
[Write above a brief summary of type of rights violation. Below give full explanation in affidavit]

[Identify individual(s) and/or group(s) receiving this notice, location, date and time]

[1]

2]

"We the People" of "the United States of America", "ordain and establish" "the supreme Law of the Land", "in order to... establish Justice... and secure the Blessings of Liberty to ourselves and our Posterity"[3,a], to protect and maintain equal individual Human rights, and "A frequent recurrence to fundamental principles is essential to the security of individual rights, and the perpetuity of free government."[4]

"We hold these truths to be self-evident, that all [Humans] are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness"[5], to own property[3,b], keep and bear arms[3,c], to free speech[3,d] and free travel[6], to fair exchanges[7], to carry on any common practice[8], and to "due process of law"[3,e] which requires for all "searches and seizures"[3,f] and "In all criminal prosecutions"[3,g] "probable" evidence[3,f] of an actual "crime"[9] against the equal "individual rights" of another Human being (aka 'Corpus Delicti'), caused by "intent or inexcusable neglect" of the accused suspect (aka 'Mens Rea'), and violation of valid[11], criminal, "Law of the Land"(aka 'Actus Reus')[9], and not just failure to "obey" "orders" or "legislation" from our hired Public Servants. Such "colorable laws" are a "deprivation of rights under color of law" which is an actual "crime" to "make or enforce" and a "civil offense" to even "neglect to prevent"[10].

"We the People"[3] also "hold these truths to be self-evident", "That to secure these rights, Governments are instituted among [Human Beings], deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness"[5]; And "that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed."[5]

This means that all "Victimless Crimes" and harmless Civil "Offenses"[3,e,f,9], as well as "taxes" on property ownership (especially land)[3,b], any "fair exchange" such as compensation for labor[7], "licenses" for any "common practice" such as that of law or medicine[8], and to travel on public roads for personal needs "in the conveyances of the day"[6], are all "Contrary" to these "fundamental principles" of "the common law" and "the supreme Law of the Land", and are therefore "deprivation of rights under color of law"[10] for which people are "not entitled to immunity" when they "make or enforce" or even "neglect to prevent" when they "reasonably should know" and can prevent[10], as in after a Notice such as this one.

(below, with signature. Be sure to write in all

necessary details possible, such as names, dates, locations, facts, evidence, relevant laws and accusations, etc.):

"STATE v. BOEHLER

Court of Appeals of Arizona, Division 1, Department B.

STATE of Arizona, Appellee, v. Timothy J. BOEHLER, Clyde P. Davis, Frank A. Simpson, Appellants.

No. 1 CA–CR 10–0297.

Decided: September 13, 2011 ...

OPINION

¶ 1 In this case we invalidate on First Amendment grounds a section of a Phoenix ordinance that bans panhandlers and other solicitors from orally asking passersby for cash after dark. We hold the measure is unconstitutional because it is not narrowly tailored to serve legitimate government interests. Accordingly, we reverse the convictions of three men cited for violating the ordinance by asking passersby for money after an evening baseball game in downtown Phoenix.

...

DISCUSSION

A. An Ordinance That Infringes a Substantial Amount of Speech Protected by the First Amendment May Be Unconstitutionally Overbroad...

...

In determining whether an ordinance is invalid on its face, we presume it is constitutional. ...A party challenging an ordinance bears the burden of establishing its invalidity. ...

¶ 5 In the usual situation, one who challenges the constitutionality of a law on its face “must establish that no set of circumstances exists under which the [law] would be valid.” ...The rule is different, however, when First Amendment interests are at stake. ... In such a case, courts will invalidate a statute that “reaches a substantial amount of constitutionally protected conduct.” ... Under this doctrine, statutes “that make unlawful a substantial amount of constitutionally protected conduct may be held facially invalid even if they also have legitimate application.” ... As the Supreme Court has explained, “We have provided this expansive remedy out of concern that the threat of enforcement of an overbroad law may deter or ‘chill’ constitutionally protected speech—especially when the overbroad statute imposes criminal sanctions.” ...

...

When government seeks to regulate speech in a public forum based on the content of the speech, it “must show that its regulation is necessary to serve a compelling state interest and that it is narrowly drawn to achieve that end.” ... Even a content-neutral regulation of speech in a public forum may survive constitutional scrutiny only if it is “narrowly tailored to serve a significant government interest, and leave[s] open ample alternative channels of communication.” *Id.*

...

¶ 16 We need not try to reconcile these precedents, however, because even if we assume the prohibition added to the Phoenix ordinance in 2003 is content-neutral, it cannot survive constitutional scrutiny. Under the First Amendment, the government may impose a content-neutral restriction on protected speech in a public forum only if the regulation is “narrowly tailored to serve a significant government interest, and leave[s] open ample alternative channels of communication.” *Perry*, 460 U.S. at 45. We conclude the provision under which the defendants were cited fails that test because it is not narrowly tailored to serve a significant government interest.

...

CONCLUSION

¶ 26 For the reasons stated, we hold subsection (B)(4) of P.C.C. § 23–7, which prohibits certain vocal solicitations in any public area between sunset and sunrise, is unconstitutionally overbroad. We therefore reverse the defendants’ convictions.

..."

<https://caselaw.findlaw.com/az-court-of-appeals/1580052.html>

United States Court of Appeals, Sixth Circuit.

James SPEET and Ernest Sims, Plaintiffs–Appellees, v. Bill SCHUETTE, Defendant–Appellant.

No. 12–2213.

Decided: August 14, 2013

"This appeal involves a facial challenge to the constitutionality, under the First and Fourteenth Amendments to the United States Constitution, of a Michigan statute that criminalizes begging. This appeal poses two issues. The first issue is whether begging is a form of solicitation that the First Amendment protects. We hold that it is. The second issue is whether, as the district court concluded, the statute violates—on its face—the First Amendment. We agree with the district court that it does. Michigan's anti-begging statute cannot withstand facial attack because it prohibits a substantial amount of solicitation, an activity that the First Amendment protects, but allows other solicitation based on content. Therefore, we AFFIRM the district court's judgment.

...

"[w]hen a statute fails to define a term, we will construe it 'according to its common and approved usage.' " *Jennings v. Southwood*, 446 Mich. 125, 521 N.W.2d 230, 237 (Mich.1994) (quoting *State ex rel. Wayne Cnty. Prosecutor v. Levenburg*, 406 Mich. 455, 280 N.W.2d 810, 812 (1979)... "resort[ing] to the standard dictionary definition is an appropriate means of determining [a term's] common and approved usage." *Shinkle v. Shinkle*, 255 Mich.App. 221, 663 N.W.2d 481, 485 (Mich.Ct.App.2003) (citing *Horace v. Pontiac*, 456 Mich. 744, 575 N.W.2d 762, 767 (1998)). ...

...

While the United States Supreme Court has not, as Michigan correctly points out in its briefs, directly decided the question of whether the First Amendment protects soliciting alms when done by an individual, the Court has held—repeatedly—that the First Amendment protects charitable solicitation performed by organizations.

...

After summarizing its relevant cases, the Court held that its "[p]rior authorities, therefore, clearly establish that charitable appeals for funds, on the street or door to door, involve a variety of speech interests—communication of information, the dissemination and propagation of views and ideas, and the advocacy of causes—that are within the protection of the First Amendment." *Id.* at 632.

The Court has repeatedly reaffirmed *Schaumburg's* holding that the First Amendment protects charitable solicitation. In 1984, the Court observed that *Schaumburg* had determined that "charitable solicitations are so intertwined with speech that they are entitled to the protection of the First Amendment." *Joseph H. Munson Co.*, 467 U.S. at 959. Then, in 1988, the Court reiterated that *Schaumburg* and *Munson*, "teach that the solicitation of charitable contributions is protected speech[.]" *Riley v. Nat'l Fed'n of the Blind of N.C., Inc.*, 487 U.S. 781, 789, 108 S.Ct. 2667, 101 L.Ed.2d 669 (1988). In 1990, in *United States v. Kokinda*, 497 U.S. 720, 110 S.Ct. 3115, 111 L.Ed.2d 571 (1990) (plurality opinion), while the Court held constitutional, as applied, a United States Postal Service regulation prohibiting the solicitation of alms and contributions on postal premises, the Court also stated that "

_____. Thus, the First Amendment protects charitable solicitation performed by organizations. But does the First Amendment protect the solicitation of alms when performed by an individual not affiliated with a group? We hold that it does.

...

there is no "legally justifiable distinction" between "begging for one's self and solicitation by organized charities." *Young*, 903 F.2d at 164 (Meskill, J., dissenting)

...

Thus, sustaining the facial challenge in this case is appropriate because the risk exists that, if left on the books, the statute would chill a substantial amount of activity protected by the First Amendment. We must provide "this expansive remedy" because "the threat of enforcement of an overbroad law may deter or 'chill' constitutionally protected speech"—especially where, as here, "the overbroad statute imposes criminal sanctions." *Hicks*, 539 U.S. at 119 (citing *Schaumburg*, 444 U.S. at 634; *Bates v. State Bar of Ariz.*, 433 U.S. 350, 380, 97 S.Ct. 2691, 53 L.Ed.2d 810 (1977); *NAACP v. Button*, 371 U.S. 415, 433, 83 S.Ct. 328, 9 L.Ed.2d 405 (1963)). The reason for this is that "free expression may be inhibited almost as easily by the potential or threatened use of power as by the actual exercise of that power." *N.Y. State Club*, 487 U.S. at 11 (citing *Thornhill v. Alabama*, 310 U.S. 88, 97–98, 60 S.Ct. 736, 84 L.Ed. 1093 (1940)). We are concerned that "[m]any persons, rather than undertake the considerable burden (and sometimes risk) of vindicating their rights through case-by-case litigation, will choose simply to abstain from protected speech, harming not only themselves but society as a whole, which is deprived of an uninhibited marketplace of ideas." *Hicks*, 539 U.S. at 119 (citation omitted). Thus "[o]verbreadth adjudication, by suspending all enforcement of an overinclusive law, reduces these social costs caused by the withholding of protected speech." *Id.* As long as "the statute remains available to the

State the threat of prosecutions of protected expression is a real and substantial one." Dombrowski v. Pfister, 380 U.S. 479, 494, 85 S.Ct. 1116, 14 L.Ed.2d 22 (1965).

...

Because the anti-begging ordinance violates the First Amendment in banning a substantial amount of activity that the First Amendment protects, we AFFIRM the district court's judgment. We need not, and so do not, consider whether the ordinance violates the Fourteenth Amendment.

..."

<https://caselaw.findlaw.com/us-6th-circuit/1641799.html>

"Sec. 19-153. - Soliciting employment, business or contributions.

No person shall stand on a street or highway and solicit, or attempt to solicit, employment, business or contributions from the occupant of any vehicle.

(Ord. No. 86.45, 7-10-86; O2019.22 , § 1, 8-15-19)"

https://library.municode.com/az/tempe/codes/city_code?nodeId=CH19MOVEMUTR_ARTXIIIRIDUPEHUPOVEOP_S19-153SOEMBUCO

IN CONCLUSION, without "probable" evidence to show some actual or "probable" harm or threat to the equal individual rights of another Human Being, caused by "intent or inexcusable neglect" of the accused suspect, in violation of valid criminal "Law of the Land", there can be no "Lawful" searches or seizures or "criminal prosecutions"; Therefore, even if it was not a basic "right" of "free speech" to "solicit" for donations for ones self, or a charitable organization or group, as these US and State Courts have decided it is, then it still would be "to the Contrary" of these "fundamental principles" of "the common law" and "the supreme Law of the Land" here in the U.S. such as "probable cause" and the very "Purpose of government", three elements to a "crime" (see "Corpus Delicti Doctrine" in U.S. Supreme Court), so no matter what, to punish one of "We the People" who "ordain and establish" "the supreme Law of the Land" "in order to... establish Justice... and secure the Blessings of Liberty to ourselves and our Posterity", just for "disobeying" "orders" or "legislation" from our Hired "Public Servants" like in this example, just for soliciting for donations for ones self from passing vehicles (without committing any actual "crime" such as "harrassment" or "obstruction" or "threatening", or "deprivation of rights under color of law" such as this, under USC 18-241, 242, 42-1983 thru 1988, etc.).

[Signature, Printed Name of Claimant, Date Signed]

Subscribed and affirmed to before me, _____, a Notary Public, this _____ day of _____, _____, that the above-named man/woman did appear before me, and proved to be the man/woman executing this document.

_____, Notary Public My commission expires: _____
