Sent to P.P.

NOTICE OF SPECIAL APPEARANCE

COURT DETAILS

Court:	Local Court of New South Wales
Division:	Criminal
Registry:	Parramatta
Case numbers:	2019/00042271-001 2019/00042271-002 2019/00042271-003

TITLE OF PROCEEDINGS

Prosecutor:	R
Defendant:	John Wilson

FILING DETAILS/ADDRESS OF SERVICE

Filed for:	John Wilson
Address of service:	19 Elm Place, North Rocks, NSW 2151.
Telephone:	0401 413 650

RECEIVED
14 MAR 2019
COURT HOUSE
PARRAMATTA

SPECIAL APPEARANCE

I, John Wilson, will on the 12th day of April, 2019 at 9:00 am be at the Local Court of NSW at Parramatta to challenge the jurisdiction of that Court over him without submitting to such jurisdiction, pursuant to a Special Appearance on the grounds set out in the accompanying affidavit.

SIGNATURE

Signature:	.....
Name:	John Wilson.
Capacity:	Defendant and Sui Juris.
Date:	13th MARCH 2019.

PARTY DETAILS

PROSECUTOR:

Name:	R
Address for service:	c/- NSW Police Force HQ, 1 Charles Street, Parramatta, NSW 2150
Phone:	131 444

DEFENDANT:

Name:	John Wilson
Address:	19 Elm Place, North Rocks, NSW 2151.
Phone:	0401 413 650.

AFFIDAVIT IN SUPPORT OF NOTICE OF SPECIAL APPEARANCE

COURT DETAILS

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AFFIDAVIT DETAILS

Name: John Wilson
Address: 19 Elm Place,
North Rocks,
NSW 2151.

On 13th MARCH 2019 I say on Oath:

1. I am the deponent.

2. I believe that the information contained in this affidavit is true.

3. The NOTICE OF SPECIAL APPEARANCE is made upon the following grounds:

(i) I am a Freeman and have the inalienable, constitutional and inherited Right to Trial by Jury as guaranteed by the Constitutional Enactments of *Magna Carta 1297*, *The Petition of Right 1627*, *The Habeas Corpus Act 1640*, and *The Bill of Rights 1688*, which are listed in the Second Schedule Part 1 of the *NSW Imperial Acts Application Act 1969 No. 30* as having come into force in New South Wales on the 25th day of July, 1928 by virtue of the *Imperial Act 9 George IV Chapter 83.*

(ii) I am not a "person" – in that I am not a mask. The word, "person", is derived from the Latin word, "persona", which means "mask". A mask is a form of disguise usually over the face to hide the wearer's identity and to establish another being, ie: another something that exists. The capitalisation of the letters of my name has been done deliberately, i.e.: Capitis Diminutio Maxima (Name in ALL CAPITALS) and meaning " ***the diminishing of status through the use of capitalization. In Roman law. A diminishing or abridgment of personality; a loss or curtailment of a man's status or aggregate of legal attributes and qualifications***" that ***"results in a diminishing or complete loss of legal or citizenship status, wherein one actually becomes a slave or an item of inventory***" (Black's Law Dictionary). .It is a violation of my status and rights as a Freeman. It is an evil and scurrilous attempt to rail-road me into the clasps of another Kangaroo Court, I.e.: another court that "***acts unfairly or dishonestly or disregards legal rights or disregards legal procedures***".

(iii) I am a man that God created (*Genesis 1: 27*).

(iv) I am a man who is free, ie: not slave, nor serf. I have certain rights & social & political liberty.

(v) It is Magna Carta 1215 that says: "***No Freeman shall be taken, or imprisoned, or disseised of his freehold, or his liberties, or free customs, or be outlawed, or exiled, or in any other wise destroyed, nor will we ass upon him nor condemn him unless by the lawful judgment of his***

equals or by the law of the land. To no one will we sell, to no one will we deny or delay Right or Justice." (*Magna Carta 1215*).

(vi) Section 43 of the NSW Imperial Acts Application Act 1969 No. 30 says that, "***Any person guilty of any offence under any Imperial enactment included in Part 1 of the second Schedule for which no punishment is otherwise provided is liable to imprisonment for a term of not more than five years or to a fine not exceeding 20 penalty units, or to both such imprisonment and fine.***"

(vii) Section 80 of the United Kingdom's *"An Act to constitute the Commonwealth of Australia [9th July 1900] (63 & 64 Victoria, Chapter 12)"* says that, "***The trial on indictment of any offence against any law of the Commonwealth shall be by jury, and every such trial shall be held in the State where the offence was committed, and if the offence was not committed within any State the trial shall be held at such place or places as the Parliament prescribes.".***

(viii) Section 4A of the *Crimes Act 1914* says that, "***indictment includes an information and a presentment.".***

(ix) Democratic Government is "Government of the People, by the People and for the People". There are 3 Arms or Branches of Democratic Government which are: (1) the Parliament, (2) the Executive and (3) the Judicature. The Parliament and the Executive form the representative side of Government – while the Judicature actually has the the People playing a direct and active role. The Judicature is the system of Administering Justice. Justice is ***"the protection of rights and the punishment of wrongs***". The most important right is the Right to Trial by Jury. Juries are of 12 People who judge all the laws and facts put before them in the determination of that action. Juries deliver the Judgment and each Juror votes for the verdict according to his or her conscience.

(x) Anyone who is against Trial by Jury is against Democracy. Anyone who is against Democracy is against Liberty. "***Anyone who is against Liberty is***

against Mankind" (*Vicotme de Chateaubriand*). Anyone who is against Mankind is against God.

(xi) ***"Trial by Jury is the only anchor yet imagined by man which can hold a government to the principles of its constitution."*** (*Thomas Jefferson*).

(xii) ***"Trial by Jury is the Palladium of Liberty."*** (*anon*).

(xiii) ***"Trial by Jury is the Bulwark of Freedom."*** (*anon*).

(xiv) ***"In a civilized society, the purpose of a Court is the vindication of men's Rights and the enforcement of just causes."*** (Lord Denning).

(xv) ***"For the most powerful individual in the state will be cautious of committing any flagrant invasion of another's right, when he knows that the fact of his oppression must be examined and decided by twelve indifferent men, not appointed till the hour of the trial; and that, when once the fact is ascertained, the law must of course redress it."*** (William Blackstone).

(xvi) Then there is the matter of the validity of the appointments of Australian Judges and Magistrates.

(xvii) Section 12 of the *NSW Local Courts Act 1982 No. 164*, says that Magistrates are appointed by "***The Governor***" of New South Wales.

(xviii) Section 9A of the *NSW Constitution Act 1902 No. 32*, says that the Governor of New South Wales is appointed by Her Majesty Queen Elizabeth the Second.

(xix) Section 3 of the *NSW Constitution Act 1902 No. 32* says that, ""**The Legislature**" ***means His majesty the King with the advice and consent of the legislative Council and Legislative assembly."***

(xx) Section 5 of the *NSW Constitution Act 1902 No. 32* says that, "***The Legislature shall, subject to the provisions of the Commonwealth of Australia Constitution Act, have***

power to make laws for the peace, welfare and good government of New South Wales in all cases whatsoever:".

(xxi) Section 61 of the United Kingdom's *"An Act to constitute the Commonwealth of Australia [9th July 1900] (63 & 64 Victoria, Chapter 12)"* says that, "***The executive power of the Commonwealth is vested in the Queen and exercisable by the Governor-general as the Queen's representative, and extends to the execution and maintenance of this Constitution and of the laws of the Commonwealth."***

(xxii) Section 2 of the United Kingdom's *"An Act to constitute the Commonwealth of Australia [9th July 1900] (63 & 64 Victoria, Chapter 12)"* says that "***A Governor-General appointed by the Queen shall be Her Majesty's representative in the Commonwealth and shall have and may exercise in the Commonwealth during the Queen's pleasure, but subject to this Constitution, such powers and functions of the Queen as Her Majesty may be pleased to assign to him.".***

(xxiii) Section 72 of the United Kingdom's "*An Act to constitute the Commonwealth of Australia [9th July] (63 & 64 Victoria, Chapter 12)*" says that, "***The Justices of the High Court and of the other courts created by the Parliament – (i.) Shall be appointed by the Governor-General in Council:***".

(xxiv) Section 24AA of the *Crimes Act 1914* says, "**Treachery** ***(1) A person shall not: (a) do any act or thing with intent: (i) to overthrow the Constitution of the Commonwealth by revolution or sabotage; ….(3) A person who contravenes a provision of this section shall be guilty of an indictable offence, called treachery. Penalty: Imprisonment for life.".***

(xxv) In response to an email asking "***to view the Ordered Approved at the Council appointing the Governor-General of Australia, Major-General Michael Jeffery***", the Queen-in-Council, ie: the Privy Council,

have confirmed that "***there is no Order for this appointment.***".

(xxvi) In response to an email asking "***if there were Orders at the Council were made appointing" "Australian Governors-General Sir Ninian Stephens (1982 – 1989), William Hayden (1989 – 1996), Sir William Deane (1996 – 2001) and Dr. Peter Hollingworth (2001 – 2003)", the Privy Council again confirmed, "I am sorry but there is no Order for this appointment.***".

(xxvii) A letter from the Foreign & Commonwealth Office says that, "***The Queen, in her role as head of State of the United Kingdom and as such advised by British ministers, has no executive power exercisable within the Commonwealth of Australia.***"

(xxviii) The appointments of the Governor-General of Australia and the Governor of New South Wales are invalid and are acts intent on overthrowing the Constitution of the Commonwealth which are punishable by "***Imprisonment for Life***".

(xxix) Any appointments, such as those of Magistrates and Judges, made by the fraudulent Governor-General of Australia and the Governor of New South Wales are equally invalid and anyone carrying out judicial acts do so without jurisdiction and do so as private citizens.

(xxx) The fact that Trial by Jury is mandated, even in inferior Courts, has been clearly established, eg: in *R –v- the Magistrates of Sydney 1824* in the Supreme Court of New South Wales.

(xxxi) As of the 1st day of January 1901, Australia was Proclaimed a Commonwealth and, therefore, the Crown of the United Kingdom of Great Britain and Ireland ceased to have Sovereignty and any claim over the territories of Australia. This meant that the Queen could not possibly be "vested with the executive power of the Commonwealth" and all subsequent appointments of Judges and Magistrates by the Queen or her "representations" were fraudulent.

(xxxii) Even if the appointments of Australian Judges and Magistrates were valid, their Oaths entailed that they would "well and truly serve (their) Sovereign Lady" - being "R" - which renders them incapable of being "competent, independent and impartial" to sit in judgement in any case where "R" is a party.

(xxxiii) The determination of the Jurisdiction of the Court can only be made by a Special Jury.

13 GEORGE STREET
PARRAMATTA 2150

SWORN AT .....
Signature of deponent: .....
Name of witness: ..... Rhonda Nowland
Signature of witness: ..... A Justice of the Peace in and for the State of New South Wales Reg. No. 159035
Capacity of witness: .....

In the presence of an authorised witness who states:

I, ... a JP in NSW certify the following matters concerning the making of this statutory declaration (cross out any text that does not apply):

1.*I saw the face of the person OR
~~*I did not see the face of declarant/deponent because he/she had a special justification for not removing it (any legitimate medical reason)~~

2 ~~*I have known the person for at least 12 months OR~~
*I confirmed the person's identity using an identity document and the Document I relied upon was ..... ~~Number~~ .....
NSW PHOTO ID CARD

Signature of authorized: ..... Date: 13 MAR 2019

Rhonda Nowland
A Justice of the Peace in and for the State of New South Wales
Reg. No. 159035

19 Elm Place,
North Rocks,
NSW 2151.
14th March 2019.

COPY

Police Prosecutor,
C/- NSW Police Force HQ,
1 Charles Street,
Parramatta, NSW 2150.

Dear Sir,

Re: R v John Wilson, Case No.s: 2019/00042271-001; 2019/00042271-002; and 2019/00042271-003 in the Local Court of NSW at Parramatta.

Please find enclosed copies of the filed "Notice of Special Appearance" and the "Affidavit in Support of Notice of Special Appearance".

This Challenge to the Jurisdiction of the Court stays the proceedings until the Jurisdiction of the Court is determined by a Special Jury.

A Free Man's Right to Trial by Jury is inalienable and, as I have never signed a Memorandum of Consent to allow this, or any case, to be conducted summarily, the Petition of Right 1627 makes it very clear that *"the awards, doings and proceedings to the prejudice of your people in any of the premises shall not be drawn into consequence or example"*.....which has been the common law since Magna Carta 1215, and also statute law since the Confirmation of Charters 1297 that said, *"And we will that if any judgment be given from henceforth, contrary to the points of the charters aforesaid, by the justices or by any other our ministers that hold plea before them against the points of the charters, it shall be undone and holden for naught."*

The Kangaroo Courts of this country must be eradicated - so that the Rights of the People can be preserved. It is my most fervent prayer that this case will lead to such a restoration of Truth and Justice.

Yours sincerely,

Dr. John Wilson, BDS (Sydney)