

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.
21.
22.
23.
24.
25.
26.
27.

Candi-Lee:Weeks
c/o 175 Hutton Ranch rd #103-231,
Kalispell Montana near [59901]

U.S. District Court District of Montana
201 E Broadway St,
Missoula Montana 59802

Attn: (Defendants, Court)
NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL, NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENT.

"Candi-Lee:Weeks")
CounterPLAINTIFF,) CASE NO. 9:16-cv-00161-DLC-JCL
v.) In RE: TK162305
"CITY OF WHITEFISH et al.") DECLARATION & NOTICE:
CounterDEFENDANT) Court of Record

I, Candi-Lee:Weeks A living Man/Woman, in this court of record **Claim & Declare:**

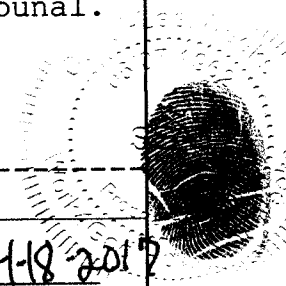
Court of Record

COMMENTARY

This writer concludes, from the definitions below, that a court of record is a court which must meet the following criteria:

1. generally has a seal
2. power to fine or imprison for contempt
3. keeps a record of the proceedings
4. **proceeding according to the common law (not statutes or codes)**

5. **the tribunal is independent of the magistrate (judge)**
Note that a judge is a magistrate and is not the tribunal.
The tribunal is either the sovereign himself, or a fully empowered jury (not paid by the government)



Black's Law Dictionary, 4th Ed., 425, 426

COURT. ...

INTERNATIONAL LAW

The person and suite of the sovereign; the place where the sovereign sojourns with his regal retinue, wherever that may be.

CLASSIFICATION

Courts may be classified and divided according to several methods, the following being the more usual:

COURTS OF RECORD and COURTS NOT OF RECORD. The former being those whose acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony, and which have power to fine or imprison for contempt. Error lies to their judgments, and they generally possess a seal. Courts not of record are those of inferior dignity, which have no power to fine or imprison, and in which the proceedings are not enrolled or recorded. 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.

A "**court of record**" is a **judicial tribunal having attributes and exercising functions independently of the person of the magistrate** designated generally to hold it, and **proceeding according to the course of common law**, its acts and proceedings being enrolled for a perpetual memorial. Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.....

4. Ex parte Thistleton, 52 Cal. 220. As to what are "courts of

COURT OF RECORD - U.S. District Court District of Montana

Item # 04072017/COR/CLW-112

Page 2 of 10

Signed *CFW*

Date 4/18/2017



1.
2. common-law jurisdiction" within the meaning of the federal
3. naturalization act, see Alienage and Citizenship, Vol. 1, p. 911.
4. 5. Hahn v. Kelly, 34 Cal. 391, 94 Am. Dec. 742, per Sawyer, J.,
5. concurring. See infra, §§ 26-28, as to records.

6. -----
7. Webster's New Practical Dictionary, 386 (1953)
8. G. & C. Merriam Co., Springfield, Mass.

9. **MAGISTRATE**

10. A person holding official power in a government; as: a The
11. official of highest rank in a government (chief, or first,
12. magistrate). b An official of a class having summary, often
13. criminal, jurisdiction.

14. -----
15. Merriam-Webster On-Line Dictionary

16. **MAGISTRATE**

17. an official entrusted with administration of the laws
18. -----

19. Black's Law Dictionary, 4th Ed., 1103

20. **MAGISTRATE**

21. Person clothed with power as a public civil officer. State
22. ex rel. Miller v. McLeod, 142 Fla. 254, 194 So. 628, 630.

23. A **public officer belonging to the civil organization of the**
24. **state**, and invested with powers and functions which may be either
25. judicial, legislative, or executive. But the term is commonly
26. used in a narrower sense, designating, in England, a person
27. intrusted with the commission of the peace, and, in America, one
of the class of inferior judicial officers, such as justices of
the peace and police justices. Martin v. State, 32 Ark. 124; Ex
parte White, 15 Nev. 146, 37 Am.Rep. 466; State v. Allen, 83 Fla.
655, 92 So. 155, 156; Merritt v. Merritt, 193 Iowa 899, 188 N.W.
32, 34.....

The word "magistrate" does not necessarily imply an officer.

4-17-2017

1.
2. exercising any judicial functions, and might very well be held to
3. embrace notaries and commissioners of deeds. Schultz v.
4. Merchants' Ins. Co., 57 Mo. 336.

5. -----
6. Black's Law Dictionary, 4th Ed., 1602, 1603

7. **SUIT**

8. **Old English Law**

9. The witnesses or followers of the plaintiff. 3 Bl. Comm.
10. 295. See Secta.

11. **Modern Law**

12. A generic term, of comprehensive signification, and applies
13. to any proceeding by one person or persons against another or
14. others in a court of justice in which the plaintiff pursues, in
15. such court, the remedy which the law affords him for the redress
16. of an injury or the enforcement of a right, whether at law or in
17. equity. See Kohl v. U.S., 91 U.S. 375, 23 L.Ed. 449; Weston v.
18. Charleston, 2 Pet. 464, 7 L.Ed. 481; Syracuse Plaster Co. v.
19. Agostini Bros. Bldg. Corporation, 169 Misc. 564 7 N.Y.S.2d 897.

20. -----
21. Black's Law Dictionary, 4th Ed., 1677

22. **TRIBUNAL**

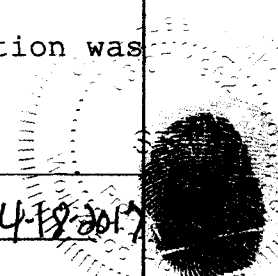
23. The seat of a judge; the place where he administers justice.
24. The whole body of judges who compose a jurisdiction; a judicial
25. court; the jurisdiction which the judges exercise. See Foster v.
26. Worcester, 16 Pick. (Mass.) 81.

27. -----
28. Webster's New Practical Dictionary, 707 (1953)

29. G. & C. Merriam Co., Springfield, Mass.

30. **TRIBUNE**

31. 1. In ancient Rome, a magistrate whose special function was
32. to protect the interests of plebeian citizens from the
33. patricians.



2. Any defender of the people.

Merriam-Webster On-Line Dictionary

COURT

- 1. the residence of a sovereign or similar dignitary
- 2: a sovereign and his officials and advisers as a governing power
- 3: an assembly of the retinue of a sovereign
- 4: an open space enclosed by a building or buildings
- 5: a space walled or marked off for playing a game (as tennis or basketball)
- 6: the place where justice is administered; also: a judicial body or a meeting of a judicial body

A "minute order" issued by a judge is not part of the record.

RECORD

The proceedings of the courts of common law are records. But every minute made by a clerk of a court for his own future guidance in making up his record is not a record. 4 Wash. C.C. 698. See 10 Penn. St. 157; 2 Pick. Mass. 448; 4 N. II. 450; 6 id. 567; 5 Ohio St. 545; 3 Wend. N.Y. 267; 2 Vt. 573; 6 id. 580; 5 Day, Conn. 363; 3 T. B. Monr. Ky. 63.

"The Common-Law Record consists of the Process, the Pleadings, the Verdict and the Judgment...

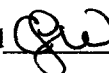
"UNDER the ancient practice, the Proceedings in a litigated case were Entered upon the Parchment Roll, and when this was completed, the end product became known as the Common-Law Record. It consisted of Four Parts, the Process, which included the

CPW

4/18/2017



1.
2.
3. Original Writ and the Return of the Sheriff, by which the Court
4. acquired Jurisdiction over the defendant; the Pleadings,
5. presented by the Parties in the prescribed order to develop an
6. Issue of Law or of Fact, and which included the Declaration and
7. all subsequent Pleadings, together with the Demurrers, if any;
8. the Verdict; and the Judgment. These Four Elements formed the
9. Common-Law Record, but it should be observed that at the point
10. where the Retrospective Motions come into play, the Record has
11. not been developed beyond the Stage of Entering the Verdict upon
12. the Roll. At this point it should also be recalled that between
13. the time when the Pleadings Terminated in an Issue, which Joinder
14. in Issue was duly Recorded on the Parchment Roll, and the time
15. when an Entry of the Verdict was made, nothing was Recorded on
16. the Parchment Roll. The reason for this was that between the
17. Joinder of Issue and the Rendition of the Verdict, the Trial
18. takes place, and what occurs during this Trial does not Appear
19. upon the Face of the Common-Law Record. Thus, Offers and
20. Rejection of Evidence, the Court's Instruction of the Jury, or
21. its Refusal to Instruct as requested by Counsel, or any
22. Misconduct Connected with the Trial, such as Prejudicial Remarks
23. on the Part of the Court, and the like—that is—any Error that
24. occurs at the Trial—cannot be corrected by resort to the Common-
25. Law Record because not Apparent Upon its Face. Such Errors were
26. preserved only in the notes made by the Presiding Judge, or in
27. his memory, and were reviewable, after Verdict and before Final
Judgment, by a Motion for New Trial made before the Court En Banc
at Westminster, within four days after the Commencement of the
Next Term following the Rendition of the Verdict. As each of the
Judges of the Court had Motions of a similar character coming up
for decision from the Trials over which they had presided, the
natural inclination of each Judge was to support the Rulings of
his brother Jurists, and thus Overrule the Motion for a New



4/18/2017



1.
2.
3. Trial. Furthermore, Errors that occurred at the Trial were not
4. Reviewable after Judgment on Writ of Error, because Not Apparent
5. on any one of the Four Parts of the Common-Law Record. To remedy
6. this Defect, Parliament enacted Chapter 31 of the Statute of
7. Westminster II in 1285,⁶ which provided for Review of such Errors
through the use of what came to be known as a Bill of Exceptions.

8.
9. "Thus, it appears that in four out of five Retrospective Motions,
10. the Court is permitted to consider only Defects Apparent Upon the
11. Face of Part of the Common-Law Record—the Process, the Pleadings,
12. and the Verdict—and Errors Occurring at the Trial were regarded
13. as extraneous and not to be considered in rendering Judgment upon
14. the Motions. Matters extraneous to or outside of the Record could
15. be tested after Verdict and before Judgment only by a Motion for
16. a New Trial. A distinction is made between Matter of Record and
17. Matter of Exception, Matter of Record referring to those Errors
18. Apparent upon the Face of the Common-Law Record and hence
19. Reviewable after Final Judgment upon a Writ of Error, and Matter
20. of Exception referring to those Errors which Occurred at the
21. Trial, and were Not Apparent on the Face of the Common-Law
22. Record, hence Reviewable after Final Judgment only by
23. incorporating such Errors into the Record by means of a Bill of
24. Exceptions, as authorized by Chapter 31 of the Statute of
25. Westminster II in 1285."

26. Koffler: Common Law Pleading 567-568

27. Proceedings in courts of chancery are said not to be, strictly
speaking, records; but they are so considered. Gresley, Ev. 101.
And see 8 Mart. La. N. S. 303; 1 Rawle, Penn. 381; 8 Yorg. Tenn.
142; 1 Pet. C. C. 352.

Bouvier's Law Dictionary, 14th Ed. (1870)



- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.

MINUTE

In practice. A memorandum of what takes place in court, made by authority of the court. From these minutes the record is afterwards made up.

Toullier says they are so called because the writing in which they were originally was small; that the word is derived from the Latin minuta (scriptura), in opposition to copies which were delivered to the parties, and which were always written in a larger hand. 8 Toullier, n. 413.

Minutes are not considered as any part of the record. 1 Ohio, 268. See 23 Pick. Mass. 184. Bouvier's Law Dictionary, 14th Ed. (1870)

MINUTE BOOK

A book kept by the clerk or prothonotary of a court, in which minutes of its proceedings are entered. Bouvier's Law Dictionary, 14th Ed. (1870)

In a **Court of Record**, all evidence and testimony from non-Government officials must be presented to the Tribunal, and it is up to the Tribunal to decide what to accept and what not to accept as truth. Only after seeing and hearing all the evidence and testimony, can a Jury / Tribunal reach a decision. The Tribunal is independent of the Magistrate, and sets in the seat of power, generally held by a Judge. The Plaintiff is the Tribunal in the absence of a fully empowered Jury, that is not paid by the Government, and the fully empowered must be of the



- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.

nobility ,of peerage .



- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.

I have personal knowledge of the foregoing facts and am competent to testify as to the truth of these facts if called as a witness. I declare under penalty of perjury under the laws of the United States that the foregoing facts are true and correct. So Help Me God. May Jesus bless all who read this.

I reserve all rights to make amends to this document to make it more clear, precise, and on point if needed.

Executed without the Federal United States (DATE) April 18-2017

Under necessity, I do not consent to any matters against myself or CANDI LEE WEEKS, other than that I, a Man may be compensated, that Justice may be restored as I have requested, & the discharge of any liability that you may allege I have herein.

Sincerely,

All Rights Reserved And Waiving None Candi-Lee Weeks

Candi-Lee:Weeks

'Errors and Omissions are Consistent with Intent'

