

3. What makes the issue even more horrendous is that they spend the people's (taxes) money to hire civil-law lawyers to spin their web of confusion and statutory pretense to hide their deeds of lawlessness, as the people's right to elect their representatives are held hostage by a few corrupt individuals that fill political vacancies with equally corrupt candidates that are destroying America in a perpetual descending spiral of decadence.

4. Thus instead of establishing justice they perpetuate corruption, instead of insuring domestic tranquility they assure chaos, for common defense open borders, for the general welfare an uncertain future, for the blessings of liberty the curse of slavery to ourselves and our posterity by enfeebling the public administration, agitating the community with ill founded jealousies and false alarms, kindling animosity, fomenting occasional riots, insurrection, and have opened our door to foreign influence and corruption, thus the policy and the will of "The People" have become subjected to the policy and will of foreign powers.

5. This case is about the right of the people to participate in "their" political process by becoming "elected committeeman", aka President George Washington's "*engine of freedom*". This is a case about the People's final effort to restore Liberty's light and moral compass by fundamentally changing the direction of NYS and the nation in the faith that noble acts might save the republic, by the Grace of God.

DISENFRANCHISED

6. This state of affairs has created a constitutional crisis, people have lost faith in our political system, our elected officials fulfill the will of the lobbyists at the cost of our Republic, apathy has replaced the American dream. The elected committeeman (election law §6-118), buried by corrupt legislators and the NYSBOE, lost in history, hidden from the view of the public, yet the resurrection of the freely elected committeeman stands at the precipice, "yet again in the hands of a few", the only "peaceful" solution to save the Republic.

7. Presently only handpicked minions are permitted to hold the "highly secret", protected position of committeeman that rule over the statutory town committeemen and have total control filling vacancies. While the people, unapproved by party bosses, are illegally shut out of the elections by the parties door keepers (NYSBOE) who fraudulently reject the peoples designating petitions or change their titles to town committeemen.

TIME

8. With the upcoming presidential elections set for April 24th and signatures for designating petitions due in June, time being of the essence. The people have been further injured by the postponement of December 20th's preliminary hearing rescheduled for January 19th losing valuable time (30 days).

JUDICIAL EXPECTATIONS

9. It is the "sacred duty of this court" to recognize the true weight of the matter that has come before it. It is the "sacred duty of this court" to protect and guard the Peoples Liberty at all cost to self. It is the "sacred duty of this court" to rule on facts and law, not legislation and fraud.

10. To quote Chief Justice Roberts, "*Judges act as umpires; their job is "to call balls and strikes and not to pitch or bat."* On the other hand, Judges have peculiar responsibilities in cases involving pro se litigants ... *If it appears that a party with counsel has taken "undue advantage" over an un-counseled litigant, Judges have the power and duty to make appropriate inquiries of the parties" ...*

11. In 1928 Chief Justice Taft delivered the following opinion, clearly a message of the times, our time: "*Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously". [...Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example...]* Crime is contagious. *If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy... Against that pernicious doctrine this Court should resolutely set its face."* **[Olmstead v. United States, 277 U.S. 438 (1928)]**

12. **In closing Thomas Jefferson wrote in 1781:** "*God who gave us life gave us liberty. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the Gift of God? That they are not to be violated but with His wrath? Indeed, I tremble for my country when I reflect that God is just that His justice cannot sleep forever"*.

WHEREFORE the plaintiffs on behalf of themselves and on behalf of the People of New York move this court to rule on the motion for default judgment before it, on behalf of the plaintiffs. If the court declines to render such a judgment it shall state its grounds. **N.Y. CVP. LAW § 3001 : NY Code - Section 3001: Declaratory judgment.**

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DATE: The Ninth Day of the First month of the Year of Our Lord two thousand twelfth and the two hundred thirty-sixth Year of Our Independence.

John Vidurek, Sui Juris, unrepresented
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