

ORIGINAL

IN THE SUPREME COURT OHIO

Carlean Dates, sui juris in propria persona : Case No.2015-0238  
c/o Hazelhurst Drive :  
Cincinnati, Ohio [45208] :

Petitioner, :

vs. :

FILED  
JUN 08 2015  
CLERK OF COURT  
SUPREME COURT OF OHIO

OHIO FIRST APPELLATE COURT OF APPEALS :  
Lee H. Hildebrandt Jr. (Judge), :  
Patrick F. Fischer (Judge), :  
Patrick T. Dinkelacker (Judge), :  
Penelope R. Cunningham (Judge), :  
Richard P. DeWine (Judge) :  
Sylvia S. Hendon (Judge) :  
230 East Ninth Street 12th Floor :  
Cincinnati, Ohio 45202 :

SWORN RESPONSE BY Carlean Dates  
TO RESPONDENT'S MOTION TO  
STRIKE Carlean Dates DEMAND FOR  
RECONSIDERATION

and :

CARPENTER, LIPPS & LELAND LLP :  
David A. Wallace :  
280 Plaza Suite 1300 :  
280 North High Street :  
Columbus, Ohio 43215 :

Respondent :

SWORN RESPONSE TO RESPONDENT'S MOTION TO  
STRIKE MOTION FOR RECONSIDERATION

Now Comes, Carlean Dates, sui juris living woman sentient being, de jure indigenous of the  
land, having no corporate status under penalty of perjury and my unlimited commercial liability  
and I have reserved my rights and am reserving my rights pursuant to UCC 1-308 and respond to  
Respondent's Motion to strike which is stated below in My Sworn Memorandum In Facts and

law  
*Carlean Dates*

Carlean Dates Sui Juris

RECEIVED  
JUN 08 2015  
CLERK OF COURT  
SUPREME COURT OF OHIO

## MEMORANDUM IN FACTS AND LAW

### I. INTRODUCTION

1. I, Carlean Dates am not a lawyer or an employee of the UNITED STATES. I have not made and Oath to Uphold the Constitution of the UNITED STATES and OHIO. I deal in facts and law and have a right to a common law proceeding.
2. The definition of law- God's law (whether you believe in God or not) is to do no harm to others or their property. This is the basic definition of law. It is also the definition of freedom, for all men are free under God's law in the United States of America until the point where we break that law. You cannot break the law unless there is a living victim for which you do harm, or do harm to their property. I have done no harm to a sentient being
3. The definition of legal- The word legal or illegal is a corporate term used to represent a state of being when related to statutes, rules, codes, mandates, and posted limits that are assigned to you by the UNITED STATES. While something can be unlawful, it can be legal. But remember, law always trumps legality. I demand to be heard under the law
4. ORC § 1703.01(C) - "State" means the United States; any state, territory, insular possession, or other political subdivision of the United States, including the District of Columbia; any foreign country whose political sovereignty is recognized by the United States; and any political subdivision of such foreign country.
5. 28 U.S. Code § 3002(15)(A)- "United States" means— (A) a Federal corporation, therefore the state of Ohio and its Court system is a corporation of the United States
6. There is no dispute that the Respondent is an Officer of the Court which is stated in the preamble of OHIO RULES OF PROFESSIONAL CONDUCT

7. That means once the Respondent entered my case the Respondent must follow the bylaws of the corporation are the Respondent is in violation of the corporate bylaws which are the statues, codes and ordinances which he is required to follow.
8. I have asked the Respondents only to follow the bylaws of its Corporation and give me his bond and oath.
9. Any act outside the bylaws of its Corporation is ultra-vires and outside its power. The Respondent has refused to give me his Oath and Bond which is outside his power to do.
10. The United States Codes and Ohio Revised Codes require the Officer of the Court to present his Oath and Bond when demanded

## II. FACTS AND LAW

### A. THE UNITED STATES AND OHIO REQUIRE OATH AND BOND

11. There is no dispute that the Respondent is an Officer of the Court
12. The constitutional oath of office is important enough that the first official act of Congress in 1789 set requirements for the oath in place. See I State. 23. The Constitution of the United States mandates a constitutional oath of office in Article VI, Clause 3.
13. The requirement for civil commissions is in Article 11 § 2 of the Constitution. Requirements for civil commissions were particularized in *Marbury v. Madison*, 5 U.S. 137, 2 L. Ed, 60, 1 Cranch 13 7 (1803), and *United States v. Le Baron*, 60 U. S. 73 (1856). Requirements for surety bonds arise from common law doctrine and statutory law. See particularly, 26 U.S.C. § 6803, 7101, 7102, & 7485, 26 CFR § 301 7101 1 & 301 7102 1 and 31 U.S.C. § 9303
14. ORC § 3.30. Failure to give bond deemed refusal of office - A person elected or appointed to an office who is required by law to give a bond or security previous to the

performance of the duties imposed on him by his office, who refuses or neglects to give such bond or furnish such security within the time and in the manner prescribed by law, and in all respects to qualify himself for the performance of such duties, is deemed to have refused to accept the office to which he was elected or appointed. Such office shall be considered vacant and shall be filled as provided by law.

15. ORC § 3.33. Depositories of official bonds must record them- Every officer, on receiving an official bond which by law is required to be filed or deposited with him, shall record it in a book to be kept by him for that purpose. A certified transcript of the record of such bond is conclusive evidence of such record, and prima facie evidence of the execution and existence of such bond.
16. ORC § 3.23. Oath of office of judges and other officers - The oath of office of each judge of a court of record shall be to support the constitution of the United States and the constitution of this state, to administer justice without respect to persons, and faithfully and impartially to discharge. and perform all the duties incumbent on him as such judge, according to the best of his ability and understanding. The oath of office of every other officer, deputy, or clerk shall be to support the constitution of the United States and the constitution of this state, and faithfully to discharge the duties of their office. There is many more but I will stop here
17. It is my understanding that a Freeman-on-the-Land who has lawfully revoked consent, does exist free of statutory restrictions, obligations, and limitations
18. It is my understanding that I, Carlean: Dates, as a Freeman-on-the-Land, acting peacefully within community standards, would not in that capacity breach the peace nor act contrary to Common Law

19. It is my understanding that the Law provides remedy at all times, even against rogue or negligent peace officers and de facto governments apparently hijacked by soulless corporate interest
  20. It is my understanding that the courts in the United States are de facto not de jure, and bound by the Law and Equity Acts, and are in fact in the profitable business of conducting, witnessing and facilitating the transactions of security interests
  21. I claim my unalienable natural right to Trial By Jury for any apparent or alleged transgressions on my part, including an unalienable natural right of Habeas Corpus, and these shall not under any circumstances be infringed
  22. I claim the right to occupy and steward any vacant land within the geographical region of North America.
  23. I claim the right to utilize the corporate trust CARLEAN DATES, created for me by government, for my sole enrichment as I deem necessary.
  24. I claim the law of agent and principal applies and that service upon one is service upon both.
  25. Therefore be it now known to any and all concerned and affected parties, that I, Carlean: Dates Indigenous and Freeman-on-the-Land do hereby state clearly specifically and unequivocally my intent to peacefully and lawfully exist free of all statutory obligations and restrictions, and maintain all rights in law to trade, exchange or barter and exist without deceptive governance and to do so without limitations, restrictions or regulations created by others without my consent.
- B. ATTORNEY OF RECORD WAS SERVE
26. Attorneys are bound by the OHIO RULES OF PROFESSIONAL CONDUCT



Carlean Date, and gave evidence to fact that this is the person  
appearing before the Notary Public Adam Pumphrey.

Adam Pumphrey  
Notary Public

6/3/15  
Date

Seal

My commission expires 3-19-2020.



**CERTIFICATE OF SERVICE**

On 3 day of, June, 2015, the undersigned, served a copy of  
the foregoing by U.S. MAIL to the following parties:

**CARPENTER, LIPPS & LELAND LLP**  
c/o Michael H. Carpenter  
280 PLAZA SUITE 1300  
280 NORTH HIGH STREET  
COLUMBUS, OHIO 43215  
Phone: (614) 365-4100  
Attorney(s) for Respondent

**Ohio First District Court of Appeals**  
c/o Brodi J. Conover  
Constitutional Offices Section  
30 East Broad Street 16<sup>th</sup> Floor  
Columbus, Ohio 43215

By: Carlean Dates  
Carlean Dates, living woman  
c/o 12062 Hazelhurst Drive  
Cincinnati, Ohio near [45240]  
non-domestic