IN THE SUPREME COURT OF OHIO

JQ SOLUTIONS

relator

VS.

STATE OF OHIO
Licences and permits et. Al

respondent

ORIGINAL ACTION

SUPREME COURT OF OHIO

10-0313

NOTICE OF ORIGINAL ACTION IN PROHIBITION BY JQ SOLUTIONS

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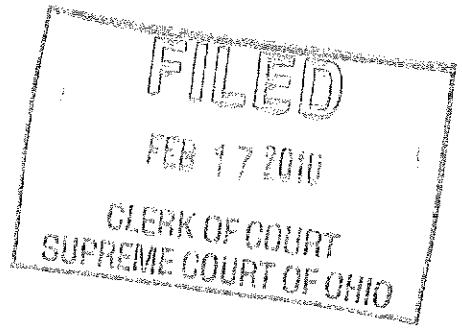

STATE OF OHIO
OHIO ATTORNEY GENERAL OFFICE
30.E. BROAD ST. 17TH FLR.
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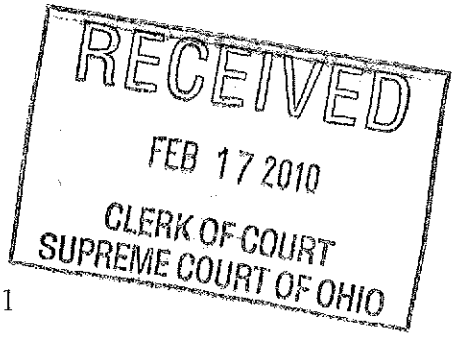
COUNCIL FOR RESPONDENT- ASSISTANT ATTORNEY FOR THE STATE



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Proposition of Law No.1
First Amendment of the Constitution of the United States
Freedom of speech-neutral , reasonable,and non-punishable

Proposition of Law No.2
Constitutional Law of the US Supreme Court
Article VI " Supremacy Clause"
States must follow federal laws and US Supreme Court decisions

Proposition of Law No. 3
14th Amendment to the Constitution of the United States
Equal Protection of the federal laws when law is for some, not all

PROPOSITIONS OF AUTHORITIES

US Supreme Court rulings
Speech related conduct
Non-public forum

1) (Perry Ed. v. Perry Local;US Supreme Court)
Gov't regulation of speech must be reasonable and view point neutral

2) (Bd of Co Com. Wabaunsee v. Umbehr ; US Supreme Court)
Independent contractors are protected from government retaliation for Exercising their free speech rights

3) (Sckenck v. Pro Choice ; US Supreme Court)
A " Floating buffer zone " exist. limitations on speech are struck down as Burdening more speech that neccessary

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EXPLANATION OF WHY THIS CASE IS OF GREAT PUBLIC INTEREST AND INVOKES A SUBSTANSIAL U.S. CONTITUTIONAL QUESTION

The free speech of Ohio and US Citizens overall is a fundamental right handed down to us from the Continental Congress 200+ years ago. The precious metals dealers permit attempts to limit speech in business affairs of Ohio brokers, , wholesalers, retailers and any contract drawn up of gold , silver, diamonds and other precious metals and gems BY DEFINING THEM AS A PRECIOUS METAL DEALER FOR CONSIGNMENT OF A EXTRA 300 USD. TO THE FINANCIAL DIVISION OF OHIO. This limits their ability to conduct business over the phone, the street, any establishment, or in a nonpublic private way by labeling the freedom of speech as a special interest group. Conversation is a medium of advertisement for ones business and assumed to be reasonable communication at large FOR WHOLESALE TRADE alone without fur ther classification thru freedoms of speech The permit attempts to limit speech by funding consignments or compliance penalties by associating the right to speak within the definition of a precious metal dealer. The definition in the Ohio revised code, Title [47] XLVII Occupations-Professions-chapter 4728.01 indicates a presious metals dealer is one who talks of precious metals over the phone or advertises in any manner thru freedom of speech or freedom of the press that he must pay the state by bending to the title precious metals dealer for 300.00 or be considered non-compliant punishable for speech or

press within the country... THE Definition IF, IN ANY MANNER, or form of advertisement or solicitation is a violation of free speech and freedom of the press equal protections of federal law to gain funding by the nature of the definition . labeling an action protected by law with a permit funding opportunity- can be considered a illegality to the constitutional rights of Ohio citizens in business affairs. Federal law violations are parallel with the objectivity of payment to speak of metals and minerals in Ohio which can be punishable by imprisonment for a lack of compliance at the state level in Ohio. Revenues as a objective to infringe on businessmen free speech rights+ with excessive overbreath on wholesale trade,import-export business sales is an impropriety PERSUANT TO LAWS OVER THE STATE GOVERNMENTS

The permit is privately intrusive on the rights of citizenship as a nation and must be addressed in the Supreme Court original action as to the validity and removal of the precious metals dealers permit of Ohio in the interest of its business class citizen fundamental rights and equal protection of rights when the state law is special interest. We believe a sub –license to whiolesale trade should not be based on issues of fundamental rights to sppech or freedom of press in which the 14th amendment concludes equal protections of federal rulings on these subjects at the lower state governments policies and court procedures

EXHIBIT A

Chapter 4728: PRECIOUS METALS DEALERS

4728.01 Precious metals dealer definitions.

As used in this chapter:

(A) "Precious metals dealer" means a person who is engaged in the business of purchasing articles made of or containing gold, silver, platinum, or other precious metals or jewels of any description if, in any manner, including any form of advertisement or solicitation of customers, the person holds himself, herself, or itself out to the public as willing to purchase such articles.

DO I NEED A PERMIT TO BUY JEWE LRY FOR MY WIFE OR MYSELF ...IF A BUSINRSS OWNER IN WHOLESALE TRADE ?

WILL I BE PROCECUTED AS A PRECIOUS METAL DEALER BY HOLDING A LICENSE IN A DIFFERENT OCCUPATIONAL CODE FOR SPEAKING OF A PURCHASE AS A CONSUMER OF A SMALL PERSONAL NATURE WITH A BUSINESS OWNERSHIP OF MY OWN ?

IS NOT MY FREEDOM OF SPEECH VIOLATED AT A PERSONAL LEVEL EVEN THOUGH I OWN A BUSINESS MYSELF

STATEMENT OF FACT

___The First Amendment to the Constitution of the United States allows unrestricted Free speech including, but not limited too, transmission thru mechanical devices as a fundamental right. This is what the continental congress implied in its doctrine. Chapter 4728.01 (A) "Precious metals dealer" means a person who is engaged in the business of purchasing articles made of or containing gold, silver, platinum, or other precious metals or jewels of any description **if, in any manner, including any form of advertisement or solicitation of customers**, the person holds himself, herself, or itself out to the public as willing to purchase such articles.

This format indicates a punishment is entitled if restriction of fundamental rights of Americans to talk aloud is not observed.- Observance of federal Constitutional Law is mandated by the Judical Branch of the government known as the U.S. Supreme court via Article VI, the Supremacy Clause, to the lower state courts that the Constitutional rights of U.S. Citizens are not restricted by law and cannot be averted at the state level in any format or documentation limiting free speech unless under punishable speech precedence decisions at the U.S. Supreme court level. Free speech over the phone or with business personnel cannot be controlled by the state as it is categorized as a non public forum in most closed business affairs for wholesale trade personnel. A resolve to restrict free speech when the contents of speech is not harmful and is reasonable while remaining neutral is illegal in the private and business sector.

a unlawful permit due to the profound nature of these violations of fundamental rights. Make the permit invalid

ARGUMENT

Proposition of Law No.1

First Amendment to the Constitution of the United States of America
Viewed in Washington D.C at the Capital Building
Federal constitutional law-
Amendment One-Free Speech

Proposition of law No. 2

U.S Supreme Court " Supremacy Clause"
Article VI-

1. State courts must follow federal law
2. Constitution takes precedence over federal laws, treaties, and state laws

Proposition of law N.3

14th amendment to the Constitution of the United States

Equal protection of the laws when the law s are just for some

Free speech is not to be the premise for fees by the states or in the precious metals dealers permit of Ohio which indicates it is uulawful to speak of precious metals or gems without payment of 300.00usd to the state of Ohio. This closely resembles an attempt to re-capture lost revenues at the state level thru disregard of equal protection rights when the law is designed for some, not all (14th amendment).

The permit says that compliance is necessary in Ohio business law . It is based on noncompliance with the federal government doctrine of what harmless, neutral, and non-punishable speech details under first amendment fundamental rights supreme court decisions.

Free speech over the phone or with business personnel cannot be controlled by the state as it is categorized as a non public forum. LICENSES AND PERMIT FUNDS CANNOT BE A RESOLVE TO RESTRICT FREE SPEECH WHEN THE CONTENTS OF SPEECH IS NOT HARMFUL TO OTHERS AND IS REASONABLE WHILE REMIANING NEUTRAL IN A CONVERSATION OF GOLD AND DIAMONDS IMPLIED IN PROPRIETARY RETIAL, WHOLESALE, CONTRACTUAL, PAWNBROKERING, OR BROKER BUSINRSS AFFIARS (First Amendment). THE RIGHT TO DO BUSINESS OVER THE PHONE OR IN A PRIVATE MANNER IS NOT A VIOLATION OF FUNDAMENTAL RIGHTS IN THE UNITED STATES, NOR CAN IT BE AT THE STATE LEVEL IN OHIO WITH THIS DEALERS PERMIT CONTENT (Supremacy Clause).

Constitutional fundamental rights indicates infringement by the permit on the supremacy of the freedom of speech we ,as US citizens , readily cherish as law governing over the people as a nation state. It attempts to regard our fundamental rights as a fund generation mechanism for lost revenues at the state level. The strict scrutiny rules are obviously in need while determination of compliance in Ohio is addressed. Previous federal rulings must be a Concideration. The entire permit is a

invalid document as it stands in the past and present day format due to vilolation of fundamental civilian rights

We are not to tolerate extortion by the state thru licenses and permits by violations of fundamental constitutional rights all US citizens share under equal protections of federal law within the text of this document. These laws are unabridged and connected to the state's obligation to Ohio business owners thru article VI Supremacy Clause of constitutional law as Supreme Court doctrine.. Ohio business owners or its citizens are not to be held hostage of non-compliance because of non purchase of permit when violations of compliance at the federal level exist retroactively against said permit Failure to obtain permission to speak over the phone should not be a concern of Ohio business owners in the course of making a living and paying taxes. The permit is frivolous ,is retaliation ,is unreasonable, is punishable without justification at the federal level. The permit encroaches on neutrality. Encourages disregard of federal speech litigation connecting the state to the federal laws. The permit is overbearance and overbreath with regard to " floating buffer zone " litigation indicating that limitations are struck down as burdening more speech than necessary in civilian life (Schenk v. Pro Choice)

A precious metals and gems broker, wholesaler, retailer, or pawnbroker can be considered a private contractor providing goods in business whether a Sole Proprietor, LLC, or Corperation when their specialality fall under gold and diamond exchange for another requiring this permit. Threats of imprisonment by state authorities is criminal as these business entities parallel contractors legislation

of retaliation for free speech as sited in the statement of facts) that government retaliation is illegal for exercising their free speech rights

(Bd of Co Com. Wabaunsee v.Umbehr)

14th amendment indicates equal protection of fundamental rights- thru strict scrutiny of law where law affects some and infringement occurs, as here in freedom of speech in Ohio of precious metals and gems, The law is generally stuck down. The permit violates the compliance laws of the federal government and calls for compliance from its Ohio citizens falsely as a matter of law with unfair consequences if not met. The permit is a invalid document at the federal level and cannot be expected to be considered a legally binding permit in ohio since its conception.

A NON LEGAL DOCUMENT AT THE FEDERAL LEVEL IS IN EFFECT IN OHIO AGAINST ITS CITIZENS

basically, your telling me I have to pay 300 usd to the state to talk over the phone or in any manner. This is unexceptable when it encroaches on no one and not punishable per free speech legislation . It collaborates abuse of Ohio citizens in business associated with precious metals and gems and must be struck down as a compliance law in permit form

CONCLUSION

___My wholesale company, in support of wholesalers, retailers, brokers, and individuals involved in the exchange of gold and diamonds.

Petition this court to remove and repeel the precious metals dealers permit immediately as a invalid US Constitutional document in Ohio since its conception. The Supremacy Clause and federal litigation from prior rulings voiding the permit definitions of dealer -outway any state argument to the contrary. The jurisdiction is clearly a matter of fundamentals v the state allocation of revenue compliance. *The permit has been proven here to be void in prior business affairs due to illegal content contradicting federal law and litigation of non punishable speech*

In the event of mitigation,only these illegalities of non conforming content are removed ,due to the nature of the non-constitutional content at the federal level, we conclude that a retroactive non compliance exist with the first amendment and require a vote of invalid documentation relieving the Ohio citizen of any and all burden associated with state level non-compliance issues by its citizens. Upon removal or repeel of inappropriate text within the permit, citizens theright to enforce any and all contracts drawn up as if the permit did not exist the entire time retroactively without criminal prosecution and to be held harmless for free speech associated with precious metals and precious gems past, ,present, and future

Protected rights ,harmlessness ,neutral , buffered, reasonable, fundamental to business, non-punishable speech is the result of the removal of the precious metal dealers permit totally or revision of contents thereof.

THE COMPLETE DOCUMENT IS GROSSLY NEGLIGENT OF OHIO CITIZENS RIGHTS INSIDE AND OUTSIDE THE STATE OF OHIO TO SPEAK OF GOLD,SILVER, DIAMONDS ON THE PHONE, OB THE STREET AND ON BUSINESS DOCUMENTATION.

THIS NULLIFYS THIS PERMIT IN PRIOR BUSINESS AFFIARS FEDERALLY. THE DEALERS OF OHIO WILL NOT ENCUMBER NON-COMPLIANCE ACTIVITY FROM A DOCUMENT WHICH IS NON COMPLIANT WITH FEDERAL LAW ITSELF OVER 50 SUCH STATES. THE ACTION REQUESTED IS <u>REPEEL OF THE ENTIRE PRECIOUS METALS DEALERS PERMIT</u> ON THE GROUNDS OF FUNDIMENTAL RIGHTS VIOLATIONS. REPEEL OR CHANGE TO COMPLY WITH FEDERAL LAW, IN ANY MANNER, FREES OHIO CITIZENS FROM CRIMINAL INTENT IN THE NATURE OF THE TEXT.,

WE ASK ANY AND ALL TELLECOMMUNICATIONS AND DOCUMENTS DRAWN UP BECOME FREE OF NON-COMPLIANCE SCRUTINY AT THE STATE LEVEL IN OHIO OR ABROAD AFTER REPEEL OR CHANGE TO THE TEXT IN THE PERMIT

WE ASK THE SUPREME COURT OF OHIO TO VOLUNTARILY BRING THE PRECIOUS METALS DEALERS PERMIT OF OHIO INTO

OBSERVANCE AND GUIDELINES OF FEDERAL LAW BY FIRST REPEELING THE DOCUMENT DUE TO THE PROFOUND NATURE OF THE VIOLATION, THEN REINSTATING THE DOCUMENT IF FOUND APPROPRIATE TO AQUIRE A NEW SENSE OF FEDERAL PROVISION WHICH SHOULD HAVE BEEN IN PLACE FROM ITS CONCEPTION. THIS IS IN RESPECT OF FEDERAL LAWS AS AFOUND ACT OF EMANCIPATION OF AN

Respectively submitted

Mark Johnson CEO,
JQ Solutions
Self Represented Council

By: _____
MARK JOHNSON CEO
J.Q. SOLUTIONS

Ccertificate of Service

I certify that a copy of this memorandum in support of jurisdiction was sent by ordinary U.S. mail to council for the State at

OHIO ATTORNEY GENERAL OFFICE
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COLUMBUS OHIO
43215

IN THE SUPREME COURT OF OHIO

AFFLIDAVIT IN SUPPORT OF ORIGINAL ACTION

I MARK JOHNSON CEO,

JQ SOLUTIONS CO.

RESIDING AT 2797 BANNNG RD. CINCINNATI ,OHIO 45239,

BEING FIRST DULY SWORN AND OF SOUND BODY AND MIND STATE AS FOLLOWS..... I AM THE RELATOR TO THE CASE AND STATEMENT OF FACTS IN THE PREVIOUS TEXT AND HAVE PERSONAL KNOWLEDGE OF THE VIOLATIONS OF FUNDAMENTAL RIGHTS AGIANST U.S. CONSTITUTIONAL LAW IN THE PRECIOUS METALS DEALERS PERMIT OF OHIO, BY IMPLIED TERMS, "IN ANY MANNER" THEREBY A VIOLATION OF LAW AND NON-COMPLIANCE WITH THE FEDERAL STATUES GOVERNING OVER THE STATE OF OHIO. NON-COMPLIANCE TO FEDERAL LAW. THE VIOLATION OF FEDERAL LAW IN THE DEFINITION IS SO PROFOUND IT DEEMS THE ENTIRE DOCUMENT VOID, INVALID AND WITHOUT REGARD FROM ALL PREVIOUS BUSINESS ARRANGEMENTS WHERE THE PERMIT WAS REQUIRED AS IF IT NEVER EXISTED BEFORE THIS DATE PERSUANT TO FEDERAL NON PUNISHABLE FREEDOM OF SPEECH AND FREEDOM OF PRESS LITIGATION.

SUBSCRIBED AND SWORN TO THIS DAY , FEBUARY 2, 2010

....

RELATOR MARK JOHNSON NOTARY EXPIRE DATE

NOTARY PUBLIC STATE OF OHIO

EMMANUEL ANAGNOSTOU
Notary Public, State of Ohio
My Commission Expires
April 12, 2014