

## About grand Juries? – Carl Swensson

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Att: Fellow Patriots

Being the recipient of many Emails that reflect a growing unease and purposefully staying out of the mix, I thought now would be a good time to discuss the missing ingredient in the Grand Jury equation and how the time has come to add action to the efforts of those who believe in the idea of the Common Law Grand Jury. Let me explain.

*Response by Judge Paul Nally 9-28-2015*

*First, permit me to explain the nature of law as we and other Common Law countries practiced it through the ages.*

*The ancient Common Law was first predicated upon commonly accepted customs and usages. Then it became modified by a contract know as the Magna Carta. In that document was the seed of the grand jury in Paragraph 61 (I think it was) in which there was established The Twenty-five Knights.*

*From there the Jury system evolved in favor over the old trial by combat.*

*As a part of the evolution of the jury system, first came the calling together of a group of citizens to act as accusers, giving the Crown not only of their work and deeds, but of their knowledge as well. Eventually, these accusing juries ran into prickly political problems and finally made plain to the courts that they would hear the evidence in public, but they would retire in private to discuss and decide on the evidence; then they would return their Majority decision to the court. That way, if the court didn't like their decision, then it would not know whom to punish.*

*At about that same time in the evolution, jurors began to understand that by voting a "not guilty" was tantamount to invalidating a law, or at least, nullifying its effect upon a particular individual or case.*

*In the Common Law courts of old, judges did not rely upon decrees of kings alone. They went back into the case law seeking some case which addressed the precise set of circumstances which faced them or so near to the present situation that they could understand how a prior court handled the matter and use that as a guide. These former decisions usually relied on royal decrees, and the customs and usages of the former days. If nothing could be found, then knowledgeable common sense would be substituted.*

*When this Nation was being populated, the vast majority of our laws were still handled in line with the Common Law. But our Founders understood the nature of this new government could work better if it were based upon the well settled concepts as those found in what had evolved by this time as contract law, as those instruments were very precisely worded and left little room, if any at all, for someone to wiggle out from under the Rule of the Law set forth in the contract. That is why all governmental agencies today are referred to as bodies "corporate and politic"*

*One of the most admired jewels of the Common Law, indispensable to the protection of what liberties the old country citizens enjoyed was the Grand Jury with its, by then, virtual autonomy from the crown.*

*But rather than leave it as an entity of the Common Law, subject to whelm of judges, they made it a part of the statutory law in the Constitution. Not only that, but they made it an absolutely independent entity of government with oversight of the check and balance powers of the other three branches making the other three subservient to their inquisitorial power, both civil and criminal.*

*The Grand Jury today, in this Nation, is no longer a creator of the Common Law but of hard and fast written Statutory law with its duties and responsibilities plainly written out so that they may not change with the passage of time ... unless the Constitution is amended! There is a very real and present constant danger!*

*So, for a "Grand Jury" to have officially recognized and sanctioned power, enforceable by these governments of these 50 states and this Nation, it must be instituted in accordance with the written state constitutions which authorize it, and written statutes which proved for its procedure and provide for its almost 400 year old oath.*

*It might interest you to know that the only time a grand jury can be held to answer in any other court of law is in the event they themselves violate some valid privilege whether established in the statutes, constitutions, or even in the Common law. Otherwise, in the proper performance of their duties they answer to none ... yet all answer to them!*

*One other thing to keep in mind, too, is that not every state's constitution makes full use of the grand jury power (though Georgia's constitution and statutes do), so one must understand his own state's constitution.*

There's a pattern within the Judiciary to flatly ignore the vast majority of filings coming out of Nationally organized Grand Juries. The blunt reason for this is contained in the ruling I have attached which was received by me, by mail, just a couple of days after it being recorded. It establishes the precedence for the entire Judicial system of injustice. The infrequent positive response they will occasionally throw you never results in any meaningful action.

*The reason the judiciary ignores the filings which come out of the **"common law grand juries"** is due to the fact that they do not come from a statutorily authorized governmental body. That said, however, there is a way, in Georgia anyway, to get such before a "court of competent jurisdiction".*

*That procedure only requires a representative of a **"common law grand jury"** to petition the foreman of a grand jury to present their findings to that body!*

*Under Georgia's Constitution and statutes, the Grand Jury is an autonomous Ex Parte Court of Inquiry ... and no, you'll not find that in Ga. Const., Art. VI! You will find it in Ga. Const., Art I,*

*sec. I, par. XI, if you understand how to read the language precisely, and then you'll understand its autonomy, along with the depth, breathe, the sheer magnitude of its power, as well.*

You will notice, however, that Chief Justice (yech) Royce Lamberth admits to the constitutionality of such grand juries but relies upon the rules of civil and criminal procedure to dismiss these presentments and or indictments. Many are in possession of this document but choose to ignore its content and significance. For that reason I have sought, for well over three years, the remedy for this bottleneck.

*Now, the problem with that paragraph seems to be **“going to the judge”** in the first place. In federal courts, as in Georgia, getting to the grand jury is as simple as a written letter, or a more formally drafted petition to the Grand Jury Foreman, placed in the hands of an Assistant US Attorney and telling him you wish that to be presented to the Grand Jury and to be notified of the date and time for you to appear. He has a mandated duty under federal law to present your matter to the Grand Jury! To hell with trying to run a criminal prosecution by any federal judge!*

***They do not control a grand jury!***

*And in Georgia, you have the right to bypass the AUSA, District Attorney, and Superior Court Judge as well and deliver your petition directly to the Grand Jury Foreman under Federal and State Constitutions and Law. **Of course, if the AUSA gets wind of it he may try to subvert it, but he'll be in violation of his oath (a felony) if he does.***

Here's the way your efforts, if structured properly can be made to work.

**First:** Use the one to four delegates on file in many American counties to assemble a Grand Jury in the fashion described by Mr. Lamberth and easily discerned from reading how the early Grand Juries were formed.

**Second:** Make the first one completed about the lowest hanging fruit you can find in the government structure.

**Third:** Do your best to make allies in the local press (a very tall order).

**Fourth:** Give the court or Judge a 40 day time frame in which to respond.

Once having done your due diligence and the date to respond goes by with no response. Make contact with the National enforcement arm that is currently being formed for the purpose of going to locations most anywhere in the continental United States of America for the purpose of forcing the elected and/or appointed individuals served either to do as they are commanded or suffer the arrest that must follow for misprision of Felony. Do not waste your time with petty misdemeanor crimes. The National enforcement arm will then come to your aide in numbers sufficient to assure successful compliance with your presentments.

*Here, I must disagree. The reason is simply that if a public official, subject to an official oath of office commits a misdemeanor act; he commits a violation of his official oath of office also. In*

*every jurisdiction with which I'm familiar, that is a felony act committed at the same time. However, check the local laws.*

Keep in mind that careful scrutiny will be exercised by the enforcement arm to assure that all due diligence has been done and that the call is a valid claim. If the criteria is met, large numbers will descend upon the jurisdiction affected and will be led by those who know how to get the desired results.

If the leadership of the NLA is willing to work with us we will be able to include members of that group in the enforcement action. We will not be limited to just the actions of the Grand Juries since many Judicial crimes can be documented and acted upon by individuals. Just remember this. If the case is actionable, we will take action in a form and fashion conducive to successful resolution.

I am, in no way, disparaging the efforts of all of you fine Patriots. Rather, I/we are establishing this group to be the force multiplier you've all been waiting for.

*Nor do I.*

*It is admirable that any group of members of the Board of Directors of these bodies corporate and politic, either the State of Georgia or of the United States of America, would get off their fannies and mind the business of their **public servants (employees of the Board of Directors)**. After all, it was Pericles some 2500 years ago in the democracy of Athens who said, "The man who does not mind the business of his government, is a man who does not mind his own business!"*

In closing, if you are tired of beating your heads against the wall again and again, expecting different results, why not be a part of... a complimentary part of your efforts to truly affect the change you embarked on, by being a part of this new National group. We too grew tired and have now made the modifications necessary to return this union to one of laws and not men. Let us now work together, in numbers that can no longer be ignored, to be that change.

Email or call me at 678-438-6138 so we can begin to draw all such noble efforts together. Egocentrics please do not waste our time for the only leadership comes from the actions of a unified voice in the spirit of 1776.

It wasn't easy then and it damn sure won't be easy now but it is within our grasp. What say ye?

Sincerely,  
Carl -Alfred Swensson

9-28-2015 by Judge Paul Nally

The Madison Forum, the Canton TEA Party and I think the Spartacus Legal will be hosting a Grand Jury seminar of a couple of hours with a spaghetti dinner on Oct 10<sup>th</sup> . \$10 I think .