

Citizens for Legal Responsibility®

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Press Release

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In line with our goal in our educating our members and in exposing the misconduct of those few judges who violate the law and the U.S. Constitution, we present the following example:
(Part 4 of a series)

We asked the question in Part 1 of this series, "What is the difference between Judge Donald J. Fabian (Kane County) who acts without jurisdiction, and therefore, according to the U.S. Supreme Court, is engaged in an act of treason to the U.S. Constitution, and Usama bin Laden?

Both are enemies of the United States. The latter is a foreign enemy of the United States; the former is a domestic enemy of the United States.

Both have declared war against the United States. Both have engaged in a crime against the U.S. Government."

Let us now look at U.S. law.

For over 180 years, U.S. Law clearly, repeatedly, and unequivocally states that a judge has no legal right to engage in any act or to hear any matter in any judicial proceeding unless jurisdiction has been lawfully conferred upon the court. Should a judge act when he does not hold lawful jurisdiction, the U.S. Supreme Court has ruled that he has engaged in an act of treason. U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980); Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821).

As we have documented previously, in case no. L KA 94 0999 (Kane County), Sperry has been deprived of his First Amendment and Due Process Constitutional Rights, among other Rights, by Judge Donald J. Fabian. We have provided case law that when a judge violates the U.S. Constitution, he does not represent the government, but represents only himself. He is not acting as a judge, but only as a private person wearing a black robe. He has no jurisdiction, and therefore, as a matter of law, he is engaged in an act of treason.

A person engaged in treason is an enemy of the U.S., and as a citizen of the U.S., he is a domestic enemy of the U.S.

Even Illinois case law supports Judge Fabian's lack of jurisdiction. The Illinois Supreme Court, in Armstrong v. Obucino, 300 Ill. 140, 143, 133 N.E. 58 (1921) held that "The doctrine that where a court has once acquired jurisdiction it has a right to decide every question which arises in the cause, and its judgment

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or decree, however erroneous, cannot be collaterally assailed, is only correct when the court proceeds according to the established modes governing the class to which the case belongs and does not transcend in the extent and character of its judgment or decree the law or statute which is applicable to it."

Compliance with established modes includes supporting and protecting the Constitutional Rights of all parties, and also in full compliance with Illinois Law, which holds that the party claiming the court has jurisdiction has the **burden** to prove that the court actually holds lawfully conferred jurisdiction. Under Illinois law, Judge Fabian is engaged in acting without jurisdiction. Judge Fabian has violated both Illinois and Federal law, is acting without jurisdiction, and, according to U.S. Law, is acting in treason to the U.S. Constitution.

Do we follow U.S. Law as it applies to judges, or do we have a separate law for judges contrary to that established by our Supreme Court? In **Malone v. Bowdoin**, 369 U.S. 643, 82 S.Ct. 980 (1962), the Court held that "No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it."

Since Sperry, as a matter of Illinois law, does not have to disclose to the court why the court is lacking in jurisdiction, and since Ford Motor Credit Company, which under law, must, and has the **burden** to, prove that the court has lawful jurisdiction, Sperry is complying with Illinois law and demanding that Judge Fabian either orders Ford Motor Credit Company to prove that the court holds lawfully conferred jurisdiction, or to dismiss case no. LKA 940999 as being without lawfully conferred jurisdiction.

Has Ford Motor Credit Company already inspected the record of case no. LKA940999 and found that jurisdiction was not lawfully conferred upon the court, and refuses to inform the court of this fact, to prevent sanctions being filed against it for its unlawful action?

CLR has reviewed the record of case no. LKA940999, and concurs with Sperry that Judge Fabian does not hold lawfully conferred jurisdiction.

Based on U.S. Law, Judge Donald J. Fabian has engaged in an act of treason to the U.S. Constitution, and is a domestic enemy of the U.S. government.

Posted on the Internet at
<<http://www.clr.org/Fabian-Donald-J.html>>.