

ATTN: RISK MANAGEMENT
CLAIM:
**NOTICE TO CURE/
NOTICE OF INTENT TO SUE
AS PRESENTED BY AFFIDAVIT OF
Robert James Fox**

**STATE OF TEXAS
CHEROKEE COUNTY**

I, Robert James Fox, am a sovereign, sui juris, free white man, a follower of Yahshua the Messiah in the laws of The Almighty Supreme Creator, Yahvah first and foremost and the laws of man when they are not in conflict (Leviticus 18:3,4). Pursuant to Matthew 5:33-37 and James 5:12, let my yea be yea, and my nay be nay, as supported by your Federal Public Law 97-280, 96 Stat. 1211. I have personal knowledge of the matters stated herein, am over the age of majority, and hereby asseverate understanding the liabilities presented in your Briscoe v LaHue, 460 US 325.

PREFACE

“The United States Attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor - indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one.”

Berger v. U.S., 295 U.S. 78, 88 (1935)

FACTS

1. This claim is based upon the event whereby I, Robert James Fox, was seized on December 3, A.D.2008, as a matter of RETALIATION, DISCRIMINATION, AND RELIGIOUS PERSECUTION, wherein the evidence goes to show that the so-called Jacksonville Police Department commenced their series of attacks by force of arms on May 15, A.D.2008, by breaking the law by specific intent, or in other words FRAUD, as they executed their planned aggravated assault, aggravated kidnapping, armed robbery, and TORTURE by specific intent.

2. Absent Fifth Amendment just compensation, theft of private property on May 15, May 22, and June 11, in the nature of armed robbery and/or conversion, was utilized as RETALIATION, DISCRIMINATION, AND RELIGIOUS PERSECUTION, as per Texas Civil Practice and Remedy Code, Chapter 106.001.

3. I, Robert James Fox, suffered injury due to the fact the Jacksonville Police Department DENIED DUE PROCESS, and absent commitment ORDER, I was summarily incarcerated from December 3rd to the 20th as Jacksonville Police violated Article 15.26, Texas Code of Criminal Procedure, as a matter of kidnapping by specific intent.

4. Absent lawful process, with UNCLEAN HANDS, utilizing the "fruit of the poisonous tree", DENYING THE PRESUMPTION OF INNOCENCE, and proceeding in the nature of Slander and Libel, the Jacksonville Police Department has publicly vilified me by declaring that absent trial I was already a criminal fugitive, plainly contrary to the Texas Code of Criminal Procedure which clearly and repeatedly declares that the accused is entitled to the presumption of innocence. Furthermore, Black's Law Dictionary defines a fugitive as one who flees the jurisdiction, whereas I was in Austin Texas, where I had every right to be at the time the issue of an alleged warrant came up, and I did not flee to Los Angeles, New York, Chicago, or Mexico. I traveled from Austin to Waco, Dallas, Canton, Tyler, and showed up at court in Rusk pursuant to a written notice mailed to me by the court wherefore to designate me as a fugitive is plainly contrary to the Black's Law Dictionary definition of "fugitive", and jeopardized my very life by doing so, causing extreme emotional distress.

5. Outline of elements regarding CONSPIRACY:
 - A. 2 or more persons acted together,
 - B. they acted to accomplish an object,
 - C. they had a meeting of the minds on the object or course of action;
 - D. they committed one or more unlawful, overt acts; and
 - E. the plaintiff suffered injury as a proximate result.

(under conspiracy, joint and several liability is extended not only to the wrongdoer, but also to those who have agreed to assist the wrongdoer.)

It is plain and clear that the unlawful egregious conduct creating the damages that I have suffered is the result of city and county employees conspiring against me, in open defiance of God's law, as well as State and Federal law, including but not limited to Texas Civil Practice and Remedy Code, Chapter 106.001.

6. All of the above matters caused me extreme emotional distress which was inflicted intentionally in the nature of TORTURE.

CAVEAT

This is notice to officers of the court, pursuant to Article 2.03(b), Texas Code of Criminal Procedure, regarding the DUTY to initiate criminal proceedings pursuant to Texas Civil Practice and Remedy Code, Chapter 106.001, as to the religious discrimination, furthermore there is no immunity for criminal acts, nor criminal conspiracy.

On July 28, A.D.2008 I provided, by Certified Mail RRR #7007 3020 0000 2645 6826, to the CITY OF JACKSONVILLE via City Manager Mo Raissi, notice in advance that, "...as a matter of law, since the process began with FALSIFICATION AND PERJURY ON AN AFFIDAVIT BY Daniel Franklin, the so-called case against me is dead before it starts!! Once a fraud, always a fraud!! You know or should know this, however you have been notified in advance so when I am unlawfully seized, by specific intent, you will be creating the criminal action against yourselves. Notice to the principal is notice to the agent, and notice to the agent is notice to the principal. Elmer Beckworth has the exculpatory evidence, the stuff like District Attorney Mike Nifong withheld, causing him to lose his job, lose his B.A.R. membership, lose his career, have \$180,000,000.00 of civil lawsuits

on his back, and he may still go to prison!! Have you even asked Elmer Beckworth whether he can work around the EXCULPATORY EVIDENCE AND JACKSONVILLE FRAUD in order to declare that Jacksonville has a prosecutable case?? How many bogus charges can you pay for?? Govern yourselves accordingly!!”

The Declaration of Independence provides that all men are created equal and that men created government to secure the rights of men. It is plain and clear that the First Amendment provides “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...”. Federal Public Law 97-280, 96 Stat. 1211, the only such law ever created by unanimous passage in Congress, provides that the Bible is the Word of God and plainly declares that we should apply its teaching in our lives, and based upon my observations that is the good faith intent of the majority of the people who have created and maintain this great nation, wherefore there is a conflict of law already determined in my favor as per the UNANIMOUS decision as to Federal Public Law 97-280, 96 Stat. 1211.

Judge Edith Jones of the U.S. Court of Appeals for the Fifth Circuit, told the Federalist Society of the Harvard Law School on February 28, 2003 “The first 100 years of American lawyers were trained on Blackstone, who wrote that: “The law of nature dictated by God himself ... Is binding ... in all counties and at all times; no human laws are of any validity if contrary to this; and such of them as are valid derive all force and all their authority ... from this original.”

“One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth: at the mouth of two or more witnesses, or at the mouth of three witnesses, shall the matter be established. If a false witness rise up against any man to testify against him that which is wrong; Then both the men, between whom the controversy is, shall stand before the Lord, before the priests and judges, which shall be in those days; And the judges shall make diligent inquisition: and, behold, if the witness be a false witness, and hath testified falsely against his brother; Then shall ye do unto him as he had thought to have done unto his brother: so shalt thou put the evil away from among you. And those which remain shall hear, and fear, and shall henceforth commit no more any such evil among you. And thine eye shall not pity; but life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot.”
Deuteronomy 19:15-21

Governing itself accordingly the CITY OF JACKSONVILLE has executed the unlawful seizure, aggravated assault, aggravated kidnapping December 3 – 20, and TORTURE by specific intent. In the Limone case the Federal judge awarded damages in excess of 100 million dollars, as in one million per year, and since the CITY OF JACKSONVILLE, knowing that the attack is unlawful, yet deliberately seeks ten years of imprisonment for me, so it is that pursuant to Federal Public Law 97-280, 96 Stat. 1211 and Deuteronomy 19:15-21 \$10,000,000 U.S. is an appropriate claim for the December 3, A.D.2008 event.

The May 15, May 22, June 11, and December 3 attacks count for TRIPLE damages as DECEPTIVE TRADE PRACTICES OR RICO.

NOTICE TO CURE

The above facts give the CITY OF JACKSONVILLE good faith NOTICE AND OPPORTUNITY to cure. The CITY OF JACKSONVILLE and its agents are liable for the above stated issues and may be sued pursuant to the Texas Tort Claims Act, Deceptive Trade Practices Act (Commercial Venture), 42 USC §1983, 18 USC §1962 RICO.

My good faith CLAIM is discounted to the amount of \$30,000,000 U.S. IF paid within thirty days of this notice.

NOTICE OF INTENT TO SUE

The CITY OF JACKSONVILLE is hereby and herein given due process notice and opportunity to pay the CLAIM within thirty days of receipt of this notice as to damages inflicted OR the CITY OF JACKSONVILLE will force me to pursue other legal avenues.

I am not an expert in the law however I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts I will sincerely make every effort to amend my ways. I hereby and herein reserve the right to amend and make amendment to this document as necessary in order that the truth may be ascertained and proceedings justly determined. If the parties given notice by means of this document have information that would controvert and overcome this Affidavit, please

advise me IN WRITTEN AFFIDAVIT FORM within thirty (30) days from receipt hereof providing me with your counteraffidavit, proving with particularity by stating all requisite actual evidentiary fact and all requisite actual law, and not merely the ultimate facts or conclusions of law, that this Affidavit Statement is substantially and materially false sufficiently to change materially my status and factual declarations. Your silence stands as consent to, and tacit approval of, the factual declarations herein being established as fact as a matter of law. May the will of our Heavenly Father Yahvah, through the power and authority of the blood of his son Yahshua be done on Earth as it is in Heaven.

Reserving ALL Natural God-Given Unalienable Birthrights, Waiving None, Ever,

28 USC §1746

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. 28 USC §1746

Signed on this the thirtieth day of the twelfth month in the year of our Lord and Savior two thousand eight.

Robert James Fox
c/o 300 S. Main Street
Jacksonville [75766]
Texas, North America