” under Eric Monson’s official “*Oath of Office*” was being carried out under the “*privilege*” of this “*ALJ*” otherwise holding a “*qualified*” position of authority under ARTICLE I of the U.S. CONSTITUTION in the

“spirit” of ARTICLE III of that same U.S. CONSTITUTION, which is secured only on the condition that Eric Monson and Wade Reimers exhibit “good behavior”. Such “bad behavior” otherwise justifies not only his removal or 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. The actions of “Judge Strawn / Stawn” and the so-called “justices” of the SOUTH DAKOTA SUPREME COURT are no different. (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), B/R / PPP David Schied – acting in the capacity of a Private Attorney General and FEDERAL WHISTLEBLOWER under the FALSE CLAIMS ACT – is hereby DECLARING that this case having been “DISMISSED” without “litigation of the merits” having occurred, indeed with Eric Monson and his cohort Wade Reimers “OBSTRUCTING JUSTICE” by Reimers objecting to even the “serving” of SUMMONS his “STATE CO-TRUSTEES,” constitutes a “criminal conspiracy to deprive of rights under color of law” (18 U.S.C. §§ 241-242) and “chain” and “wheel” conspiracies to violate the U.S. CONSTITUTION.

Therefore, B/R / PPP David Schied will be filing, reconstituting, and incorporating all of the previously filed (and intended filings) into his “appeal” to a “higher” “COURT OF RECORD” of a DISTRICT COURT OF THE UNITED STATES (if any such Court can actually be anymore found), **while continuing his COMMON LAW pursuits of a TRIAL BY 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*”.**

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*” (minimally consisting of ALL “STATE BAR” members associated with this case with actions described by declared “whistleblower” and “crime

victim.” B/R / PPP David Schied) being herein found in “*contempt of [administrative] court*,” and **should be immediately arrested** by CO-TRUSTEES, the “*new*” STATE ATTORNEY GENERAL ³ and his/her “*agents*” of the CO-TRUSTEES of the OFFICE OF THE SOUTH DAKOTA ATTORNEY GENERAL; and thereafter, should be subjected to criminal proceedings as based upon the sworn FACTS and EVIDENCE levied against each of them as found in the numerous “*Sworn Affidavits*”, sworn “*Criminal Complaints*” and other submitted and referenced documents of “*STATE 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 on a previously filed Title Page captioned as “**DOES 1-26**” with many also listed as copied by this instant “WRIT OF ERROR CORAM NOBIS ...”), as well as all “*officers of the court[s]*”, including all judges, magistrates, clerks, and attorneys affiliated with this instant case.

3) The instant case is to be “*reconsidered*” by the SOUTH DAKOTA SUPREME COURT for having jurisdiction over “*multi-county*” CORRUPTION and RACKETERING by STATE “*BAR*” members engaged and employed on behalf of the STATE and/or calling themselves “*ADMINISTRATIVE LAW JUDGE*,” “*SPECIAL ASSISTANT ATTORNEY GENERAL*,” “*ASSISTANT ATTORNEY GENERAL*,” “*CLERK[s] OF COURT[s]*,” “*JUDGES*,” AND “*JUSTICES*.” and other “*court officers*” who have affirmatively acted with “*BAD BEHAVIOR*” by executing “*legal acts in illegal manners*” and using “*color of law to deprive of rights*,” and “*FORM/PROCEDURE OVER SUBSTANCE*” being altogether, also FEDERAL CRIMES worthy of honoring the DEMAND herein for a federal “SPECIAL GRAND JURY INVESTIGATION.”

In this instant case as a matter of RECORD, B/R / PPP David Schied herein is reserving his “CLAIM OF CONUSANCE” and sovereign Right to file this case in a Superior COMMON LAW COURT, for rightful “*litigation on the merits*” in Common Law and with a Jury Demand; with such litigation of the merits beginning with the legitimacy of the CLAIMS, as based upon the

³ To the proper knowledge of B/R / PPP David Schied as of the date of this writing on 9/16/22, the identity of this individual is **Mark Vargo** as the replacement for Jason Ravensborg, the former ATTORNEY GENERAL that the STATE took to a full year-and-a-half to IMPEACH and to place on criminal trial after his “*HIT AND RUN*” automobile HOMICIDE of a pedestrian male, AFTER having first received several speeding tickets (without any apparent consequences for these repeated offenses against the People of this STATE) and while “*TEXTING WHILE DRIVING*” at the time he killed this innocent South Dakota man ... to which he pled “no contest” and was thereafter CONVICTED.

unrebutted STATEMENTS and irrefutable EVIDENCE presented by this instant “case” against the STATE, *et alia*.

4) The SOUTH DAKOTA “STATE SENATE” should be hereby put on NOTICE and should be directed to carry out “*impeachment trials*” against Eric Monson and other “STATE BAR” members of the OFFICE OF THE ATTORNEY GENERAL – as well as all Justices, Judges, Clerks, Magistrates, and Attorneys named as being in criminal violation of the laws of this STATE and the UNITED STATES, for their malfeasance of fiduciary responsibilities, and for what may also be interpreted by many other sovereign South Dakotans and other Americans (should they be allowed to find out by these and other UNDISCLOSED activities withheld from public scrutiny by their abuses of OPEN RECORDS legislation) as their SEDITION and TREASON;

5) When this case is finally litigated as “*appealed*” to a “*higher*” and more appropriate court with a “*multi-county*” jurisdictional judiciary, were one to assume that such a “*Third Branch*” operates as an ARTICLE III “*COURT OF RECORD*,” this case should be re-reassign to an ARTICLE III “*independent*” judge with “*lifetime employment*” in accordance with the U.S. CONSTITUTION as the “*Supreme Law of the Land*”; and ultimately, to the Sovereign People of a **TRIAL BY JURY**;

6) As a proximate cause of the itemized damages incurred against B/R / PPP David Schied and others “*enjoined*” as aggrieved litigants in these FALSE CLAIMS ACT (“*Qui Tam*”), multi-county “*RICO*,” “*discrimination*,” “*ADA / CIVIL RIGHTS*,” and “*criminal*” matters, against 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 – should be assessed, charged with, and mandated to PAY the following in accordance with the “*FEE SCHEDULE*” as previously submitted in this case, to be tallied in the amount of \$2,000,000 PER OCCURRENCE and totaling now in an amount of more than a THREE-QUARTERS OF A BILLION DOLLARS (in lawful currency backed by precious metals) – as accrued by way of TREBLE DAMAGES – which is also to be secured by precious metals, and **not** by the worthless fiat U.S. paper “*currency*” of the UNITED STATES.⁴

⁴ Let this instant RECORD show that the STATE has previously received a similar demand in lawful money that is backed by precious metals (i.e., not backed by the worthless fiat U.S. paper “*currency*” of the UNITED STATES). This DEMAND was previously “*served*” by third party “*certified*” U.S. POST OFFICE deliveries upon the GOVERNOR and the BUREAU OF ADMINISTRATION in the “*inexplicably intertwined sister case*” to this one, as captioned, “**BENEFICIARY / PRIVATE**

Now again, because of the latest TORT evidenced by this latest “*case dismissal*” on the sole behalf of the named CO-TRUSTEES of the STATE’s *principals and agents* of the “DSS”:

- 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 STATE CONSTITUTION and U.S. CONSTITUTION.

For the above-stated reasons, and for additional reasons reserved and NOT included herein, B/R / PPP David Schied has determined that any “*Order*” signed by Eric Monson constitutes official FRAUD and “*conspiracy to defraud and to deprive of rights.*”

For the above-stated reasons, and for additional reasons reserved and NOT included herein, this instant “WRIT OF ERROR CORAM NOBIS ... “ includes a **DEMAND FOR SANCTIONS AND DISBARMENT OF ALL “STATE BAR” member ATTORNEYS and JUDGES associated with this case; based on proven nineteen (19) months history of FRAUD and DISCRIMINATION and other “secondary” RICO coverups of “predicate” instances and formalized REPORTS of ‘NEGLECT AND ABUSE’ OF ELDERLY/DISABLED, DISCRIMINATION and CRIMINAL COMPLAINTS.**

Submitted truthfully,

/s/_David Schied

DISABLED / BENEFICIARY / PRIVATE, PUBLIC PROXY / RELATOR
P.O. Box 321
SPEARFISH, S. DAKOTA 57783
605-340-4439 (all calls recorded)

PUBLIC PROXY David Schied’s REPLY to the STATE’s BAR ATTORNEYS Jenna Howell and Jeremy Lippert’s FRAUDULENT “JOINT RESPONSE” FILED ON BEHALF OF THE STATE’s UNELECTED “CORPORATE FICTIONS” of the “DEPARTMENTS” of “HUMAN SERVICES” and “SOCIAL SERVICES” (as received via U.S. Mail delivery on 5/13/22).

**UNDER THE U.S. CONSTITUTION and the SOUTH DAKOTA CONSTITUTION
and the SPIRIT and LETTER of ALL LAWS COMPORTING WITH THE
COMMON LAW(S) OF THE LAND, AND THIS “ARTICLE III COURT OF RECORD”**

IN THE MATTER OF “*RIGHT TO APPEAL*”:

David Schied, one of the sovereign American People living in South Dakota as a totally and permanently disabled quad-amputee; a **BENEFICIARY** of the social welfare system; a Common Law **GRIEVANT** / **CRIME VICTIM** and **CLAIMANT** acting in his *Sui Juris* Private capacity; as well as in his “*EX REL*” capacity of a **PRIVATE, PUBLIC PROXY** on behalf of the South Dakota and American “*TAXPAYERS*” “*Beneficiary / Private Public Proxy*” –
Sui Juris Relator

v.

The ADMINISTRATIVE “*DEEP*” STATE of the STATE OF SOUTH DAKOTA as represented by multiplicity of GOVERNOR Kristi Noem, the BUREAU OF ADMINISTRATION as represented by Scott Bolinger And Catherine Williamson; ATTORNEY GENERAL and his/her agents as “*assistants*,” the S.D. DEPARTMENTS OF “DHS” and “DSS” acting by and through Laurie Gill Shawnie Rechtenbaugh and their respective BAR attorneys Jenna Howell, Jeremy Lippert, Eric Monson, Wade Reimers, and SUBPOENAED named others as “DOES #1-26” operating as a proven Corrupt Racketeering Criminal Enterprise “*CO-TRUSTEES*” acting in their Private and Public capacities

SOUTH DAKOTA
SUPREME COURT
and
UNIFIED JUDICIAL SYSTEM
via
FOURTH JUDICIAL CIRCUIT
LAWRENCE COUNTY
CASE # CIV22-116
ADMINISTRATIVE CASE NUMBERS
INCLUDED HEREIN AS “*APPEALED*”
Case # **OHE # PRR 22-02** (fraudulent)
referenced by “*CO-TRUSTEES*” on 5/6/22
Case # **001286794** (fraudulent) and
OAH # **22-365** (fraudulent)
referenced by “*CO-TRUSTEES*” on 5/12/22

**WITH NOTICE OF
CLAIM OF CONUSANCE**
and
**DEMAND FOR MULTI-
COUNTY CRIMINAL GRAND
JURY INVESTIGATION**

**DEMAND FOR
TRIAL BY JURY**

**BENEFICIARY / RELATOR / PRIVATE PUBLIC PROXY David Schied’s:
CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on 9/16/22, I served true and correct copies of the following numbered items of the documented RECORD upon the named individuals operating by and through their last known “*principals*” and/or “*agents*” comprising the STATE OF SOUTH DAKOTA, at their last known email addresses:

- 1) “COMMON LAW ‘WRIT OF ERROR CORAM NOBIS’ IN OPPOSITION TO PRIMA FACIE EVIDENCE OF ‘CRIMINAL FRAUD AND CONSPIRACY TO DEPRIVE OF RIGHTS’ INVOLVING A ‘JUDICIAL USURPER’ AND ‘ADMINISTRATIVE BUREAUCRATS’ AS ‘AGENTS’ OF THE NAMED ‘CO-TRUSTEES’ OF THE CASE CAPTIONED ABOVE”; (64 pp)
- 2) “FINDING OF CONTEMPT” AND “CERTIFICATION OF FAULT/DEFAULT WITH ‘DEFAULT JUDGMENT’ AND COMMON LAW ‘LEDGER OF [TREBLE] DAMAGES’” AS BASED UPON ‘OVERRIDING AND PALPABLE ERRORS, GROSS OMISSIONS OF FACTS,

INTENTIONAL [TORTUOUS] VIOLATIONS OF THE ‘RULES ENABLING ACT,’ ‘ACCARDI DOCTRINE, AND ‘OTHER CONSTITUTIONAL GUARANTEES’ (included in #1)

- 3) **MOTION TO MOVE THE SUPREME COURT TO RECONSIDER REVERSING ITS PREVIOUS “FORM OVER SUBSTANCE” DECISION;** (included in #1)
- 4) **DEMAND FOR SANCTIONS AND DISBARMENT OF ALL “STATE BAR” member ATTORNEYS and JUDGES associated with this case; based on proven nineteen (19) months history of FRAUD and DISCRIMINATION and other “secondary” RICO coverups of “predicate” instances and formalized REPORTS of ‘NEGLECT AND ABUSE’ OF ELDERLY/DISABLED. DISCRIMINATION and CRIMINAL COMPLAINTS;** (included in #1)
- 5) **SWORN AFFIDAVIT OF David Schied FOR THE “TRUTH IN FACTS OF RECORD”:** MEMORIALIZING THAT DR. Daniel Berens, HIS AGENTS, AND/OR THE AGENTS OF MONUMENT HEALTH – DESPITE AGREEING THAT THEY HAD THE LEGAL REASON, AND THE RESPONSIBILITY, OF REPORTING “ABUSE AND NEGLECT OF A VULNERABLE AND DISABLED ADULT” TO AUTHOROTIES OF THE “STATE” (AS I HAD PREVIOUSLY REPORTED TO HIM IN HIS OFFICE AND IN THE COMPANY OF WITNESSES BY PHONE BY WAY OF MY OWN “SELF-ADVOCACY”) – NEVERTHELESS REPORTED BACK TO ME THAT DR. Berens HAD INSTEAD MADE HIS “REPORT OF NEGLECT AND ABUSE” TO THE DSS’ TOLL FREE NUMBER FOR REPORTING “CHILD NEGLECT AND ABUSE”; AND HOW THAT ADDS TO THE AMOUNTS OWED; (included in #1)
- 6) **“NOTICE OF CLAIM OF CONUSANCE”;** (included in #1) (included in #1)
- 7) **“DEMAND FOR MULTI- COUNTY CRIMINAL GRAND JURY INVESTIGATION”**

Names and locations of those “served” with copies of the above listed documents:

“CLERK OF COURT” Shirley Jameson-Fergel for the SOUTH DAKOTA SUPREME COURT at: SCClerkBriefs@ujs.state.sd.us
And scclerkbriefs@ujs.state.sd.us

to the “CLERK OF COURT” Carol Latusek for the FOURTH CIRCUIT COURT in LAWRENCE COUNTY in Case # 22-166;
c/o DEPUTY CLERK Kristie Gibbens:
kristie.gibbens@ujs.state.sd.us
as well as LAWRENCE COUNTY COMMISSIONER Bob Ewing for his own reference, and for forwarding to the LAWRENCE COUNTY SHERIFF Brian Dean as the county’s authorized “law enforcement” official for taking REPORTS OF “NEGLECT AND ABUSE” purportedly “filed” by Dr. Daniel Berens as PROVEN by MONUMENT HEALTH RECORDS and my own RECORDS of his AGENTS’ assertions about such reporting, as an “oral” report (to “LAWRENCE COUNTY DSS”) and also as a “written” (MONUMENT HEALTH “chart” in the copyrighted name of “David Schied”) filing. grnmtn1954@rushmore.com

Names and locations of those “served” with this document:

Eric Monson – ADJ; Wade Reimers – Ass’nt AG OFFICE OF ADMINISTRATIVE HEARINGS

DEPT. OF SOCIAL SERVICES
c/o Laurie Gill, DSS SECRETARY
700 Governors Drive
Pierre, SD 57501
DSSInfo@state.sd.us

Scott Bolinger and Catherine Williamson
OFFICE OF HEARING EXAMINERS
Emails: admhrngs@state.sd.us

GOV. Kristi Noem c/o Mary Beth Hollatz
Email: marybethhollatz@gmail.com

OFFICE OF THE SOUTH DAKOTA ATTORNEY GENERAL and Mark Vargas
c/o Wade Reimers and Robert Morris
as “Special Assistant Attorney Generals” –
Email: DSS (above) and at:
bobmorris@westriverlaw.com

As well as the following:

**Kim Malsam-Rysdon, SECRETARY and
SENIOR ADMINISTRATOR for DOH –**

Kim.Malsam-Rysdon@state.sd.us

**Shawnie Rechtenbaugh, SECRETARY and
SENIOR ADMINISTRATOR for DHS –**

shawnie.rechtenbaugh@state.sd.us

**Laurie Gill – SECRETARY and SENIOR
ADMINISTRATOR for DSS –**

DSSInfo@state.sd.us

Mary Rea – mary.rea@state.sd.us

Leslie Lowe – leslie.lowe@state.sd.us

Rogine Page – rogine.page@state.sd.us

Laura (Nord) Charter – laura.charter@state.sd.us ; laura.nord@state.sd.us

Sharon Maher – Sharon.Maher@state.sd.us

Nancy Giovanetti – nancy.giovanetti@state.sd.us

Jennifer Lewis – jennifer.lewis@state.sd.us

Val Clauser – val.clauser@state.sd.us

SOUTH DAKOTA DEPARTMENT OF SOCIAL SERVICES – PROGRAM INTEGRITY

ProgramIntegrity@state.sd.us

**John Osburn – ADMINISTRATOR, SOUTH DAKOTA DEPT. OF HEALTH, OFFICE OF
HEALTH PROTECTION – john.osburn@state.sd.us**

Senator Mike Rounds – james_selchert@rounds.senate.gov

Congressman Dusty Johnson – katy.murray1@mail.house.gov

State Rep. Mary Fitzgerald – mary.fitzgerald@sdlegislature.gov

State Rep. Scott Odenbach – scott.odenbach@sdlegislature.gov

Assistant Attorney General Jenna Howell – via DHS SECRETARY Shawnie Rechtenbaugh

shawnie.rechtenbaugh@state.sd.us and Jenna.Howell@state.sd.us

State Attorney Jeremy Lippert – via DSS SECRETARY Laurie Gill

DSSInfo@state.sd.us and Jeremy.Lippert@state.sd.us

... and to other interested Sovereign American People and “TAXPAYERS” of the STATE OF SOUTH DAKOTA and the UNITED STATES.

Respectively,

/s/ David Schied, *Beneficiary and Private Public Proxy*

EX REL, People of the State of South Dakota

P.O. Box 321

SPEARFISH, SOUTH DAKOTA 57783

605-340-4439 (all calls recorded)