

Complaint Dismissed in Indiana – Prosecution Withdraws

A big congrats to Dale in Indiana for taking a principled stand against the predators and getting a prosecutor to withdraw their false charges. Not only am I really grateful Dale sent me the documentary proof (during the show!), but he called into the show to give his first hand account of what happened in court.

Dale was accused of violating the code in Indiana. Dale defended against the accusation by challenging the prosecutor's foundational claim, that since Dale was physically in Indiana, the rules created by men and women called "government" apply to him. This is the basis of their claims of jurisdiction, the court's and police, and an essential element of the alleged code violation. Because no matter how much you believe otherwise, it's not possible to prove a rule was violated unless you prove it applies in the first place. Dale filed a discovery/Brady request with the motion to dismiss.

The prosecution offered to drop the charges if Dale complied with their rules. Dale didn't accept, he wanted the motion and discovery request addressed. The judge decided to give the prosecution thirty days to respond to the motion and provide the evidence requested. Again, this included evidence the constitution applied to Dale because he is physically in Indiana and the witness with personal knowledge of that evidence.

Instead of providing the evidence the prosecution said they needed thirty days to provide, they moved to dismiss. The motion as you can see, was granted.

MOTION TO DISMISS
HOBART CITY COURT
HOBART, INDIANA

FILED
IN OPEN COURT

DEC 14 2016

CAUSE NUMBER: 45H05-1608-IF-01179

TITLE OF CAUSE: STATE OF INDIANA VS. DALE VEATCH, JR. *W. J. Carter*
JUDGE HOBART CITY COURT

The activity of the Court should be summarized as follows on the Chronological Case Summary (CCS):

Comes now the State of Indiana, Bernard A. Carter, Prosecuting Attorney for the 31st Judicial Circuit, by and through his Deputy, Nancy E. Kinsella, and moves to dismiss this cause. Officer Cody has no objection.

PROSECUTING ATTORNEY *W. J. Carter*

OPPOSING COUNSEL:

(TO BE DESIGNATED BY THE COURT)

This CCS Entry Form shall be:

- ☐ Placed in the case file
☐ Discarded after entry on the CCS
☐ Mailed to all counsel by: _____ State _____ Clerk _____ Court
☐ There is no attached Order; or
☐ The Attached Order shall be placed in the RJO: _____ Yes _____ No

Date: _____

Approved: *W. J. Carter*
Judge/Magistrate/Pro Tempore

Certificate of Service

I hereby certify that on _____, 20____, service of a true and complete copy of the above and foregoing pleading or paper was made upon each party or attorney herein by mail in envelopes properly addressed to each of them and with sufficient first class postage affixed.

Why would it take thirty days to provide the evidence proving the constitution applied? Why couldn't she give Dale the name of her witness with personal knowledge of evidence proving the code applied? She didn't have it, it doesn't exist and she had to know that before she told the judge she needed thirty days to comply.

Why didn't she object to having to provide such discovery saying her claim the constitution applied doesn't require evidence, didn't need to be proven and is irrefutable so she wasn't required to provide any such evidence? Why not argue, as the critics do, that whether the constitution applied is a theoretical issue of law requiring no evidence? The prosecutor should have objected to anything that was not relevant discovery material.

As mentioned on the show, at no time did judge Longer rule that any of the discovery items were irrelevant. If asking for evidence the constitution and code apply and the witness with personal knowledge of such *are not legitimate* items of discovery, then the judge would have ruled that when giving the prosecution thirty days to respond. The judge was obviously aware of the discovery request, asking the prosecutor *twice* if they had read it, even suggesting to read it thoroughly.

Could the judge merely have overlooked the main parts of the discovery request? Not likely, but possible. If so, then the prosecutor would have objected to those parts that, as my critics constantly point out, are “frivolous” and completely lacking in merit. The prosecutor could have objected on grounds the evidence proving the constitution applied is all the other people they had put into prison. Such garbage is the position of no less a legal authority than Scott Bales, Chief Justice of the Arizona Supreme Court.

As I mentioned on the show, yes, while it’s possible there are other reasons the prosecution could have moved for dismissal, there’s no evidence to support them. Any claims to the contrary are speculation and have no merit. The judge ordered them to provide the requested information and they dismissed instead.

Could it have been “too much trouble”? Sure, but why is it too much trouble to prove the rules apply? Too much trouble to show your witness has personal knowledge the constitution applies because Dale is physically in Indiana? I keep seeing critics say that proving the rules apply is really easy, but with us it suddenly becomes “too much trouble”? If it was so much trouble, then the prosecution could have moved to dismiss in court when the judge required them to provide the evidence requested. Instead, they lied to the judge claiming they needed thirty days. Yes, when the judge actually held the prosecutor to their burden of proof, the prosecutor straight out lied to the judge.

I don’t buy the claim these are thrown out because it’s “too much trouble.” Traffic trials are a joke and are easy convictions for prosecutors. Prosecutors want convictions, easy convictions and traffic courts provide plenty. Judges routinely:

- cover the prosecution’s burden;
- allow prosecutor to argue without evidence;
- don’t presume innocence;
- hold the prosecution’s claims as absolutely irrefutable;
- impeach prosecution witnesses while still allowing their testimony;
- deny cross-examination;
- deny the defendant the opportunity to put on a case/defense;
- threaten psychological evaluations just for asking for the prosecution’s evidence.

Effort put into getting traffic convictions? Please, that’s ridiculous. You want too much

trouble? Sit there while a judge is screaming at you for just asking a question and having his men with guns stand right next to you.

Is this dismissal proof that a judge saw merit to my position that the application of the constitution applies to us just because of our physical location? Yes, he required the prosecution to respond and he could have denied the motion. The prosecution made no objection on grounds it wasn't legitimate discovery material. This is where we usually cue up a standard marginalization of my work:



Is it necessary that a judge agree for my position to have merit? No, of course not, but it contradicts what the critics claim. My position has merit because it logically follows from the facts, what we call "government" is just men and women forcing us to pay them. Reciprocal duties of allegiance and protection are not created when people are forced to pay under threat of jail.

What critics do in an attempt to distract from the main point (there is no evidence proving the constitution applies and there is jurisdiction) by claiming no judge, in any court has ever held the main point has any merit. This is to distract you from the fact *they have no proof*, so instead of providing evidence for their claim, they make an appeal to authority saying no judge has accepted it. When you provide proof as above, they either lie, speculate it was for some other reason or marginalize it claiming it was "just a traffic ticket."

This is why at no time do state apologists provide actual proof of their claim. Nothing but logical fallacies and insults. Their rules apply because they say so, they have the prison system to back it up.

But if you disagree, you're welcome to call into a live broadcast and present your evidence.