

Steven Alan Magritz, Plaintiff

Against

Complaint In Civil Action
Trial By Jury Demanded

Ozaukee County, a public corporation, a political subdivision of State of Wisconsin; 62.25 acres of land in the town of Fredonia, county of Ozaukee, Wisconsin state; Port Publications, Inc., a Wisconsin corporation; Ozaukee Press, published by Port Publications, Inc.; Lakeland Metals Processing, Inc., a/k/a Lakeland Metals, a Wisconsin corporation; Eagle Movers, Inc., a/k/a Eagle Moving and Storage, Inc., a Wisconsin corporation; and the following persons in their individual capacities and in their official capacities as officers or officials or employees or associates of one of the named defendants, and the spouses of each defendant, as well as the communal property of each defendant:
Thomas W. Meaux;
William F. Schanen III;
Marie J. Schanen;
Bill Schanen IV;
Michael J. Riebe;
William Ciriacks;
Jeanne Ciriacks;
Thomas Anthony Brittain;
Brian D. Glocke; and,
Doe #1 Through Doe #100, Defendants

VERIFIED COMPLAINT TO VACATE A VOID "JUDGMENT;" HOBBS ACT VIOLATIONS; RACKETEERING; INJUNCTIVE AND DECLARATORY RELIEF; DECLARATORY JUDGMENTS ACT RELIEF; ANTI-TERRORISM ACT; PATENT INFRINGEMENT; CONSPIRACY TO VIOLATE RIGHTS; DEPRIVATION OF RIGHTS; COMMON LAW TORTS; CONSTITUTIONAL VIOLATIONS

NOTICE: Document Under Seal

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INTRODUCTION

1. This suit arises from the unlawful acts and taking by force of Plaintiff's (Petitioner herein) land consisting of 62.25 acres in the town of Fredonia, county of Ozaukee, dwellings, outbuildings, and other property with an estimated current market value of at least \$750,000.00, without a claim, and without any compensation whatsoever to Petitioner. Petitioner was in peaceful enjoyment and possession of his homestead when a scheme was effectuated to seize Petitioner's property through a series of criminal acts. This scheme required the active participation of local government officers and employees in a racketeering enterprise conducted for the benefit of some of those same officers and employees along with associates outside of the local government. This suit sets forth numerous violations of constitutionally-secured rights, predicate acts of racketeering activity, and subsequent ratification of the criminal acts and cover-up of said criminal acts by the highest officers of the local government, i.e., the members of the Board of Supervisors of the county of Ozaukee.

2. Petitioner has suffered irreparable harm, both to his person and his property, as well as his reputation, caused by the tortuous acts and omissions of state actors acting under color of law, who are being sued in their individual capacities as well as their official capacities, along with their spouses and communal property. These state actors, including but not limited to elected officers such as county supervisors, county sheriff, sheriff's deputies, clerk of court, and county treasurer, each and every one of them, have sworn/affirmed an oath to support the Constitution of the United States and the Constitution of the state of Wisconsin, and have a duty not to infringe upon or trespass against or impair the constitutionally-secured rights of Petitioner. Their sworn oath, which is a covenant calling upon their heads the wrath of God for violation thereof, is also

direct evidence of their duty not to cause Petitioner any injury by infringement or trespass or impairment of Petitioner's rights to life, liberty, or property.

3. In this suit, persons who have injured Petitioner are referred to as "defendants." These "defendants" may be individuals or corporations; they may be officers or employees of the municipal corporation named "Ozaukee County"; they may be officers or employees of private corporations; they may be either private or public corporations; they may be individuals acting outside of any capacity as an officer or employee of a corporation; the term may even refer to Petitioner's 62.25 acres of land that Petitioner demands restored to his peaceful enjoyment, use, and possession.

4. Not all of the aforesaid "defendants" are named as defendants in this suit at this time, as Petitioner is subject to further retaliation in the form of imprisonment by C. William Foust, Dane County Circuit Court Branch 14 presiding officer, pursuant to an illegal, unlawful, unconstitutional "order" by Foust not to contact, directly or indirectly, said "defendants", upon penalty of incarceration.

5. "Defendants" breached their duty to Petitioner by egregiously injuring Petitioner in his person, property, and business.

6. Petitioner has repeatedly petitioned for Redress of Grievances in the most humble terms: Petitioner's repeated Petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

7. I, Steven Alan Magritz, Petitioner herein, state that I am a competent witness, over the age of 21 years, based upon first-hand personal knowledge that the facts contained herein are true, correct, complete, certain, not misleading, under penalty of perjury under the laws of the United

States of America (de jure) and The state of Wisconsin (de jure), and as for those statements made upon information, reason, or belief, I believe them to be true and correct.

JURISDICTION AND VENUE

8. This court has jurisdiction over the action pursuant to 28 U.S.C. § 1331 (federal question), 28 U.S.C. §1343 (Civil Rights – Conspiracy (42 U.S.C. §1985), Deprivation (42 U.S.C. §1983)), 28 U.S.C. §§2201, 2202 (Declaratory Judgment Act), 18 U.S.C. §1964 (RICO), 18 U.S.C. §2333 (Anti-terrorism Act of 1991), 35 U.S.C. §271 (Patent Infringement), Article 1, Section 10, Clause 1 of the Constitution of the United States (Impairing the Obligation of Contracts), Fourth Amendment (Unreasonable seizures), and Fifth Amendment (Violation of Due Process of Law; Taking of Private Property for Public Use Without Just Compensation).

9. Venue is proper in that the property to be recovered is within this district, the criminal acts complained of were committed primarily in this district, and most, if not all, of the individual defendants reside in this district.

PARTIES

10. Plaintiff (Petitioner), Steven Alan Magritz is a Wisconsin national, an American Citizen, and was a professional whose livelihood depended upon his integrity and reputation, backed by eight years education at the University of Wisconsin, who suffered personal injuries, destruction of reputation and standing in the community, loss of liberty, loss of property, loss of livelihood, and severe and continuing emotional distress, all as proximate result of the acts of the defendants as herein alleged.

11. Defendant, Ozaukee County, is a business public corporation, a subunit of the county of Ozaukee, pursuant to Wisconsin Statutes §706.03(1)(b), and/or a political subdivision of “State of Wisconsin.”

12. 62.25 acres of land in the town of Fredonia, county of Ozaukee, Wisconsin state, with metes and bounds as set forth in Exhibit A, attached hereto and included herein by reference in its entirety as if fully set forth at length herein, is the land taken from Petitioner at gunpoint by men concealing their identity with masks and acting without a claim on October 24, 2001 (see pages 4 and 5 of Exhibit A for metes and bounds description).
13. Port Publications, Inc. is a Wisconsin corporation.
14. Ozaukee Press is a newspaper published by Port Publications, Inc.
15. Lakeland Metals Processing, Inc. is a Wisconsin corporation.
16. Eagle Movers, Inc., a/k/a Eagle Moving and Storage Inc., is a Wisconsin corporation.
17. Thomas W. Meaux was the administrator (chief executive officer) of the municipal business corporation named Ozaukee County at times material to this complaint, and presumably ultimately responsible for the training and education of all persons who are employed by or receive salary or wages from Ozaukee County.
18. William F. Schanen III was an officer and/or employee of Port Publications, Inc. /Ozaukee Press at times material to this complaint.
19. Marie Schanen was an officer and/or employee of Port Publications, Inc. /Ozaukee Press at times material to this complaint.
20. Bill Schanen IV was an officer and/or employee of Port Publications, Inc. /Ozaukee Press at times material to this complaint.
21. Michael J. Riebe was an officer of the court who was appointed guardian ad litem in Ozaukee County case number 01-CV-58-B3.
22. William Ciriacks was an officer and/or employee of Lakeland Metals Processing, Inc. at times material to this complaint.

23. Jeanne Ciriacks was an officer and/or employee of Lakeland Metals Processing, Inc. at times material to this complaint.

24. Thomas Anthony Brittain is believed to have been an officer and/or employee of Eagle Movers, Inc., a/k/a Eagle Moving and Storage, Inc. at times material to this complaint.

25. Brian D. Glocke was a deputy sheriff of Ozaukee County at times material to this complaint.

26. The "Doe" Defendants are persons or entities, not identified by name, who participated as principals, co-conspirators and/or who aided and abetted and/or who were accessories to acts committed by other Defendants.

27. The last known address of each of the named Defendants is set forth in Exhibit B, attached hereto and incorporated herein by reference in its entirety.

28. – 60. RESERVED.

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JUDICIAL NOTICE - Wisconsin statutes chapter 902

61. Petitioner requests mandatory judicial notice be taken pursuant to Wisconsin statutes §§902.01 and 902.02, in particular §§902.01(4) and 902.02(1), as well as 28 U.S.C. Rule 201(d), of the following (emphasis added throughout):
62. Regarding the fundamental law of the land, and the required adherence thereto, this court shall take mandatory judicial notice as follows:
- a) The only one true, correct, and complete name of the written instrument of the organic and fundamental law of 1789 to which the judges in every state shall be bound (Article VI, Section 2), and all executive and judicial officers of the several states shall be bound to support by oath or affirmation (Article VI, Section 3), is the Constitution of the United States.
 - b) The only one true, correct, and complete name of the written instrument of the organic and fundamental law of 1848 pursuant to which the people of the Territory of Wisconsin joined the union of the several states is the Constitution of the state of Wisconsin.
 - c) Every judge or attorney who appears in this court in this instant matter is required to have taken an oath of office to support the Constitution of the United States (Article VI, Section 2 and Article VI, Section 3 thereof) and the Constitution of the state of Wisconsin (Article IV, Section 28 thereof).
 - d) Petitioner accepts the covenant (oath of office) of each and every judge of this court as a contract offer, and thereby a binding contract, to secure, ensure, and guarantee the constitutionally secured private rights, substantive rights, and common rights of Petitioner.
 - e) Any denial of Petitioner's constitutionally-secured Rights by any officer of the court will be met with a charge of TREASON.
 - f) "The provision of the constitution that the constitution and laws of the United States ... shall be the Supreme law of the land imposes imperative obligation on state judges in their official and not merely in their private capacities." *Martin v. Hunter's Lessee*, 14 U.S. 304 (1816).
63. Regarding the nature and character of Ozaukee County:
- a) Ozaukee County, the plaintiff in Ozaukee County Circuit Court case number 01-CV-58-B3 and alleged holder of a purported security instrument in the form of a tax lien or tax certificate, is the business, public corporation identified in Wis. stats. §706.03(1)(b) as "this" county.
 - b) Ozaukee County is a subunit of the lawful, de jure county of Ozaukee, identified in Wis. stats. 706.03(1)(b) as "the" county.
 - c) Ozaukee County does business in and with commercial paper, including but not limited to debt instruments or negotiable instruments representing credit, with which it discharges its liabilities rather than "making any Thing but gold and silver coin a Tender in Payment of Debts" as required of the de jure state by Article I, Section 10 of the Constitution of the United States.
 - d) "If it [government] comes down from its position of sovereignty, and enters the domain of commerce, it submits itself to the same laws that govern individuals there." *Cooke v. U.S.*, 91 U.S.

389 (U.S. NY 1875); see also U.S. v. Barker, 25 U.S. 559 (U.S. Pa 1827).

e) "As stated in United States v. National Exchange Bank, 270 U.S. 527, 534, 26 S.Ct. 388, 389, "The United States does business on business terms." Clearfield Trust Co. v. United States, 63 S.Ct. 573, 318 U.S. 363 (1943).

f) The 'Clearfield Doctrine,' as set forth in item e) above, applies to 'the county of Ozaukee' and its subunit business public corporation, Ozaukee County - aka OZAUKEE COUNTY, - with no less certainty or force than which it applies to the United States.

g) That 'the county of Ozaukee,' created by the people, is a public Trust.

h) That Ozaukee County, the public **corporation**, is bound by the same laws, principles, customs, law merchant, etc., that apply to other corporations engaging in commerce or business.

i) That Ozaukee County, being a legal fiction and a public corporation, is legally and lawfully incapable of asserting a claim against, or claiming a duty from, a natural born man or his property **EXCEPT** by way of contract.

j) That 'money' is defined in Wis. stats. §138.01 as "The money of account of this state shall be the dollar, cent and mill; and all accounts in public offices, and other public accounts, and, except as provided in ss. 806.30 to 806.44, all proceedings in courts shall be kept and had in conformity to this regulation.

k) Since October 27, 1977, there can be no requirement of payment or repayment in legal tender, since legal tender is not loaned and payment or repayment need only be made in equivalent kind: A negotiable instrument representing credit. Pub Law 95-147 sec 4(c); 91 Stat 1229, codified and set forth in the last sentence of 31 USC 5118 (d)(2).

64. Regarding the duties and liabilities of the business, public corporation named "Ozaukee County":

a) Wis. stats. §59.02(1) states, "The powers of a county as a body corporate can only be exercised by the board, or in pursuance of a resolution adopted or ordinance enacted by the board."

b) Wis. stats. §59.52(12) regarding accounts and claims, "The board may: a) ... In counties with a population of 50,000 or more, the board may delegate its power in regard to current accounts, claims, demands or causes of action against the county to a standing committee **IF** the amount Does **NOT** EXCEED \$10,000 ..."

c) The population of Ozaukee County is in excess of 50,000.

d) The purported tax certificate against Petitioner's PRIVATE property was in EXCESS of \$20,000.

e) Wis. stats. §59.64 Claims against county, "(3) Actions on claims by board. The clerk **SHALL** on the first day of any meeting of the board, lay before said board all such claims, statements of which have been filed in the clerk's office since the last meeting of such board ...; and the board **SHALL** act upon all such claims before the next annual adjournment of such board after such statements were filed with the clerk, and **SHALL** examine and allow or disallow the same in whole or in part unless withdrawn by leave of the board."

f) Wis. stats. §75.19 Foreclosure of [tax] certificate, "... ALL THE LAWS and RULES of practice

relating to foreclosure of mortgages ... EVIDENCE ... SHALL ... PREVAIL in such actions."

g) "They [county board of supervisors] are bound to consider all claims lawfully presented, and to give the claimant an opportunity of presenting his case and proofs ..." "The board of county supervisors must act promptly in hearing or refusing to hear claims presented, and **MUST** put their action **ON RECORD**, so as to enable the claimant, in case of rejection, to have his rights determined by the courts." *The People on the relation of Phineas Mixer v. The Board of Supervisors of Manistee County*, 26 Mich. 422 (1873).

65. With regard to the duties of the clerk of court, Wis. stats. §§59.40 and 807.08:

a) The clerk SHALL "File and keep ALL papers properly deposited with him ..."

b) The clerk SHALL "Keep a court record and write in that record ... the date of filing every paper therein ..."

c) "The clerk shall **NOT** permit ANY paper filed in the clerk's office to be taken therefrom unless upon WRITTEN ORDER of a judge of the court."

d) "The clerk SHALL take a written receipt for all papers so taken and preserve the same until such papers are returned."

e) "Papers so taken SHALL be returned at once upon request of the clerk or presiding judge, and no paper shall be kept longer than 10 days."

66. Regarding void judgments:

a) "The county's failure to FULLY comply with the statute renders a foreclosure judgment void." *Waukesha County v. Young*, 106 Wis.2d 244, 316 N.W.2d 362 (1982).

b) "The proceeding is not according to the course of the common law; it is purely statutory, and compliance with the statute is REQUISITE TO JURISDICTION AT **EVERY** STEP." *State v. Huegin*, 85 N.W. 1046, 110 Wis. 189 (1901).

c) "Orders or [j]udgments entered contrary to due process of law are void." "A void judgment or order is something very different from a valid one." "[I]t is legally ineffective, may be collaterally attacked at any time in any proceeding, state or federal [and] it should be treated as legally ineffective in the subsequent proceeding. Even the party which obtained the void judgment may collaterally attack it." "A void judgment cannot be validated by consent, ratification, waiver or estoppel." *Neyland v. Vorwald*, 121 Wis.2d 481, 488, 496, 495, 360 N.W.2d 537 (1984).

d) "A judgement is not 'void' for purposes of FRCP 60(b) (on which this section is based), which allows a trial court to set aside a void judgment, unless the court rendering it lacked subject matter or personal jurisdiction or denied a party due process of law." *Wengerd v. Rinehart* (App 1983) 338 N.W.2d 861, 114 Wis.2d 575.

e) "Court has duty to annul an invalid judgment. Laches cannot operate to validate a void judgment." *Halbach v. Halbach*, 48 N.W.2d 617, 259 Wis. 329 (1951).

f) "A void judgment may be expunged by a court at any time." *West v. West*, 262 N.W.2d 87, 82 Wis.2d 158 (1978).

67. Regarding fraud in the obtainment of a judgment:

a) "It is immaterial whether the fraud here is classified as extrinsic or intrinsic, ... it is sufficient that it is of the nature that shocks the conscience of the court." *State Central Credit Union v. Bayley*, 33 Wis.2d 367, 147 N.W.2d 265 (1967).

b) "... after discovered fraud warrants relief against a judgment regardless of the term at which it was finally rendered." "... tampering with the administration of justice in the manner indisputably shown here involves far more than an injury to a single litigant. It is a wrong against the institutions set up to protect and safeguard the public, institutions in which fraud cannot complacently be tolerated consistently with the good order of society." "Equitable relief against fraudulent judgments is not of statutory creation." *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 64 S.Ct. 997 (1944).

68. Regarding presumptions being the bedrock of usurpatious acts of governmental actors against the People and their property:

a) Wis. stats. § 903.01 states, in pertinent part: "... the presumption imposes on the party against whom it is directed the burden of proving that the nonexistence of the presumed fact is more probable than its existence."

b) In the *Mushel* case the court stated: "Two types of rebuttable presumptions exist. One type is invoked for reasons of PUBLIC POLICY WITHOUT REGARD for whether the presumptions bear **ANY** reasonable relationships TO THE ACTUAL FACT presumed." *Mushel v. Town of Moliter*, 123 Wis.2d 136, 141 (1985).

c) "The power to create presumptions is **NOT** a means of escape from constitutional restrictions." *Bailey v. Alabama*, 219 U.S. 219 (1911).

69. Regarding Wis. stats. §75.19 Foreclosure of [tax] certificate, "... ALL the laws and rules of practice relating to foreclosures of mortgages ... EVIDENCE ... SHALL ... PREVAIL in such actions":

a) The Uniform Commercial Code is operative and governs the rights and duties of parties, or alleged parties, or presumed parties to an instrument of any kind, be it a check, draft, bill of exchange, note, contract, tax certificate, or whatever.

b) The first piece of evidence must be the instrument to be enforced. Nothing else can be enforced.

c) To enforce a copy, or a presumption or an assertion that an enforceable instrument exists, is a complete and total FRAUD. It cannot be used to invoke the jurisdiction of ANY court.

d) Without the original there can be no controversy.

e) The original is the only thing that can be redeemed.

f) When presented with an instrument to pay, the alleged debtor has a right to see the instrument that created the alleged debt.

g) In a "foreclosure" proceeding, there **MUST** exist a PRIOR security instrument, or an instrument that existed in the "fore" that is being "closed." Without the existence of an existing security

instrument, there CANNOT BE A FORECLOSURE.

70. Regarding any claim, right, title, interest, lien, tax certificate, hypothecation, indebtedness, liability, duty, obligation, et cetera with regard to Petitioner's private land that was seized subsequent to /pursuant to the judgment in case number 01-CV-58-B3:

a) There is NO EVIDENCE whatsoever in the record of the court that any individual, entity or person other than Petitioner has any claim upon said land.

b) There is no EVIDENCE in the office of the register of deeds of Ozaukee County that any individual, entity or person, other than Petitioner has any claim upon said land.

c) As evidence of the foregoing, the following documents recorded in the public record in the office of the register of deeds, Ozaukee County, are incorporated herein by reference in their entirety as if fully reproduced herein: document number 675781 pp 359 through 361, documents numbered 435131, 435132, 435133, 528822, 528823, 530358, 576044, 690081, 688709, 692784, 693378, 691601, 690214, 690080, 681666, 681667, 677834, 675442, 674178, 675781, 675637, 685051, 677585, 650771, 682591, 698039, 698040, 698041, 698042, 698440, 701453, 702647, 703696, 704274, 708567, and 805562.

71. Regarding the objection to tax certificate foreclosure proceedings and trial of contested issues:

a) Wis. stats. §75.521(7) states that the only grounds for objection are that the lands were not subject to tax, or, that the tax has been paid.

b) Wis. stats. §75.521(10) states that if a duly verified answer is served upon the county treasurer, there **SHALL** be a trial on the issues, and that proof of either situation set forth in item a) above **SHALL CONSTITUTE A COMPLETE DEFENSE.**

c) Petitioner timely served a duly verified Answer upon Ozaukee County treasurer Makoutz as required in Wis. stats. §75.521(10).

d) Petitioner ALSO timely filed a duly verified Answer with Ozaukee County Circuit Court by way of United States mail, registered return receipt with certificate of mailing.

e) Petitioner's verified Answer set forth BOTH defenses as enumerated in Wis. stats. §75.521(7).

f) Petitioner was **DENIED** a trial on the issues by the court, **OBVIOUSLY** for failure to answer.

g) Dennis E. Kenealy obtained the signing of a default judgment by Joseph McCormack in which it was stated that **"NO ANSWER WAS RECEIVED BY KAREN L. MAKOUTZ."**

h) That at the time Kenealy submitted the default judgment to the court for signing by McCormack, Kenealy had in his physical possession BOTH the verified Answer served upon the treasurer AND the verified Answer that had been FILED WITH THE COURT.

i) The record of the court does not evidence due process of law, compliance with statutory requirements, or any affidavit or testimony received by the court upon which a judgment could be rendered.

72. This court shall take mandatory judicial notice that pursuant to Wisconsin Organized Crime Control Act (WOCOA, Wis. stats. §946.82), "Racketeering Activity" includes, but is not limited to:
- a) the attempt, conspiracy to commit, or commission of any of the following felonies specified in Wisconsin statutes: §940.30 false imprisonment; §940.31 kidnapping; §943.01 damage or threat to property; §943.20(1)(B) theft; §943.28 extortionate credit transactions; §943.30 threats to injure; §943.32 robbery; §943.34 receiving stolen property; §946.12 misconduct in public office; §946.31 perjury; §946.32 false swearing; §946.65 obstruction of justice; §946.72 tampering with public records; or
 - b) any activity specified in Title 18 §1961(1) such as : §§891-894 relating to extortionate credit transactions; §1341 mail fraud; §1343 wire fraud; §1503 obstruction of justice; §1513 retaliating against a victim or witness; §§1581 - 1588 relating to peonage or slavery; §1951 Hobbs Act relating to interference with commerce, robbery, or extortion; §1757 engaging in monetary transactions in property derived from specified unlawful activity; §2312 relating to interstate transportation of stolen motor vehicles or parts; §2332(b)(g)(5)(B) terrorism.
73. This court shall take mandatory judicial notice regarding discharge of liabilities or purported liabilities:
- a) "Still a government may suffer loss through the negligence of its officers. If it comes down from its position of sovereignty and enters the domain of commerce, it submits itself to the SAME LAWS that govern individuals there. Thus, if it becomes holder of a bill of exchange, it must use the same diligence to charge the drawers and endorsers that is required of individuals, and if it fails in this, its claim upon the parties is LOST. (United States v. Barker, 12 Wheat. 559) as cited in Cooke v. U.S., 91 U.S. 389 (U.S. N.Y. 1875);
 - b) Wis. stats. §§403.601 - 403.604 Discharge and payment.
74. This court shall take mandatory judicial notice of the Expatriation Act, Public Law, 15 United States Statutes at Large, Chapter 249, pages 223-224, Section I of which is set forth in item a) below, and Petitioner's character and status as set forth in item b) below:
- a) SECTION I -Right of expatriation declared. THEREFORE, Be it enacted by the Senate of and House of Representatives of the United States of America in Congress assembled, That any declaration, instruction, opinion, order or decision of any officers of this government which denies, restricts, impairs, or questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this government.
 - b) Petitioner has expatriated the United States corporation and is NOT a citizen of the United States within the intendment of the 14th Amendment, and, having repatriated to his native Wisconsin is a Wisconsin national and an American Citizen within the intendment of the original jurisdiction Constitution of the United States, with all of his rights secured by the first ten "Articles in addition to, and Amendment of the Constitution of the United States of America," commonly known as the "Bill of Rights," as evidenced by Declaration filed with the Secretary of State and President of the

United States (among others), and recorded in the office of the Register of Deeds, Ozaukee County, Wisconsin, a copy of which is attached hereto and incorporated herein by reference in its entirety as if fully reproduced herein. (Exhibit C, document number 682591, first 2 pages only).

75. - 80. Reserved

PLAIN STATEMENT OF FACTS

81. At the times relevant to the following facts, the names of the corporation counsel, county treasurer, clerk of court, county clerk, sheriff, register of deeds, and presiding judge of Ozaukee County, State of Wisconsin, were Dennis E. Kenealy, Karen L. Makoutz, Jeffrey S. Schmidt, Harold Dobberpuhl, Maurice Straub, Ronald A. Voigt, and Joseph D. McCormack, respectively.
82. On December 31, 1996, the contract expired that the previous owner of Petitioner's land had with the public corporation, State of Wisconsin.
83. Petitioner did not renew the prior owner's contract, nor sign a new contract with the business, public corporation named State of Wisconsin.
84. On January 1, 1997, Petitioner's land was private land.
85. On January 1, 1997, Petitioner's land was private land, not hypothecated to the public.
86. On January 1, 1997, Petitioner's land was private land, not hypothecated to, for, or on behalf of, et cetera, the bankruptcy of the federal corporation, United States (28 USC 3002(15)(A)), as reported by the 93rd Congress, 1st Session, Senate Report 93-549.
87. Petitioner has claimed all rights, titles, interests, privileges, immunities, et cetera, in and to the Land Patents from the United States of America to the original patentees, said patents being numbered 1435 and 672 and more fully described in document number 576044 recorded in the office of the Register of Deeds (hereinafter 'Deeds'), county of Ozaukee, Wisconsin.
88. Petitioner denies that his private land was subject to taxation by Ozaukee County on or after January 1, 1997.
89. Notwithstanding that Petitioner's private land was not subject to taxation, as recognized by numerous acknowledgments and agreements with numerous and sundry public servants, all of which is recorded in Deeds and incorporated herein by reference in their entirety as if fully reproduced herein, Petitioner was coerced with threat of abuse of legal process (foreclosure proceedings), as defined in Title 22, chapter 78, §7102(2)(c), United States Code, and therefore tendered payment in full to Makoutz prior to the last day of redemption (April 30, 2001); that is, Petitioner paid Makoutz extortion, in the amounts of \$22,452.83 and \$182.14 (costs).
90. Postal records evidence that on April 5, 2001, Makoutz received via registered U.S. mail a negotiable instrument for the full and complete discharge of a Statement of Real Estate Taxes and Special Assessments Due, and total redemption of a purported tax certificate.
91. The aforesaid tender of payment was mailed by a notary public along with instructions and a stamped, self-addressed envelope for Makoutz to mail a redemption certificate as required by Wisconsin statutes §75.521(5) to Petitioner.
92. On April 12, 2001, Petitioner visited the office of Makoutz to determine why he had not received the required redemption certificate. Makoutz stated that she had given Petitioner's tender of payment to Kenealy instead of taking it to the bank.

93. Makoutz did not issue a Notice of Protest or a Redemption Certificate.
94. Makoutz did not state why she had given Petitioner's tender of payment to Kenealy instead of taking it to the bank.
95. Makoutz acknowledged her breach of fiduciary duty by assent as set forth in the Confirmation Of Face-To-Face Conversation recorded in the office of the Register of Deeds (hereinafter "Deeds"), document number 675637, pages 895 and 896, which are incorporated herein by reference in their entirety as if fully reproduced herein.
96. Petitioner has never received, seen, nor been presented with any protest or notice or communication from Makoutz or Kenealy or anyone else protesting Petitioner's tender of payment.
97. Upon reason and belief, Kenealy retains possession of Petitioner's tender of payment as of today's date.
98. Petitioner has not seen or been presented with any evidence that Makoutz's demands for payment, with Petitioner's subsequent tender of payment, did not constitute extortion.
99. Petitioner has not seen or been presented with any evidence that controverts the statute regarding theft or conversion, or its applicability to the acts of Makoutz and/or Kenealy, to wit: "Whoever ... By virtue of his or her office, business or employment, or as a trustee or bailee, having possession or custody of money or of a negotiable security, instrument, paper, or other negotiable writing of another, intentionally uses, transfers, conceals, or retains possession of such money, security, instrument, paper or writing without the owner's consent, contrary to his or her authority, and with intent to convert to his or her own use or the use of any other person except the owner. A refusal to deliver money or a negotiable security, instrument, paper or other negotiable writing which is in his or her possession or custody by virtue of his or her office, business or employment, or as a trustee or bailee, upon demand of the person entitled to receive it, OR AS REQUIRED BY LAW, is PRIMA FACIE EVIDENCE OF AN INTENT TO CONVERT to his or her own use within the meaning of this paragraph."
100. Petitioner has not seen or been presented with any evidence that Makoutz's transfer of Petitioner's tender of payment to Kenealy does not constitute theft or conversion as defined herein-above.
101. Petitioner has not seen or been presented with any evidence that Makoutz's transfer of Petitioner's tender of payment to Kenealy does not constitute misconduct in public office.
102. Petitioner has not seen or been presented with any evidence that Makoutz's failure to issue a redemption certificate to Petitioner did not constitute misconduct in public office.
103. Petitioner has not seen or been presented with any evidence that Kenealy's concealing or retaining possession of Petitioner's tender of payment does not constitute theft or conversion as defined herein-above.
104. Petitioner has not seen or been presented with any evidence that Kenealy's concealing or retaining possession of Petitioner's tender of payment does not constitute misconduct in public office.

105. Petitioner has not seen or been presented with any evidence that Makoutz's failure to record receipt of Petitioner's tender of payment on the records of the county treasurer did not constitute a fraudulent writing (by omission) as that is defined in Wis. stats. §943.39.
106. On April 24, 2001, the refusal and dishonor by Makoutz of Petitioner's tender of payment was protested by Formal Certificate of Protest of Commercial Paper U.C.C. Sec. 3-505 by a notary public. Said Protest is recorded in Deeds, document number 675637, page 898, and is incorporated herein by reference in its entirety as if fully reproduced herein.
107. Neither Petitioner nor protesting notary have ever received a response from Makoutz regarding either the tender of payment or the Protest.
108. Petitioner has not seen or been presented with any material fact or claim by Makoutz or Kenealy or anyone else that the tender of payment on April 5, 2001, did not constitute full and complete discharge of the alleged liability pursuant to Wis. stats. §403.603.
109. On April 20, 2001, Petitioner again tendered payment in full to Makoutz by presentment of TENDER OF PAYMENT, and NOTICE OF RESERVATION OF RIGHT TO INITIATE COUNTERCLAIM and to CLAIM BOND OR SURETY, and NOTICE OF PUBLIC RECORD, and CERTIFIED PROMISSORY NOTE in the amount of \$22,634.97, and an OFFER OF PERFORMANCE, that is, Petitioner again paid Makoutz extortion.
110. Petitioner reminded Makoutz that he had an Agreement with Makoutz that Makoutz was acting without authority and was attempting to assert a claim upon property that Makoutz had no lawful interest in.
111. Petitioner reminded Makoutz that he had an Agreement with Makoutz that there is no pledge to the public of the lands of Petitioner, and that the accounts have been adjusted and there is no more public debt liability on the accounts with regard to the lands of Petitioner, that any liabilities were paid off and the asset and liability accounts were balanced to privatize the Security in the transmitting utility SIEVEN A. MAGRITZ.
112. Makoutz neither recorded the receipt (fraudulent writing) of the Certified Promissory Note nor did she make presentment to Petitioner within the legally required 3 days (72 hours).
113. Makoutz did not issue the required Redemption Certificate to Petitioner or to the clerk of court with regard to Petitioner's April 20, 2001 tender of payment.
114. Makoutz did not issue a Notice of Protest with regard to Petitioner's April 20, 2001 tender of payment.
115. Upon information, reason and belief, Makoutz transferred Petitioner's April 20, 2001 tender of payment to Kenealy, who thereafter retained possession and concealed said tender of payment.
116. Petitioner has not seen or been presented with any evidence that Makoutz's transfer of Petitioner's April 20 negotiable Certified Promissory Note to Kenealy did not constitute misconduct in public office, tampering with public records, concealing public documents, conversion of a negotiable instrument /security /writing, and/or obstruction of justice on the part of both Makoutz and Kenealy.

117. Petitioner has not seen or been presented with any evidence that Makoutz's failure to record receipt of Petitioner's tender of payment in the records of the office of the county treasurer did not constitute a fraudulent writing (by OMISSION) as that is defined in Wis. stats. §943.39.
118. On April 26, 2001, the refusal and dishonor by Makoutz of Petitioner's tender of payment was protested by Formal Certificate of Protest of Commercial Paper U.C.C. Sec. 3-505 by a notary public. Said Protest is recorded in Deeds, document number 675781, page 357, and is incorporated herein by reference in its entirety as if fully reproduced herein.
119. Neither Petitioner nor protesting notary public have ever received a response from Makoutz regarding either the tender of payment or the Protest.
120. Petitioner has not seen or been presented with any material fact or claim by Makoutz or Kenealy or anyone else that the tender of payment on April 20, 2001, did not constitute full and complete discharge of the alleged liability pursuant to Wis. stats. §403.603.
121. Inasmuch as it had at that time become obvious to Petitioner that Kenealy and/or Kenealy and Makoutz were pursuing an agenda to unlawfully seize Petitioner's property, on April 30, 2001, Chieko Magritz, accompanied by witnesses, visited the office of the treasurer of Ozaukee County and tendered cash dollar payment directly to Makoutz.
122. This court shall take mandatory judicial notice of Wis. stats. §138.01 Money, which states, "The money of account of this state shall be the dollar, cent and mill; and all accounts in public offices, and other public accounts, and, except as provided in ss. 806.30 to 806.44, all proceedings in courts shall be kept and had in conformity to this regulation.
123. Upon tender of payment to Makoutz by Chieko Magritz, Makoutz picked up the telephone and called Kenealy.
124. Upon Kenealy's arrival in Makoutz's office, Kenealy told Makoutz to not accept the tender of payment of cash dollars.
125. Kenealy was asked if Ozaukee County was a corporation, to which Kenealy responded in the affirmative.
126. Kenealy was then asked if the Clearfield Doctrine applied to Ozaukee County, to which Kenealy refused to answer.
127. By this time both Makoutz and Kenealy were visibly upset, and Magritz and the witnesses left Makoutz's office.
128. Petitioner has not seen or been presented with any evidence that the tender of payment by Chieko Magritz was not a full and complete discharge pursuant to Wis. stats. §403.603 of any purported liability on any purported tax certificate.
129. Petitioner has not seen or been presented with any evidence that would negate a finding that Makoutz's and Kenealy's refusal to accept tender or issue Protest is conclusive evidence of a scheme to unlawfully seize Petitioner's private property.
130. During this approximate same period of time, Petitioner visited the office of the treasurer of

Ozaukee County, spoke directly to Makoutz, and requested a certified copy of the purported tax certificate.

131. Makoutz was unable to produce a copy of the purported tax certificate, stating that all that she had was a computer print-out, NOTHING ELSE.
132. Since Makoutz was unable to produce a copy of the purported tax certificate, let alone produce an original tax certificate, Petitioner categorically and emphatically denies the existence of a tax certificate.
133. Petitioner has not seen or been presented with any evidence that the inability and refusal of Makoutz to produce the purported tax certificate when requested, AS REQUIRED BY LAW, the existence of which is an absolute necessity for the assertion of any duty, liability, obligation, indebtedness, etc., of Petitioner to Ozaukee County, is an ultimate FACT CONCLUSIVE of a scheme to fraudulently seize Petitioner's private property.
134. On April 30, 2001, the last day for "redemption," Petitioner owed no taxes or had any liability or obligation or indebtedness to Ozaukee County with regard to his private property.
135. Notwithstanding the non-liability for "taxes and special assessments" regarding "parcel" number 04-034-09-001.00 (Petitioner's homestead), and notwithstanding the adamant refusal of Makoutz to communicate with Petitioner in the face of numerous DOCUMENTED requests to do so, and notwithstanding the refusal of Makoutz to produce a claim upon which relief could be granted WHEN SPECIFICALLY REQUESTED to do so, and, notwithstanding the refusal of Makoutz and/or Kenealy to produce a "prior" contractual nexus, document, instrument, security, writing, etc. that was being "foreclosed" (a FORECLOSURE necessitates a "prior" contract that is being CLOSED), Makoutz and Kenealy continued to move forward in furtherance of a scheme in Ozaukee County Circuit Court case number 01-CV-58-B3 to unlawfully seize Petitioner's private property.
136. Makoutz failed or refused to provide the clerk of court of Ozaukee County a certified copy of a redemption certificate as required by Wis. stats. §75.521(5).
137. Petitioner has not seen or been presented with any evidence that Makoutz's failure/refusal to provide a certified copy of a redemption certificate to the clerk of court does not constitute misconduct in public office.
138. Since Makoutz failed or refused to provide either Petitioner or the clerk of court a redemption certificate as required by law, Petitioner prepared a duly verified Answer and Claim as required by Wis. stats. §75.521(7), setting forth with particularity objections to the foreclosure proceedings on both of the following grounds: 1) that the lands were not liable to taxation (Wis. stats. §75.521(7)(1), and, 2) that the tax was in fact paid before the last day of redemption (Wis. stats. §75.521(7)(2); both of which objections constitute complete defenses pursuant to Wis. stats. §75.521(10).
139. On May 31, 2001, Petitioner's verified Answer and Claim to Ozaukee County case number 01-CV-58-B3 was received by Makoutz via U.S. mail certified return receipt, as recorded in Deeds

document number 687553, incorporated herein by reference in its entirety.

140. Makoutz subsequently admitted transferring Petitioner's Answer and Claim to Kenealy, as recorded in Deeds, document number 698440, incorporated herein by reference in its entirety.
141. Kenealy subsequently admitted concealing from the court Petitioner's Answer and Claim which Kenealy received from Makoutz, as recorded in Deeds, document number 708567, which is incorporated herein by reference in its entirety.
142. Petitioner has not seen or been presented with any evidence that Kenealy's concealment from the court the fact that Petitioner served an Answer and Claim on treasurer Makoutz was not knowingly, deliberately, willfully, intentionally made with the intent to defraud the court or defraud or injure Petitioner.
143. Petitioner has not seen or been presented with any evidence that Kenealy's concealment from the court the fact that Petitioner served an Answer and Claim on treasurer Makoutz did not constitute misconduct in public office.
144. On May 31, 2001, Petitioner's duly verified Answer and Claim with approximately 135 pages of documents in support thereof was received by Schmidt, clerk of court, via U.S. mail, registered return receipt, as recorded in Deeds, document number 687553, which is incorporated herein by reference in its entirety.
145. Petitioner's Answer and Claim were time and date stamped 9:41 a.m., May 31, 2001, both the envelope as well as the stapled documents therein, presumably by a deputy clerk.
146. Contrary to Wisconsin statutes §59.40(2)(b) which requires the clerk of court to "keep a record ... the date of filing every paper therein," Schmidt did NOT record the receipt of Petitioner's Answer and Claim on the court record or "docket" sheet, although in fact it had been received on May 31, 2001.
147. The record of the court does not evidence the written order of a judge allowing Petitioner's Answer and Claim to be taken from the clerk's office, as required by Wis. stats. §807.08.
148. The record of the court does not evidence any receipt given to the clerk for the removal of Petitioner's Answer and Claim from the clerk's office, as required by Wis. stats. §807.08.
149. The record of the court does not evidence any reason why Petitioner's Answer and Claim was "missing" from the clerk's files for approximately seven months, from May 31, 2001 to some time in December, 2001.
150. On December 11, 2001, Petitioner, Chieko Magritz, and two witnesses visited the office of the clerk of court to inspect the case file as part of investigating how Kenealy obtained a default judgment which ultimately resulted in a SWAT team attack and violent removal at gunpoint of Petitioner from his home, and false imprisonment in the county jail.
151. Petitioner discovered that Petitioner's Answer and Claim were not in the case file, nor did the "docket" sheet evidence that they had ever been received.
152. On December 11, when Petitioner questioned Schmidt about the missing documents, Schmidt was

evasive and attempted to offer numerous excuses for their absence, but when Petitioner confronted Schmidt with a copy of the U.S. mail registered return receipt evidencing that Petitioner's Answer and Claim had been received by the court on May 31, but was not in the file nor had it been recorded as received on the "docket" sheet, Schmidt hastily reached down, grabbed a telephone, called Kenealy, and stated, "Dennis, Steve Magritz is here looking for the Answer to the Summons and Complaint on the foreclosure. Would you look for it in your office?"

153. The admissions by Schmidt that Schmidt transferred Petitioner's Answer and Claim to Kenealy and did not record their having been received in the court records, as well as the affidavits of the two witnesses who accompanied Petitioner on December 11, 2001, are recorded in Deeds document numbers 698440 and 698699, and are incorporated herein by reference in their entirety as if fully reproduced herein.
154. Kenealy subsequently admitted removing Petitioner's Answer and Claim while under oath and giving testimony at a preliminary hearing on May 30, 2002, Dane County case number 02-CF-1170, pages 80 - 81 of the transcript.
155. Petitioner has not seen or been presented with any evidence that Schmidt's failure to record on the docket sheet the receipt of Petitioner's Answer and Claim does not constitute misconduct in public office.
156. Petitioner has not seen or been presented with any evidence that Schmidt's transfer of Petitioner's Answer and Claim to Kenealy without the written order of a judge does not constitute misconduct in public office.
157. Petitioner has not seen or been presented with any evidence that Schmidt's transfer of Petitioner's Answer and Claim to Kenealy without obtaining a written receipt from Kenealy does not constitute misconduct in public office.
158. Petitioner has not seen or been presented with any evidence that Schmidt's failure to require the return of Petitioner's Answer and Claim within the mandatory 10 days does not constitute misconduct in public office.
159. Petitioner has not seen or been presented with any evidence that Schmidt's failure to require the return of Petitioner's Answer and Claim within the mandatory 10 days does not constitute tampering with public records.
160. Petitioner has not seen or been presented with any evidence that Kenealy's removal of Petitioner's Answer and Claim from the court files does not constitute tampering with public records.
161. Petitioner has not seen or been presented with any evidence that Kenealy's failure to return Petitioner's Answer and Claim to the court files does not constitute tampering with public records.
162. Petitioner has not seen or been presented with any evidence that Schmidt's responses to Petitioner's questions about the "disappearance" of Petitioner's Answer and Claim, given by Schmidt while under oath in Tom Wolforam's courtroom on May 20, 2002, case number 02CV124-B3, do not constitute False Swearing as that term is defined in Wis. stats. §946.32.

163. In the spring of 2001 Petitioner was informed by a long-time associate and real estate broker that there were men with "s.c." after their name who were attempting to obtain Petitioner's private property. This person advised Petitioner that he would net over \$500,000 for Petitioner if Petitioner wanted to sell his property and would list it with this particular associate.
164. Petitioner believes there is a "linkage" between Kenealy's acts to use the courts to unlawfully seize Petitioner's property and the reported attempts of these men with "s.c." after their name to obtain Petitioner's property, particularly in view of the unsolicited telephone call Petitioner received from a man who identified himself as representing one of the "very well known and connected" local firms, which Petitioner will not name at this time.
165. An April 28, 2003 letter to Joseph McCormack, Presiding Judge in Ozaukee County, from Los Angeles radio host Gene Forte states, in pertinent part: "Enclosed are recordings of three radio programs of AttorneyBusters.com, one broadcast on March 9, 2003, another of April 20th, 2003, and finally today's of April 27th, 2003 on KRLA 870 StartTalk in Los Angeles, California. The programs contain clips of various ADMISSIONS made during the interviews done with the knowledge and consent of the parties. Mr. Dennis Kenealy admits that clerk of court files were at his office, and Mr. Schmidt admits that the statements made by Mr. Steven Magritz were accurate in that Mr. Magritz's answer filed to the complaint to the foreclosure proceedings were at Mr. Kenealy's office, not at the Clerk of Court's office as required by Ozaukee County Circuit Court Rules. ... Your Honor will see as he investigates the matter that a default judgment was granted to Ozaukee County against Mr. Steven Magritz based upon no answer being filed by Mr. Magritz. The essence of Mr. Magritz's assertions to public officials by method of certified mailings was that Mr. Dennis Kenealy with his accomplice Mr. Jeffrey Schmidt removed Mr. Magritz's answer to the foreclosure proceedings and then moved to obtain a default judgment against him in such foreclosure proceeding. Therefore, the admissions of Mr. Schmidt stating that what Mr. Magritz was stating was "accurate" about the answer filed by Mr. Magritz being at Mr. Kenealy's office puts Mr. Kenealy in the not only awkward, but felonious position of having to explain how a default judgment could be taken with Mr. Kenealy having the answer at his office."
166. Petitioner incorporates herein by reference in their entirety the letter from Gene Forte to Joseph McCormack as well as the recordings of the three radio programs received by said judge from Gene Forte.
167. Additional acts leading up to the fraudulently obtained void judgment are themselves unlawful, evidence a denial of due process of law, and render the entire process VOID AB INITIO.
168. Ozaukee County records evidence a meeting on February 7, 2001 of the Taxation and General Claims Committee, hereinafter TGCC.
169. The TGCC was apparently led by Kenealy to decide, vote upon, and/or authorize Kenealy to begin foreclosure upon a purported tax certificate against Petitioner's private property.
170. Wisconsin statutes §59.01(1) clearly states that "The powers of a county as a body corporate can ONLY be exercised by the board, or in pursuance of a resolution adopted or ordinance enacted by the board.

171. Wisconsin statutes §59.52(12) clearly states, in pertinent part, "The board may: a) ... In counties with a population of 50,000 or more, the board may delegate its power in regard to current accounts, claims, demands or causes of action against the county to a standing committee **IF** the amount **DOES NOT EXCEED** \$10,000 ..."
172. The population of Ozaukee County is in **EXCESS** of 50,000.
173. The amount of the purported tax certificate was in **EXCESS** of \$20,000.
174. Petitioner has not seen or been presented with any documentation or evidence that the TGCC had any authority whatsoever to decide, vote upon, or authorize the foreclosure of a purported tax certificate against Petitioner's private property.
175. Petitioner **DENIES** that the TGCC had **ANY AUTHORITY WHATSOEVER** to authorize foreclosure of the (a) purported tax certificate against Petitioner's private property.
176. Petitioner **DENIES** that the TGCC had **ANY AUTHORITY WHATSOEVER** to authorize Kenealy to institute court foreclosure proceedings against Petitioner's private property.
177. Petitioner has not seen or been presented with any documentation or evidence that controverts the fact that a legal fiction, such as the business public corporation known as "Ozaukee County," has any power or authority to do anything other than that which is specifically, legally authorized in writing.
178. Petitioner has not seen or been presented with any documentation or evidence that controverts the fact that a legal fiction, such as the TGCC standing committee of the business public corporation known as "Ozaukee County," has any power or authority to do anything other than that which is specifically, legally authorized in writing.
179. Petitioner **DENIES** that the TGCC had any written authority to institute, or direct or order instituted, foreclosure proceedings on a purported tax certificate against Petitioner's private property.
180. Petitioner has not seen or been presented with any documentation or evidence that the TGCC did not usurp power or authority that was statutorily reserved to the board of supervisors **ONLY**.
181. Petitioner **DENIES** that any documentation or evidence exists that proves that the TGCC did not usurp authority.
182. Petitioner has not seen or been presented with any documentation or evidence that the illegal, unauthorized, usurpatious "authorization" of Kenealy by the TGCC to foreclose on a purported tax certificate against Petitioner's private property could, in any way, shape, manner or form, confer jurisdiction upon **ANY** court.
183. Petitioner **DENIES** that any such documentation or evidence exists that would prove that the aforesaid "authorization" could confer jurisdiction upon any court.
184. Petitioner had no knowledge or notice of the TGCC meeting held on February 1, 2001, whereat Petitioner's rights, property and interests were being discussed or threatened.
185. Petitioner believes that he was intentionally **NOT** informed of the TGCC meeting held on February 1, 2001, an egregious denial of due process of law.

186. Petitioner had no knowledge or notice of the TGCC meeting held on August 1, 2001, whereat Petitioner's rights, property and interests were being discussed or threatened.
187. Petitioner believes that he was intentionally NOT informed of the TGCC meeting held on August 1, 2001.
188. Petitioner believes that he was intentionally NOT informed of the TGCC meeting held on August 1, 2001, an egregious denial of due process of law.
189. Petitioner had no knowledge or notice of the TGCC meeting held on September 6, 2001, whereat Petitioner's rights, property and interests were being discussed and threatened.
190. Petitioner believes that he was intentionally NOT informed of the TGCC meeting held on September 6, 2001, an egregious denial of due process of law.
191. Petitioner believes that the failure of the county actors to provide Petitioner Notice was part of Kenealy's scheme to unlawfully seize Petitioner's private land.
192. According to the minutes of the September 6, 2001 TGCC meeting, members Kulfan, Dohrwardt, Kletti, McCulloch, and Weyker voted to have Kenealy proceed with eviction actions, which resulted in the forcible removal of Petitioner from his private property.
193. Petitioner has not seen any documentation or evidence that the TGCC had any authority whatsoever to order the removal of Petitioner from his private property.
194. Petitioner DENIES that the TGCC had any authority whatsoever to authorize Kenealy to proceed to have Petitioner removed from his private property.
195. Petitioner DENIES that the TGCC had any authority whatsoever to authorize Kenealy to proceed to have Petitioner removed from his private property, ESPECIALLY considering that the "default" judgment obtained by Kenealy was not only VOID, but it was a FRAUDULENTLY OBTAINED VOID JUDGMENT.
196. After Petitioner found out about the September 6, 2001 meeting of the TGCC and their apparently usurpacious decision to remove Petitioner from his private property, Petitioner obtained a certified copy of the minutes of the meeting of September 6, and accepted it for value conditioned upon proof of claim that somebody has a claim of title superior to Petitioner's in the subject land.
197. Supervisors Kulfan, Dohrwardt, Kletti, McCulloch, and Weyker were served a Notice Of Fault - Opportunity To Cure on October 1, 2001, followed by a Formal Certificate of Protest by a Notary Public which evidenced their failure/refusal to respond and provide proof of claim, all of which is recorded in Deeds, document number 690081 and incorporated herein by reference.
198. Petitioner believes that Kulfan, Dohrwardt, Kletti, McCulloch, and Weyker ("Kulfan et al.") were advised by Kenealy to ignore Petitioner, Petitioner's rights, and Petitioner's claims, in furtherance of Kenealy's scheme to unlawfully seize Petitioner's private property.
199. Notwithstanding the possibility that "Kulfan et al." were not acting in concert with Kenealy, each and every member of the Board of Supervisors, "Kulfan et al." included, have sworn an oath to support the Constitution of the United States and the Constitution of the state of Wisconsin, thereby imposing the duty upon themselves to **NOT INFRINGE** upon any of Petitioner's private rights, substantive

rights, or common rights.

200. Petitioner believes that the denial by the TGCC to afford Petitioner a hearing, followed by the refusal of the TGCC members to communicate with Petitioner and refusal to address Petitioner's Claims, is an egregious denial of due process of law.
201. Petitioner believes that the denial by the TGCC to afford Petitioner a hearing, followed by the refusal of the TGCC members to communicate with Petitioner, and refusal to address Petitioner's Claims, is not only an egregious denial of due process of law, but also prima facie evidence of the TGCC members assenting to Kenealy's acts in fraudulently obtaining a VOID judgment, an act which they had originally usurpatiously unlawfully authorized.
202. Petitioner believes that the denial by the TGCC to afford Petitioner a hearing, followed by the refusal of the TGCC members to communicate with Petitioner, and refusal to address Petitioner's Claims, is not only an egregious denial of due process of law, but also prima facie evidence of the TGCC members working in concert with Kenealy to unlawfully seize Petitioner's property.
203. Petitioner believes that he was intentionally denied notice of the TGCC meetings to prevent Petitioner from setting forth his Claims and providing documentation and evidence that Petitioner had NO TAX liability.
204. After Petitioner served a verified Answer to the foreclosure proceedings on the treasurer (which Kenealy concealed) and filed an original signature verified Answer with clerk of court Jeffrey S. Schmidt, which Kenealy unlawfully removed and concealed with Schmidt's contrivance, Petitioner received a letter from attorney Michael J. Riebe, who had been appointed guardian ad litem by presiding judge Joseph D. McCormack.
205. Riebe's letter stated that he was attempting to contact persons who had an interest in the foreclosure proceedings, and that if Petitioner had an interest, Petitioner should contact Riebe.
206. Petitioner thereupon mailed a complete copy of his verified Answer and Claim to Riebe, which RIEBE REFUSED TO ACCEPT.
207. Upon the return of the Answer mailed to Riebe, which Riebe had REFUSED to accept, Petitioner took the unopened package to a notary public.
208. The notary public opened the returned mail that Riebe had refused, repackaged it, and mailed it to Joseph D. McCormack.
209. The transcript of the proceedings on August 8, 2001 evidences the fact of Petitioner mailing a copy of his Answer and Claim to Riebe, and Riebe's REFUSAL TO ACCEPT THE ANSWER AND CLAIM, from the mouth of Kenealy himself when he states, "I believe Mr. Riebe hasn't accepted service." (page 3)
210. Petitioner believes the refusal by Riebe of Petitioner's mail is prima facie evidence of Riebe working IN CONCERT WITH KENEALY to unlawfully seize Petitioner's private land.
211. Obviously the supposedly "disinterested" guardian ad litem was communicating with Kenealy and engaging in acts the result of which, if not the intent, could provide Riebe with "plausible deniability" of any knowledge of the Claims and defenses of Petitioner.

212. Postal records evidence that McCormack received the Answer and Claim from the notary on August 7, 2001, one day before the August 8, 2001 proceedings, whereat McCormack granted Kenealy the fraudulently obtained void judgment.
213. The "filing" that McCormack admits knowledge of on page 3 of the transcript of the August 8 proceedings is obviously the Answer and Claim that was mailed to him by the notary public and received by him on August 7, inasmuch as the original Answer that Petitioner had filed with the court NEVER HAD BEEN RECORDED ON THE DOCKET SHEET AS RECEIVED, and in fact had been ILLEGALLY REMOVED FROM THE COURT AND CONCEALED BY KENEALY, facts later admitted by BOTH Kenealy and Schmidt.
214. The transcript of the August 8 "hearing" at which McCormack granted a default judgment in favor of Ozaukee County, ostensibly based on Petitioner's failure to serve an Answer on the county treasurer as required by Wis. stats. §75.521, EVIDENCES Kenealy stating, referring to McCormack's comment about Petitioner's "filing," also on page 3: "I'VE ONLY GOT PART OF MINE. WE COULDN'T BRING IT ALL UP HERE."
215. Kenealy thereby admitted on the record that Petitioner had served an Answer on the county treasurer, controverting his writing in the default judgment submitted to McCormack that "NO ANSWER WAS RECEIVED BY KAREN L. MAKOUTZ," inasmuch as Makoutz was served by certified mail, NOT Kenealy.
216. The transcript of the "hearing" EVIDENCES that one of the defenses that Petitioner made was that his private property, in the words of Kenealy himself, "wasn't subject to taxation," a defense which Wis. stats. 75.521(10) emphatically states is a **COMPLETE DEFENSE**.
217. The record of the court does NOT evidence any authority whatsoever in or for Joseph McCormack to impose his will and controvert the clear language of the statute that there SHALL be a TRIAL on the ISSUES, a mandate that should not be too difficult to comprehend inasmuch as there can be ONLY TWO ISSUES, one of which corporate counsel Kenealy CLEARLY stated ON THE RECORD, i.e., that Petitioner's land "WASN'T SUBJECT TO TAXATION."
218. Petitioner believes that the imposition by McCormack of his will is not merely an abuse of discretion, but a blatant, intentional, willful infringement upon and denial of Petitioner's constitutionally-secured Rights.
219. The transcript of the "hearing" EVIDENCES that Kenealy lied to the court when stating (page 2): "... the Steven Magritz property. That has not been redeemed", knowing full well ~~PETITIONER HAD TENDERED~~ PAYMENT, AND THAT SAID PAYMENT WAS IN KENEALY'S PHYSICAL POSSESSION.
220. The transcript of the "hearing" evidences that the court was NOT provided an AFFIDAVIT of "NO ANSWER."
221. The transcript of the court evidences NO TESTIMONY of indebtedness secured by the "mortgagee," i.e., tax certificate, notwithstanding the burden of proving the indebtedness being upon the moving party or "mortgagee." Badger State Agri-Credit & Realty, Inc. v. Lubahn, 122 Wis.2d 718 (1985).
222. The transcript of the "hearing" evidences NO TESTIMONY of Petitioner not having redeemed and being in default.

223. The transcript of the "hearing" evidences NO TESTIMONY, NO EVIDENCE, NO PROOF, NO AFFIDAVIT, absolutely NOTHING whatsoever RECEIVED into evidence, of Petitioner not having redeemed and being in default, notwithstanding McCormack's clearly unsubstantiated statement on page 5, to wit: "... it appearing BY DUE PROOF ..."
224. Petitioner believes McCormack's "conclusion" in the absence of finding of facts, incredulous, at best.
225. The transcript of the "hearing" evidences NO TESTIMONY as to what part of the premises constituted Petitioner's homestead, contrary to Wis. stats. §846.11.
226. The transcript of the "hearing" evidences egregious denial of due process of law, infringement upon constitutionally-secured Rights, and/or violation of clearly stated Wisconsin statutes, perpetrated by men/women who have SWORN AN OATH to support the Constitution of the United States and the Constitution of the state of Wisconsin, such that it shocks the conscience of the court.
227. The transcript of the "hearing" does not evidence any testimony, exhibit, affidavit, authority, record, or otherwise, that any person, entity, or individual, including but not limited to the business public corporation named "Ozaukee County," may infringe upon Petitioner's PATENTIS.
228. The record of the court does not evidence any authority whatsoever of or for any person, entity, or individual, including but not limited to the business public corporation named "Ozaukee County," to infringe upon Petitioner's PATENTIS.
229. Petitioner has NOT granted the business public corporation named "Ozaukee County," nor any other person, entity or individual any power or authority whatsoever to infringe upon Petitioner's PATENTIS.
230. The record of the court does not evidence any tax certificate issued against Petitioner's property.
231. The record of the court does not evidence any tax certificate, issued against Petitioner's property or against any other property.
232. The record of the court does not evidence a tax certificate that was being foreclosed upon.
233. The record of the court does not evidence the existence of a tax certificate, ostensibly the authority upon which the court was moving.
234. The record of the court does not evidence the existence of a tax certificate, the existence of which is an absolute necessity to confer subject matter jurisdiction upon the court.
235. The record of the court does not evidence the existence of a tax certificate, the existence of which is an absolute necessity to confer subject matter jurisdiction upon the court, inasmuch as a purported tax certificate is the SUBSTANCE OF THE MATTER.
236. The record of the court does not evidence subject matter jurisdiction conferred upon the court by way of a PROPER PLEADING.
237. The record of the court does not evidence subject matter jurisdiction conferred upon the court with a proper pleading with the purportedly foreclosed upon instrument or document or security being exhibited and filed with the court. "The power to create presumptions is not a means of escape from

constitutional restrictions."

238. Petitioner DENIES the existence of any tax certificate issued against Petitioner's private property.
239. Petitioner DENIES that the court had subject matter jurisdiction without the "plaintiff" producing the purported tax certificate that was allegedly being foreclosed upon.
240. The record of the court does not evidence Findings of Fact and Conclusions of Law.
241. Following the receipt from Makoutz and concealment of Petitioner's tender of payment, the removal and concealment of Petitioner's Answer and Claim from the court files with the contrivance of Jeffrey S. Schmidt, the obtainment and concealment of Petitioner's Answer and Claim served upon Makoutz, and the obtainment of a "hearing" corrupted by egregious denial of due process of law, Kenealy drafted a Default Judgment against Petitioner that stated that "NO ANSWER WAS RECEIVED BY KAREN L. MAKOUTZ."
242. Kenealy presented the false and fraudulent judgment to Joseph D. McCormack, who signed it on August 9, 2001, thereby granting a fraudulently obtained judgment to the business public corporation named "Ozaukee County," which is a void judgment, in that fraud vitiates everything (Guzzo v. Guzzo, 269 Wis. 21, 68 N.W.2d 559 (1955)).
243. Petitioner has not seen or been presented with any evidence that Kenealy's acts did not constitute fraud upon the court (see Hazel-Atlas Glass, 322 U.S. 235).
244. Petitioner has not seen or been presented with any evidence that Kenealy's acts did not constitute tampering with public records.
245. Petitioner has not seen or been presented with any evidence that Kenealy's acts did not constitute misconduct in public office.
246. Petitioner has not seen or been presented with any evidence that Kenealy's acts did not constitute fraudulent writing.
247. The record of the court does not evidence any authority or power in Joseph D. McCormack to grant "right, claim, or title in interest" in Petitioner's Private property with a market value in excess of \$500,000, to the business public corporation named "Ozaukee County" based upon an unsubstantiated claim of indebtedness of some \$20,000, with ABSOLUTELY NO COMPENSATION WHATSOEVER being paid to Petitioner.
248. Petitioner does not believe that McCormack's "judgment" could, by the wildest stretch of the most prodigious of imaginations, be raised from its current depths to a level sufficient to qualify it being termed "legal plunder," for it is beyond the pale of shocking the conscience to believe that an allegedly educated judge, presumably knowledgeable in the law, would cast dispersion upon Petitioner's researched and extensively documented Answer and Claim, totaling approximately 140 pages, by labeling it an "incomprehensible filing" in order to justify stealing Petitioner's PRIVATE property with market value over half a million dollars based on an UNSUBSTANTIATED CLAIM in the amount of \$20,000.

249. The record of the court evidences that presiding officer McCormack acknowledged, on the record (page 3 of the transcript) that he had Petitioner's VERIFIED Answer, which had been mailed to him by a notary public with a Letter Rogatory after Riebe refused acceptance, and received by him via U.S. mail, certified return receipt on August 7, 2001, and therefore was FULLY APPRISED of Petitioner's defenses of (1) having paid the tax (under threat of abuse of legal process), and, (2) the land not being subject to tax (Wis. stats. §75.521(7)), notwithstanding:
- a) the FACT that Kenealy had, with the contrivance of clerk of court Jeffrey S. Schmidt, removed from the court files this Petitioner's VERIFIED Answer, which Kenealy thereafter concealed, and,
 - b) the FACT that Kenealy had in his possession the VERIFIED Answer served upon county treasurer Makoutz, and the very next day, August 9, represented to the court that "NO ANSWER WAS RECEIVED BY KAREN L. MAKOUTZ," and,
 - c) the FACT that guardian ad litem Michael J. Riebe REFUSED TO ACCEPT the VERIFIED ANSWER mailed to him.
250. The VERIFIED Answer and Claim (often referred to herein as merely "Answer") that McCormack had received and which he referred to as "rather long" consisted of approximately 142 pages.
251. The VERIFIED Answer received by McCormack consisted of a verified answer, plus a claim, plus copies of documents certified out of the PUBLIC RECORD that supported or substantiated both the Answer and/or the Claim.
252. The VERIFIED Answer received by McCormack included documents from the public record that evidenced that county treasurer Makoutz HAD received Petitioner's Tender of Payment for the full and complete redemption of the purported tax certificate.
253. The VERIFIED Answer received by McCormack included documents from the public record that evidence that Makoutz ADMITTED that she had received Petitioner's Tender of Payment.
254. The VERIFIED Answer received by McCormack included documents from the public record that evidenced that Makoutz ADMITTED that Petitioner requested her, as FIDUCIARY for the county, to immediately take Petitioner's Tender of Payment to the bank for collection.
255. The VERIFIED Answer received by McCormack included documents from the public record that evidenced that Makoutz ADMITTED her REFUSAL to take Petitioner's Tender of Payment to the bank for collection.
256. The VERIFIED Answer received by McCormack included documents from the public record that evidenced that Makoutz ADMITTED that she "gave" (sic) Petitioner's Tender of Payment to Dennis E. Kenealy.
257. The VERIFIED Answer received by McCormack included documents from the public record that evidenced that Makoutz ALSO received Tender of Payment from Petitioner for ALL ALLEGED EXPENSES incurred and amounts allegedly due that were associated with the foreclosure proceedings.
258. The VERIFIED Answer received by McCormack included documents from the public record that evidenced that Makout ADMITTED that she received the Tender of Payment from Petitioner as full and

complete discharge of ALL the alleged expenses incurred and amounts due associated with the foreclosure proceedings.

259. The VERIFIED Answer received by McCormack included documents from the public record that Makoutz ADMITTED that she knowingly, willingly, and intentionally did not take Petitioner's payments to the bank that Ozaukee County does business with.
260. The VERIFIED Answer received by McCormack included documents from the public record that Makoutz ADMITTED that she knowingly, willingly, and intentionally gave Petitioner's payment to Kenealy, with the knowledge that Dennis Kenealy was NOT going to take Petitioner's payments to the bank that Ozaukee County does business with.
261. The VERIFIED Answer received by McCormack included documents from the public record of a Formal Certificate of Protest of Commercial Paper U.C.C. §3-505 by a notary public noting that Petitioner had tendered payment to Makoutz, and protesting the FACT that Makoutz refused to honor Petitioner's tendered payments and had not stated any legal reason for such dishonor.
262. The VERIFIED Answer received by McCormack included documents from the public record, as recorded in Deeds document number 675637, of a PROTEST by a notary public of Makoutz's dishonor of Petitioner's Tender of Payment, which, pursuant to Wis. stats. §403.505 is: "... admissible as EVIDENCE and create a presumption of dishonor and of any notice of dishonor stated: ..."
263. The VERIFIED Answer received by McCormack included documents from the public record evidencing that Petitioner's aforesaid Tender of Payment constituted full and complete discharge pursuant to Wis. stats. §403.603.
264. The VERIFIED Answer received by McCormack included documents from the public record that Petitioner AGAIN made Tender of Payment to Makoutz, but this time with a negotiable CERTIFIED PROMISSORY NOTE, pursuant to Wis. stats. §403.104, dated April 20, 2001.
265. The VERIFIED Answer received by McCormack included documents from the public record that Makoutz ADMITTED that Petitioner had AGAIN made Tender of Payment to Makoutz, but this time with a negotiable CERTIFIED PROMISSORY NOTE, pursuant to Wis. stats. §403.104.
266. The VERIFIED Answer received by McCormack included documents from the public record that Makoutz ADMITTED transferring Petitioner's tendered Certified Promissory Note to Kenealy, rather than presenting it for payment.
267. The VERIFIED Answer received by McCormack included documents from the public record that Petitioner served Notice of Reservation of Right to Initiate Counterclaim and to Claim Bond or Surety along with the Note in the event that Makoutz dishonored the tender of payment this second time.
268. The VERIFIED Answer received by McCormack included documents from the public record that evidence, as an operation of law, that Makoutz tacitly agreed that the tender of the Note was accord and satisfaction and Ozaukee County's purported claim was discharged pursuant to Wis. stats. §§ 403.311 and 403.603.
269. The VERIFIED Answer received by McCormack included documents from the public record, as recorded

in Deeds, document number 675781, of a PROTEST by a notary public of Makoutz's dishonor of Petitioner's tender of payment by Certified Promissory Note, which, pursuant to Wis. stats. §403.505 is: "... admissible as **EVIDENCE** and creates a presumption of dishonor and of any notice of dishonor stated: ..."

270. The VERIFIED Answer received by McCormack included documents from the public record of ADMISSIONS from various public officers, in addition to Makoutz, that neither they, nor any other person or entity known to them, including but not limited to the business public corporation named "Ozaukee County", identified in Wis. stats. §706.03(1)(b) as "this" county, had ANY claim against Petitioner's land.
271. The VERIFIED Answer received by McCormack included documents from the public record of ADMISSIONS from various public officers, in addition to Makoutz, that neither they, nor any other person or entity known to them, including but not limited to the business public corporation named "State of Wisconsin", identified in Wis. stats. §706.03(1)(b) as "this" state, had ANY claim against Petitioner's land.
272. The record of the court does **NOT** evidence any document or testimony controverting the aforesaid ADMISSIONS by Makoutz regarding her receipt of tenders of payment, her failure to properly negotiate or present them, her transfer of said payments to Kenealy, as well as the other ADMISSIONS of public officers that neither Ozaukee County nor State of Wisconsin had any claim against Petitioner's property, each and any of which constitute an ESTOPPEL to Kenealy's foreclosure proceedings.
273. The VERIFIED Answer received by McCormack included documents from the public record evidencing that Petitioner's Private property was NOT hypothecated to the public.
274. The VERIFIED Answer received by McCormack included documents from the public record evidencing that Petitioner's Private property was NOT hypothecated to the business public corporation named Ozaukee County.
275. The VERIFIED Answer received by McCormack included documents from the public record evidencing that Petitioner's Private property was NOT hypothecated to the business public corporation named State of Wisconsin.
276. The VERIFIED Answer received by McCormack included documents from the public record that evidenced that Kenealy, Makoutz, and/or Ozaukee County were seeking to INFRINGE upon PATENTIS on Petitioner's Private land.
277. The VERIFIED Answer received by McCormack included documents from the public record that evidenced that Petitioner's land was Private land PATENTIED from the United States of America.
278. The VERIFIED Answer received by McCormack included documents from the public record that evidenced Petitioner's LEGAL TITLE to Petitioner's Private land, the peaceful possession of which Petitioner was subsequently denied by violent force of arms pursuant to McCormack's orders.
279. The VERIFIED Answer received by McCormack included documents from the public record that evidenced Petitioner's EQUITABLE TITLE to Petitioner's Private land, the peaceful possession of which

- Petitioner was subsequently denied by violent force of arms pursuant to McCormack's orders.
280. The VERIFIED Answer received by McCormack included documents from the public record that evidenced Petitioner's PERFECTED TITLE to Petitioner's Private land, the peaceful possession of which Petitioner was subsequently denied by violent force of arms pursuant to McCormack's orders.
281. The VERIFIED Answer received by McCormack included documents from the public record that evidenced NO challenge from any individual, entity or person to Petitioner's LEGAL TITLE.
282. The VERIFIED Answer received by McCormack included documents from the public record that evidenced NO challenge from any individual, entity or person to Petitioner's EQUITABLE TITLE.
283. The VERIFIED Answer received by McCormack included documents from the public record that evidenced NO challenge from any individual, entity or person to Petitioner's PERFECTED TITLE.
284. The record of the court does NOT evidence ANY document or affidavit or testimony or claim by Kenealy, Makoutz, or Ozaukee County asserting any LEGAL title to Petitioner's Private property.
285. The record of the court does NOT evidence ANY document or affidavit or testimony or claim by Kenealy, Makoutz, or Ozaukee County asserting any EQUITABLE title to Petitioner's Private property.
286. The record of the court does not evidence any facts, let alone facts received into evidence, that would legally or lawfully justify divesting Petitioner of his legal title.
287. The record of the court does not evidence any facts, let alone facts received into evidence, that would legally or lawfully justify divesting Petitioner of his equitable title.
288. The record of the court does not evidence any facts, let alone facts received into evidence, that would legally or lawfully justify divesting Petitioner of his peaceful enjoyment, possession and use of his property.
289. The record of the court does NOT evidence that McCormack had any legal authority or lawful authority to disregard the Letter Rogatory with Petitioner's VERIFIED Answer and Claim that McCormack received from a notary public.
290. The record of the court does NOT evidence that McCormack had any legal authority or lawful authority to disregard the Letter Rogatory with Petitioner's VERIFIED Answer and Claim that McCormack received from a notary public, notwithstanding the tampering with court records by removal and concealment of Petitioner's Answer and Claim which falsely indicated that Petitioner had not answered the Summons and Complaint.
291. Petitioner believes that the acts of McCormack give proof to the statement of county clerk Harold Dobberpuhl who, when Petitioner pointed out to Dobberpuhl that the contracted bond coverage on Makoutz was not as much as that required by the board of supervisors, stated that that was not a problem, because: "WE OWN THE COURTS."
292. The record of the court evidences that McCormack had in his personal possession copious documentation evidencing lack of subject matter jurisdiction of the court, his subsequent issuance of a default judgment being a willful, knowing, intentional disregard of Wis. stats. §802.06(8)(c) [FRCP 12(h)(3)] which states: "If it appears by motion of the parties OR OTHERWISE that the court lacks jurisdiction of the subject matter, the court SHALL dismiss the action."

293. The record of the court does NOT evidence that McCormack performed his MINISTIERIAL DUTY pursuant to Wis. stats. §75.521(10) which states, in pertinent part, "If a duly verified answer is served upon the county treasurer ... the court **SHALL** hear and determine the ISSUES ... Upon such **TRIAL** ...," inasmuch as McCormack FAILED/REFUSED to schedule a TRIAL.
294. The record of the court does NOT evidence that McCormack performed his MINISTIERIAL DUTY pursuant to Wis. stats. §75.521(10) which states, in pertinent part. "Whenever an answer is interposed as herein provided, there **SHALL** be a severence of the proceedings ..."
295. Petitioner has not seen or been presented with ANY documentation or evidence that McCormack had **ANY DISCRETION** in the matter, but rather had clearly mandated MINISTIERIAL DUTIES which McCormack utterly failed and/or refused to perform.
296. Following McCormack's apparent breach of his MINISTIERIAL DUTY, and his signing of the fraudulently obtained VOID judgment, Petitioner conditionally accepted the judgment subject to proof of claim by McCormack that anyone had evidenced a claim of title superior to that of Petitioner in Petitioner's private land.
297. McCormack failed and/or refused to respond with proof of claim, thereby admitting that no one had a claim superior to that of Petitioner in Petitioner's private land.
298. McCormack's failure and/or refusal to respond with proof of claim to justify his breach of MINISTIERIAL DUTY and his signing of a fraudulently obtained VOID judgment was evidenced by Formal Certificate of Protest, recorded in Deeds document number 690080, which is incorporated herein by reference in its entirety as if fully reproduced herein.
299. Petitioner believes that McCormack's failure and/or refusal to abide by clearly mandated statutory REQUIREMENTS is an egregious denial of due process of law.
300. Petitioner believes that McCormack's failure and/or refusal, upon being served Formal Certificate of Protest, to provide proof of claim, or else void the judgment and set the ISSUES for TRIAL, is not only an egregious denial of due process of law, but also evidence of tortious conduct.
301. Petitioner believes that McCormack's tortious acts were intentional.
302. Petitioner believes that McCormack acted with the result, if not the intent, of furthering the goals of the Enterprise; an immediate goal being to seize Petitioner's private land, by any means possible.
303. Petitioner believes that McCormack benefited from his participation in the Enterprise by maintaining his prestigious position in the power structure of the public corporations Ozaukee County and/or State of Wisconsin, his generous salary, pension, perks, political influence, social contacts, and/or standing in the community.

304. Additional facts evidencing the operations of the Enterprise, as well as Kenealy's role therein include, but are not limited to the following.
305. On or about April 24, 2001 Petitioner received via U.S. mail a letter dated April 23, 2001 from Kenealy in furtherance of Kenealy's scheme of unlawfully seizing Petitioner's private property by obtaining a fraudulent and void judgment.
306. At the time Kenealy mailed his April 23 letter, Kenealy had in his possession both the tender of payment that Makoutz admitted that she had given to Kenealy rather than taking to the bank, and, the Certified Promissory Note which Makoutz gave to Kenealy rather than presenting for payment.
307. On July 23, 2001 an officer of the court mailed via U.S. mail certified return receipt to Ronald A. Voigt, dba Register of Deeds, a CORRECTION STATEMENT PE-500 Wisconsin Real Estate Transfer Return that set forth explicitly that the property of Petitioner was private and was NOT hypothecated to the public, thereby explicitly rebutting any implied or concealed presumption that Petitioner's property, or title to property, was imported to the United States and/or hypothecated to the public. The form was accompanied with a request to notify any and all persons who may rely on, or claim to rely on, any prior incorrect statement.
308. On or about July 27, 2001 Petitioner received from Kenealy via U.S. mail, along with the aforesaid documents that had been mailed to Voigt, a letter signed by Kenealy stating that Kenealy had advised Voigt to NOT file the CORRECTION STATEMENT.
309. On July 28, 2001 Petitioner mailed the aforesaid CORRECTION STATEMENT to Ronald A. Voigt with a Praecipe respectfully ordering Voigt to file the CORRECTION STATEMENT. Either Voigt or Kenealy returned said CORRECTION STATEMENT without comment to Petitioner via U.S. mail, presumably based on Kenealy's will.
310. The imposition of Kenealy's will upon Voigt to procure an elected public officer (Voigt) to NOT do his duty as required by Wisconsin statutes is believed by Petitioner to be a deliberate and intentional falsification of the public record for the purpose of causing an injury to Petitioner by denying Petitioner the ability to correct the record (see admissions by Kenealy in Deeds, document number 708567, incorporated herein by reference in its entirety as if fully reproduced herein).
311. On May 30, 2003 Kenealy testified under oath at the Preliminary Hearing in Dane County Case No. 02-CF-1170. Regarding the aforesaid PE-500 Correction Statement, Petitioner asked Kenealy, "Is the reason that you refused to file it because it states on there explicitly that my private land is not hypothecated to the bankrupt corporate United States?" Kenealy responded, "That may be one of the reasons." (See transcript of proceedings, page 78, incorporated herein by reference).
312. Kenealy's response is revealing in that Kenealy acknowledges the following: 1) Petitioner's land is private, not public; 2) Petitioner's private land is not hypothecated (pledged) to the public; 3) that the United States is a public corporation (defined in 28 U.S.C. §3002(15)(A); and, 4) that the public corporation named United States has been declared to be bankrupt (United States Congressional Record, March 17, 1993, vol. 33, page H-1303).

313. Petitioner has not seen or been presented with any documentation that would evidence that Kenealy's and Voigt's refusal to correct the public record when requested by an interested party, especially a party who could be injured by an incorrect record, did not constitute falsification of public records, breach of fiduciary duty, fraudulent writings, and/or misconduct in public office (see Wis. stats. §§ 59.43(1)(c), 77.22(1), 943.39, 946.12).
314. Petitioner has not seen or been presented with any documentation that Kenealy's and Voigt's acts do not constitute an intentional tort or the intent to commit a tort or aid and abet the commission of a tort against Petitioner or his Rights.
315. County records evidence that on September 6, 2001, the Taxation and General Claims Committee (TGCC), consisting of "Supervisors Kulfan, Dohrwardt, Kletti, McCulloch, Weyker," VOTED that Kenealy "be requested to proceed with the eviction actions" to remove Petitioner from his private property.
316. The minutes of the Sept. 6 TGCC meeting do NOT evidence that the TGCC had ANY AUTHORITY whatsoever to authorize Kenealy to proceed to evict Petitioner from his private property.
317. Petitioner has not seen or been presented with any documentation or evidence that would offer proof that the TGCC had ANY AUTHORITY to authorize Kenealy, or anyone else, to proceed to evict Petitioner from his private property.
318. Petitioner has not seen or been presented with any documentation or evidence that the Board of Supervisors delegated any power or authority to the TGCC that would empower the committee to authorize Kenealy, or anyone else, to proceed to evict Petitioner from his private property.
319. Petitioner DENIES that the Board of Supervisors had the power and authority to delegate to the TGCC any power or authority to act, as a standing committee, to authorize Kenealy, or anyone else, to commence eviction proceedings against Petitioner.
320. Petitioner DENIES that the Board of Supervisors delegated the power or authority to the TGCC to authorize Kenealy, or anyone else, to commence eviction proceedings against Petitioner.
321. Petitioner DENIES that the TGCC had any power or authority to order or authorize the eviction of Petitioner from his private property.
322. Petitioner DENIES that the TGCC had any power or authority to order or authorize Kenealy, or anyone else, to evict Petitioner from his private property.
323. In fact, the minutes of the September 6 meeting of the TGCC do NOT authorize Kenealy to proceed with eviction actions against Petitioner.
324. The specific language of the official minutes of the September 6 meeting, a certified copy of which is recorded in Deeds, document number 690081, page 316, evidences "that the Corporation Counsel be requested to proceed with eviction actions."
325. The aforesaid minutes do NOT state WHO or WHOM the "request" is to be directed to - perhaps the full Board?
326. The specific language of the official minutes of the September 6 meeting does NOT AUTHORIZE Kenealy to proceed against Petitioner with eviction actions.

327. Petitioner reiterates the court take MANDATORY JUDICIAL NOTICE that "The county's failure to FULLY comply with the statute renders a foreclosure judgment void" and "compliance with the statute is requisite to jurisdiction AT EVERY STEP," and that this applies equally well to the actions of the TGCC and the forceable removal of Petitioner from his private property.
328. Petitioner obtained a certified copy of the September 6 meeting of the TGCC and conditionally accepted it for value (CAFV) upon proof of claim that somebody has a claim of title superior to mine in Petitioner's private land from Kulfan, Dohrwardt, Kletti, McCulloch and Weyker as evidenced in Deeds, document number 690081, pages 306 through 317.
329. The aforesaid CAFV's were mailed on September 19, 2001 to each member individually (page 317 of document 690081).
330. Petitioner incorporates herein by reference in its entirety as if fully reproduced herein Deeds document number 690081.
331. Petitioner did not receive a response from Kulfan, Kletti, Dohrwardt, McCulloch or Weyker, whereupon Notice of Fault - Opportunity To Cure was served upon each of them via service upon county clerk Dobberpuhl (document 690081, page 305).
332. None of the TGCC members cured their Fault, whereupon a Formal Certificate of Protest by a notary public was executed.
333. The Protest was filed with the court on October 3, 2001 (page 304).
334. Each and every member of the TGCC assented to the unlawful acts of Kenealy as evidenced by the Protest by failing/refusing to respond to Petitioner's CAFV.
335. By failing /refusing to respond to Petitioner's CAFV and producing a claim of title superior to that of Petitioner, each and every member of the TGCC thereby acknowledged their significant role in the operations of the Enterprise.
336. McCormack refused to honor the Protest, as evidenced by his subsequent issuance of a Writ of Restitution.
337. McCormack also, by ignoring the Protest just as he had ignored the substantial evidence placed before him as previously set forth herein, acknowledged his significant role in the operations of the Enterprise.
338. On or about September 12, 2001 Kenealy mailed via U.S. mail to Petitioner a Summons and Complaint in the furtherance of the unlawful scheme to seize Petitioner's private property. Kenealy's Summons and Complaint was based on the fraudulently obtained void judgment signed by McCormack on August 9, 2001, wherein Kenealy had inserted the false statement "NO ANSWER WAS RECEIVED BY KAREN L. MAKQUIZ," and upon the September 6, 2001 meeting of the TGCC.
339. Petitioner believes Kenealy's acts in filing and mailing the Summons and Complaint on or about September 12, 2001, constitute abuse of legal process, intimidation of a witness of a criminal activity (Wis. stats. §940.43; 18 USC §1512) and intimidation of a victim of criminal activity (Wis. stats. §940.45).

340. Kenealy supplied false, slanderous, and/or defamatory information to the Ozaukee Press for publication.
341. The false, slanderous and/or defamatory information given to and published by the Ozaukee Press was obviously intended to inflame public opinion against Petitioner.
342. The false, slanderous and/or defamatory information given to and published by the Ozaukee Press was obviously intended to incite Sheriff Straub and his deputies to acts of violence against Petitioner.
343. On September 13, 2001 the Ozaukee Press published the statement "Steven and Chieko Magritz, who have responded to the county's collection efforts with what officials call militia-like tactics ..." is false, defamatory, and/or inflammatory.
344. The "militia-like tactics" were in reference to Petitioner's exposing Kenealy's acts of theft, conversion, concealment of documents, removal of documents, the obtainment of a fraudulent judgment, as well as requests upon Makoutz, Kenealy, Schmidt, and/or McCormack to produce the EVIDENCE of **ANY CLAIM** of title or interest in Petitioner's PRIVATE property, which Petitioner has **EVERY RIGHT IN LAW** to have produced and presented to prove any duty, liability, or obligation.
345. On September 13, 2001 the Ozaukee Press published the following false, defamatory, scandalous, and/or inflammatory statements attributed to Kenealy: "I anticipate this could be an actual physical eviction, and **knowing the group he's associated with**, it could require LAW ENFORCEMENT." "Magritz filed an endless stream of nonsense with the county." "He's filed the Magna Carta. He's made himself a non-citizen of the United States. He has enough money to file all this paperwork, but not pay his taxes." Much of the paperwork is derived from common law and is indicative of tactics used by anti-government groups, Kenealy said. "This is the type of response I've seen from people associated with militia groups," he said. "It's a **militia sort** of thing, but I can't say, for instance, if its Posse Comitatus." "I know he's tapped into the movement because I've gotten calls from people in California wanting to know why we haven't accepted his paperwork."
346. Petitioner has never been a member of a militia group.
347. Petitioner has never been to a militia group meeting.
348. Petitioner has not even associated with anyone who Petitioner knows is a member of a militia group.
349. Petitioner is not, has not, and was not associated with any "group," therefore Kenealy's statement "knowing the group he's associated with" was a false statement, recklessly made, recklessly published, with utter disregard for the facts and/or truth.
350. Petitioner believes that Kenealy intentionally made the false statement "knowing the group he's associated with."
351. Kenealy's statements were false, slanderous, scandalous, made with the intent to arouse and or inflame public passions and/or the passions of the ignorant and/or to set Petitioner up for a violent confrontation or SWAT Team attack, which in fact ensued.

352. Petitioner is not, and never has been, a violent person.
353. Kenealy's implication that Petitioner was or may have been associated with any groups that may be violent is false, scandalous, and/or slanderous.
354. Kenealy's false statement regarding Petitioner filing "nonsense" is disparaging, defamatory, denigrating, derogatory, slanderous, and/or scandalous.
355. Petitioner believes that if his paperwork is "nonsense," at least ONE of these so-called public servants would have at least on ONE occasion either responded to Petitioner and not ignored, concealed, stolen or removed from the court Petitioner's pleadings, petitions, filings, etc.
356. Petitioner is not, and never has been, "anti-government."
357. Petitioner is highly in favor of honest, constitutional, republican form of government.
358. Petitioner is staunchly opposed to the criminal element in government who lie, cheat, steal, pilfer, convert, conceal public documents, remove public documents, or any other act perpetrated against the peace and dignity of the People.
359. Kenealy's terms "militia groups," "militia sort," "Posse Comitatas" are inflammatory, scandalous, derogatory, defamatory, disparaging, and/or denigrating, and totally false when associated with Petitioner, and obviously intended to imply "guilt by association."
360. Kenealy's statement "I know he's tapped into the movement ..." is obviously intended to implicate Petitioner with some unnamed, perhaps nefarious "movement" of which Petitioner has no knowledge and denies being associated with, part of, or "tapped into."
361. Kenealy's statement "He's made himself a non-citizen of the United States" is prima facie evidence of a **hate crime**.
362. Kenealy's statement "He's made himself a non-citizen of the United States" is slanderous of Petitioner's nationality and Petitioner's Right to expatriate.
363. Evidence of Kenealy's defaming Petitioner's nationality or Right of expatriation is set forth in The Expatriation Act, of which this court shall take mandatory judicial notice: Public Law, 15 United States Statutes at Large, Chapter 249, pages 223-224 (1868), which states in pertinent part: "THEREFORE, Be it enacted by the Senate of the and House of Representatives of the United States of America in Congress assembled, That ANY DECLARATION, instruction, OPINION, order or decision of any officers of this government which denies, restricts, impairs, or QUESTIONS the right of expatriation, is hereby declared inconsistent with the fundamental principles of this government."
364. Kenealy's statement published by the Ozaukee Press that "He has enough money to file all this paperwork, but not pay his taxes," in light of the FACT that Kenealy had converted Petitioner's tender of payment and had said tendered payment IN HIS POSSESSION, is not only slanderous or injurious of Petitioner's reputation, standing in the community, business, and/or credit, but obviously made with the INTENT to cause Petitioner injury.
365. Petitioner claims that Kenealy's statements published by the Ozaukee Press were false, defamatory, or injurious to Petitioner's reputation, credit, business, or standing in the community.

366. Petitioner claims that Kenealy made the false statements published by the Ozaukee Press with the intent to cause Petitioner an injury and/or with the intent to further the goals of the Enterprise.
367. Petitioner claims that Kenealy made the false statements published by the Ozaukee Press with the intent to further the scheme to seize Petitioner's private land and/or with the intent to further the goals of the Enterprise.
368. Ozaukee Press, William Schanen IV, Marie Schanen, and William Schanen III were served a complete copy of Petitioner's Answer and Claim by a third party, as evidenced by affidavit and recorded in Deeds, document number 687553, incorporated herein by reference in its entirety as if fully reproduced herein.
369. Ozaukee Press never corrected, retracted, changed, apologized for, etc., publishing the libelous, scandalous, or slanderous statements or remarks regarding Petitioner.
370. Petitioner has not received any response from Bill (William) Schanen IV with regard the Administrative Notice and Inquiry, #LDPS010917A, wherein Bill Schanen IV was requested to answer some fifty-three inquiries regarding the article written by Schanen and published in the September 13, 2001 issue of the Ozaukee Press, deemed by Petitioner vilification, character assassination, slander, slander of title, reckless disregard of the facts, false statements, misstatements, labeling, et cetera. (Exhibit D, Sept. 13 article, attached hereto and incorporated herein by reference).
371. Petitioner has not received any response from Ozaukee Press, Port Publications, Inc., William F. Schanen III, Marie J. Schanen, or Bill Schanen IV with regard the Administrative Notice and Inquiry, #LDPS011013A dated October 13, 2001, wherein Petitioner accepted conditioned upon proof of claim the October 11, 2001 article in Ozaukee Press titled "County gets court OK to evict couple."
372. Petitioner incorporates herein by reference in its entirety as if fully reproduced herein the entire document numbered 698041, vol 1416, pages 443 through 474, the Affidavits in Support of Formal Certificate(s) of Protest, the Protests numbered #LDPS121126A and #LDPS011123A, Third Party Affidavit of Witness to Private Administrative Process - Claim #LDPS010917A, as well as the remaining supporting documents evidencing the liability of Ozaukee Press, Port Publications, Inc., William F. Schanen III, Marie J. Schanen, and/or Bill Schanen IV to Petitioner.
373. Petitioner believes that the aforesaid Schanens, Ozaukee Press, and/or Port Publications, Inc., performed an important role in furthering the goals of the Enterprise by, among other things, turning the community and/or the Sheriff's department against Petitioner.
374. Petitioner believes that the Schanens, Ozaukee Press, and/or Port Publications, Inc. benefit substantially from the operations of the Enterprise by way ^{of} political influence and/or advertising revenues from persons belonging to, or associated with, the Enterprise.

375. On September 21, 2001, at 2:40 p.m., the Ozaukee County Sheriff's Department received from Petitioner a NOTICE OF THE CIRCUMSTANCES OF CLAIM with 155 pages of Affidavit and documents in support of Petitioner's Claim, for service on the Board of Supervisors, Ozaukee County, Wisconsin, as evidenced in Deeds, document number 698709, incorporated herein by reference in its entirety as if fully reproduced herein.
376. On September 24, 2001, at 2:35 p.m., Deputy Sheriff G.L. Speth served Petitioner's NOTICE OF THE CIRCUMSTANCES OF CLAIM, with the 155 pages in support thereof, on the Board of Supervisors, Ozaukee County, Wisconsin, by way of personal service on Harold Dobberpuhl, county clerk, as evidenced in Deeds, document number 690081, incorporated herein by reference in its entirety as if fully reproduced herein.
377. Petitioner's Claim served upon the Board of Supervisors was a conditional acceptance for value of McCormack's August 9, 2001 "judgment" conditioned upon proof of claim that somebody has a claim of title superior to mine in the subject land (i.e., Petitioner's private property).
378. Petitioner's Claim served upon the Board of Supervisors was a conditional acceptance for value of the September 6, 2001 Decision of the TGCC to "evict" Petitioner conditioned upon proof of claim that somebody has a claim of title superior to mine in the subject land (Petitioner's private property).
379. Petitioner requested the Board of Supervisors to either show proof of claim that somebody has a claim of title superior to mine or else DECLARE VOID the purported tax certificate issued against Petitioner's private land.
380. Petitioner's Claim upon the Board of Supervisors included elements of Petitioner's Answer and Claim in Ozaukee County case number 01-CV-58-B3 with additional items regarding Kenealy's criminal acts.
381. Petitioner's Claim against the county was served upon the county in full compliance with Wis. stats. §59.64, Claims against county.
382. Petitioner has not seen or been presented with any evidence that Dobberpuhl complied with the clear imperative of his MINISTERIAL DUTY pursuant to Wis. stats. §59.64(3), to wit, "The clerk **SHALL** ... lay before said board all such claims."
383. Petitioner has not seen or been presented with any evidence that the Board of Supervisors complied with the clear imperative of their MINISTERIAL DUTIES set forth in Wis. stats. §59.64(3) with regard to Petitioner's CLAIM, to wit, "... the board **SHALL** act upon all such claims ..."
384. Petitioner has not seen or been presented with any evidence that the Board of Supervisors complied with the clear imperative of their MINISTERIAL DUTIES set forth in Wis. stats. §59.64(3) with regard to Petitioner's CLAIM, to wit, "... [the board] **SHALL** examine and allow or disallow the same in whole or in part ..."
385. Petitioner has not seen or been presented with any evidence that the Board of Supervisors complied with the clear MANDATE of the Mixer decision, supra, that, "The board of county supervisors

MUST ACT promptly in hearing or refusing to hear claims presented, and MUST put their action ON RECORD, so as to enable the claimant, in case of rejection, to have his rights determined by the courts."

386. Petitioner believes that Dobberpuhl acted in concert with Kenealy by wrongfully transferring Petitioner's CLAIM to Kenealy pursuant to a telephone call to Kenealy, rather than presenting said CLAIM to the Board of Supervisors.
387. Petitioner has not seen or been presented with any evidence that Kenealy performed his MINISTERIAL DUTY pursuant to Wis. stats. §59.42(2)(b)2 to wit, "... report IN WRITING thereto [the board] as to the liability of the county for ANY AND ALL CLAIMS of WHATEVER NATURE FILED AGAINST IT."
388. Petitioner believes that Kenealy intentionally, fraudulently concealed Petitioner's CLAIM from the Board of Supervisors in furtherance of the scheme to seize Petitioner's private property by any means possible and to further the goals of the Enterprise.
389. Petitioner received no response to his CLAIM from ANY member of the Board of Supervisors.
390. A Formal Certificate of Protest was executed on October 3, 2001 by a notary public evidencing the dishonor of the Board of Supervisors of Petitioner's presentment (CAFV) of McCormack's August 9 "Judgment" and the September 6 TGCC eviction "decision."
391. On October 3, 8, and 16, 2001 a Letter Rogatory addressed to McCormack along with the following Formal Certificates of Protest and Affidavits evidencing, among other facts, THAT THE TAXES WERE PAID NOTWITHSTANDING NO TAX LIABILITY were filed with the court for McCormack's immediate consideration:
- 1) Formal Certificate of Protest evidencing the dishonor of Petitioner's CAFV directed to Jeffrey S. Schmidt as holder of the Commercial Paper (McCormack's August 9 "Judgment");
 - 2) Formal Certificate of Protest evidencing the dishonor of the TGCC of Petitioner's CAFV of the TGCC September 6 decision;
 - 3) Formal Certificate of Protest evidencing the dishonor of the entire Board of Supervisors of Petitioner's CAFV of McCormack's August 9 "Judgment" and the TGCC decision to "evict";
 - 4) Formal Certificate of Protest evidencing the dishonor of Kenealy of Petitioner's CAFV of the Summons and Complaint of the "eviction";
 - 5) Formal Certificate of Protest of the dishonor of Kenealy of Petitioner's CAFV of Kenealy's October 5 letter to vacate.
392. On October 6, 2001 Petitioner received via U.S. mail a letter from Kenealy dated October 5, 2001 in regard to Petitioner vacating or abandoning Petitioner's private property, which Petitioner CAFV upon proof of claim, which Kenealy dishonored and which was protested and filed with the court for consideration by McCormack as previously set forth herein-above.
393. McCormack ignored and /or intentionally dishonored the Affidavits and Formal Certificates of Protest evidencing the dishonor of Petitioner's CAFV of the various COMMERCIAL PAPER issued by McCormack, the TGCC, or Kenealy.
394. McCormack issued MORE COMMERCIAL PAPER, this time a Writ of Restitution, notwithstanding the NUMEROUS DISHONERS by himself, Makoutz, Kenealy, Schmidt, the TGCC, and the entire Board of Supervisors.

395. McCormack issued the additional COMMERCIAL PAPER called Writ of Restitution notwithstanding the FACT that McCormack himself was in commercial dishonor of Petitioner's CAFV of McCormack's "Small Claims Judgment" "eviction" case number 01-SC-000669 as evidenced in Deeds document number 690080, incorporated herein by reference in its entirety as if fully reproduced herein.
396. McCormack issued the additional COMMERCIAL PAPER called Writ of Restitution, without any evidence whatsoever in the record of the court that McCormack had any commercial energy upon which to issue said commercial paper, himself being in dishonor.
397. McCormack issued the additional COMMERCIAL PAPER called writ of Restitution without any **EVIDENCE** whatsoever in the record that McCormack had any authority upon which to issue said commercial paper.
398. McCormack's issuance of the COMMERCIAL PAPER called Writ of Restitution which he gave to Kenealy, and which Kenealy subsequently gave to Maurice Straub, Sheriff, to execute upon, in light of the FACT that McCormack had IN HIS POSSESSION EVIDENCE that Petitioner had no tax liability, and, that Kenealy was acting CRIMINALLY, is deemed by Petitioner to be CONCLUSIVE of McCormack's key role in the unlawful seizure of Petitioner's private property, as well as the knowing, willing, intentional furtherance of the goals of the Enterprise.
399. During this period of time Petitioner had kept Maurice Straub fully apprised of Kenealy's acts and Petitioner's filings with the court, since about September 14, 2001. This included but was not limited to the dishonors of Makoutz, Kenealy, Schmidt, McCormack, the TGCC, and the entire Board of Supervisors, as partially evidenced in Deeds document number 690081, previously incorporated herein.
400. Petitioner has not seen or been presented with any evidence whatsoever that Maurice Straub, occupying a constitutional office, dba Sheriff, who has taken an oath to support the Constitution of the United States and the Constitution of the state of Wisconsin, had or has any authority to act in contravention of either his oath of office or either constitutions by seizing and forcibly dispossessing Petitioner from his private land with the knowledge that he was acting upon fraudulently obtained "orders" and/or with no commercial energy or lawful authority.
401. On October 24, 2001 Petitioner was violently attacked by Maurice Straub and a heavily armed force of approximately 24 persons, who entered upon Petitioner's posted private property located at fire number W3797 Shady Lane, Saukville, Wisconsin, all without Petitioner's knowledge or consent.
402. Nine of the men physically broke into Petitioner's private home.
403. The nine men wore full military camo, wore black jack boots, carried assault weapons, and disguised their identity by wearing black face masks.
404. One of the masked attackers threatened Petitioner with death by pointing an assault rifle at Petitioner's head from a distance of approximately one foot.
405. Another masked attacker threw Petitioner to the floor, kneeled on Petitioner's back, and handcuffed Petitioner.
406. Another masked attacker held a pistol to Chieko Magritz's head threatening her with death, while yet another attacker forced her to the ground and handcuffed her.

407. Petitioner was forcibly removed from the peaceful enjoyment and possession of his private home by masked men carrying assault weapons.
408. Petitioner and Chieko Magritz were placed in a Sheriff's vehicle and taken to the Ozaukee County jail.
409. Petitioner was imprisoned in the Ozaukee County Jail for approximately three hours.
410. Chieko Magritz was imprisoned in the Ozaukee County Jail also, without an arrest warrant, without having committed a crime, without any lawful cause whatsoever.
411. Maurice Straub did NOT HAVE AN ARREST WARRANT for Petitioner's arrest.
412. Maurice Straub imprisoned Petitioner in the county jail without Petitioner having committed a crime.
413. Maurice Straub imprisoned Petitioner in the county jail without having been accused of a crime.
414. Maurice Straub imprisoned Petitioner in the county jail without any cause whatsoever.
415. Maurice Straub forcibly seized Petitioner from the peaceful enjoyment and possession of Petitioner's private home based upon fraudulently obtained void "orders."
416. Maurice Straub forcibly seized Petitioner from the peaceful enjoyment and possession of Petitioner's private home based upon fraudulently obtained void "orders," which Straub either knew, OR HAD REASON TO KNOW, were fraudulently obtained void "orders."
417. Maurice Straub forcibly removed Petitioner from the peaceful enjoyment and possession of Petitioner's private home, imprisoned Petitioner without an arrest warrant, without having committed a crime, without being accused of having committed a crime, all in furtherance of the scheme to unlawfully seize Petitioner's private property.
418. Maurice Straub forcibly removed Petitioner from the peaceful enjoyment and possession of Petitioner's private home, imprisoned Petitioner without an arrest warrant, without having committed a crime, without being accused of having committed a crime, all in furtherance of the goals of the Enterprise.
419. Maurice Straub willingly, knowingly, intentionally participated in the operations of the Enterprise.
420. Maurice Straub benefited from the operations of the Enterprise by receiving a salary, pension, perks, political influence, and/or standing in the community.
421. Maurice Straub arranged for the theft of Petitioner's private personal property from Petitioner's homestead by having said property removed without Petitioner's knowledge or consent by a company named Eagle Moving and Storage, 629 West Bruce Street, Milwaukee, Wisconsin.
422. Maurice Straub arranged for the theft of Petitioner's private cars and trucks from Petitioner's homestead by a company named Lakeland Metals, 3909B Lakeland Road, Saukville, Wisconsin.
423. On October 24, 2001, an unknown number of unknown named persons from Eagle Moving and Storage entered upon Petitioner's private property, Petitioner's homestead at W3797 Shady Lane, Saukville, Wisconsin, without Petitioner's knowledge or consent.

424. On October 24, 2001, said unknown named persons from Eagle Moving and Storage entered Petitioner's private home, private pole building, and private guest dwelling building, and removed Petitioner's private personal property without Petitioner's knowledge or consent.
425. Eagle Moving and Storage removed (stole) Petitioner's private personal property and transported it to location(s) unknown to Petitioner.
426. Eagle Moving and Storage demanded extortion from Petitioner for the return of Petitioner's personal property that Eagle Moving and Storage had stolen.
427. Petitioner has never recovered all of the personal property believed removed from Petitioner's homestead by Eagle Moving and Storage.
428. On October 24, 2001, an unknown number of unnamed persons from Lakeland Metals entered upon Petitioner's private property, Petitioner's homestead at W3797 Shady Land, Saukville, Wisconsin, without Petitioner's knowledge or consent.
429. On October 24, 2001, said unknown named persons from Lakeland Metals entered upon Petitioner's private property and removed (stole) over twenty private cars and trucks, all without Petitioner's knowledge or consent.
430. Lakeland and/or Maurice Straub stole more cars and trucks than Straub admitted as evidenced in Deeds, document number 698042, page 479, including but not limited to a cadillac and an antique Ford Model T frame, radiator, engine, drive chain, wheels, axle, etc.
431. Lakeland Metals attempted extortion of Petitioner for the return of Petitioner's cars and trucks.
432. Petitioner never recovered any of the cars or trucks stolen by Lakeland Metals.
433. Lakeland Metals benefited from the operations of the Enterprise through the sale of Petitioner's stolen cars and trucks, and/or the parts of said stolen cars and trucks, including but not limited to valuable big-block engines of Ford, Buick, Oldsmobile, Chevrolet, and Cadillac, some or all of which was presumably sold in interstate commerce.
434. On October 23, 2001, a Letter Rogatory was served upon Kenealy to take Notice of documents numbered 687553, 688709, 690080, 690081, and 690214 recorded at Deeds, and respond within ten (10) days as to why Kenealy should not go into the Court in case no. 01-CV-58-B3 and case no. 01-SC-000669 and withdraw the pleadings and/or request nullification of the proceedings and/or request vacation of the judgments /orders /writ(s). Kenealy's failure or refusal to respond (show cause) was deemed stipulation that Kenealy had no claim and should have withdrawn the pleadings and/or request nullification of the proceedings and/or request vacation of the judgments /orders /writ(s).
435. Upon reason and belief, Kenealy immediately ordered Straub to attack Petitioner and his private homestead /property and forcibly remove Petitioner from his private property, an act which Straub committed the very next day, October 24, 2001.
436. A Formal Certificate of Protest by a notary public evidencing Kenealy's failure /refusal to respond to the October 23 Letter Rogatory was executed on November 12, 2001, and filed with the Court

on November 13, 2001, as evidenced in Deeds document number 692784, incorporated herein by reference in its entirety as if fully reproduced herein (see specifically pages 224-228 therein).

437. Kenealy continued the now common pattern and practice of failing and/or refusing to respond to Petitioner, just as he had ALWAYS done in the past, just as Makoutz had ALWAYS done in the past, just as Schmidt had ALWAYS done in the past, just as the TGCC had ALWAYS done in the past, and just as McCormack had ALWAYS done in the past.
438. On October 25, the day following Straub's violent attack upon Petitioner and Straub's forcible removal of Petitioner from the peaceful enjoyment and possession of his private property, Straub was served with a certified-records request to restore Petitioner to his peaceful enjoyment and possession of his private property.
439. Petitioner did not receive a response from Maurice Straub to the October 25 request upon Straub to forthwith go back and seize the ground and restore the priority Claimant (Petitioner) to possession pursuant to the UCC-11 (document of title) attached to said request.
440. Straub failed and/or refused to respond to Petitioner's October 25 and October 30 requests to restore Petitioner to the peaceful enjoyment and possession of Petitioner's private property from which Straub had violently removed Petitioner, as evidenced by Formal Certificate of Protest dated November 12 and filed with the Court on November 13, 2001.
441. Petitioner received from Straub the "normal" and "typical" stonewalling as Petitioner had experienced from each and every elected official and/or hired public servant with whom Petitioner had any dealings or "communications," notwithstanding their sworn oath which reads in pertinent part, "I ... do solemnly swear that I will support the Constitution of the United States and the Constitution of the state of Wisconsin."
442. On October 27 and November 7, 2001, Straub was requested by Petitioner to show proof of claim of his legal authority for taking Petitioner's private property and restraining Petitioner's liberty to return to said property by Straub's threat of arrest and imprisonment.
443. Straub failed and/or refused to respond to Petitioner's October 27 and November 7 requests to show proof of claim of his legal authority, thereby admitting by the operation of tacit procurement that he lacked the legal authority, as evidenced by Formal Certificate of Protest dated November 12 and filed with the Court on November 13, 2001 (Deeds document 692784, supra).
444. On October 26, 2001, a Request to Show Cause was served upon the County of Ozaukee, Joseph D. McCormack (served personally by the Sheriff's department), and Maurice Straub, individually, in which Petitioner conditionally accepted the commercial paper titled Writ of Restitution conditioned upon said parties (purported Plaintiff, issuer Judge, and executor Sheriff) showing cause. In pertinent part, the Request to Show Cause stated:
- a) "I accept your offer of the Writ of Restitution handed to me in jail on October 24, 2001, after being forcibly removed from my parcel of ground (earth) [land] by members of the Ozaukee County Sheriff's Department, conditioned upon you show cause where any party had standing, good faith,

commercial honor, or any authority to cause the Sheriff to move on the Writ, and show where the County of Ozaukee or any other third party has the right to receive possession and enjoyment of the property, in view of the fact that the public record shows that: 1) the Honorable Joseph D. McCormack is in dishonor and has agreed and admitted that there is no Claim superior to mine; 2) the entire Ozaukee County Board of Supervisors is in dishonor and has agreed and admitted that there is no Claim superior to mine; 3) the members of the Committee of Taxation and General Claims are in dishonor and have agreed and admitted that there is no Claim superior to mine; 4) Jeffrey S. Schmidt is in dishonor and has agreed and admitted that there is no Claim superior to mine; 5) Corporation Counsel Dennis E. Kenealy is in dishonor and has agreed and admitted that there is no Claim superior to mine; and, 6) Corporation Counsel Dennis E. Kenealy knew or should have known of all of the aforesaid dishonors as evidenced by Formal (Notarial) Certificate(s) of Protest filed in the public record on October 3, 2001, and copies served upon Kenealy, prior to the signing of the aforesaid Writ on October 4, 2001. In the alternative, you are requested to **forthwith** redeem the Writ and grant me, the Secured Party-Creditor and priority Claimant, repossession of the parcel of ground (earth) [land] from which I was forcibly removed.

b) "The public record referred to herein-above includes, but is not limited to, documents numbered 687553, 688709, 690080, ~~690081~~, and 690214 recorded at the Register of Deeds, Ozaukee County, Wisconsin, and document number 01881263, et. seq., filed with the Wisconsin Department of Financial Institutions, certified copies of which have been filed in Ozaukee County case Nos. 01-CV-58-B3 and 01-SC-000669, served upon the Ozaukee County Board of Supervisors, and served upon Dennis E. Kenealy. Numerous Formal Certificates of Protest have been served upon the Ozaukee County Board of Supervisors, Jeffrey S. Schmidt (Clerk of Court), the Honorable Joseph D. McCormack, Dennis E. Kenealy (Corporation Counsel), and Maury Straub (Sheriff) as set forth in the aforesaid public record.

c) "Your failure to show cause to the undersigned within 72 hours (three days) by evidence of proof of claim by ~~what~~ authority you were exercising your power, considering you are all in agreement that there is no Claim that is superior to that of the undersigned, and yet you have caused men to commit a tort and trespass on that secured party's Claim, while being in a condition of dishonor, without showing good faith, will be deemed a stipulation and admission that you have committed a private trespass, that you were not acting in your public capacity, and that the Sheriff and his men were operating in a private capacity outside of their office and title and without a claim. Your failure to show cause by a claim, or restore the undersigned to possession, will result in the issuance of a Notarial Protest with the Agreement that you are in dishonor and had no standing by your admission.

d) "The undersigned requests the County of Ozaukee, Sheriff Maury Straub, and the Honorable Joseph D. McCormack show cause why the undersigned should not be restored to his property, as the undersigned is the only party not in dishonor, or vacate their actions and restore the undersigned Secured Party to possession of his property."

445. The aforesaid Request to Show Cause is evidenced in Deeds, document numbers 691601 and 701453, which are incorporated herein by reference in their entirety as if fully reproduced herein.
446. The county of Ozaukee, Joseph D. McCormack, and Maurice Straub ALL FAILED AND/OR REFUSED to respond to Petitioner's October 26, 2001 Request to Show Cause, as evidenced by Formal Certificate of Protest by a notary public, recorded in Deeds, document 701453, supra.
447. On November 1, 2001, Petitioner filed a VERIFIED PETITION FOR WRIT OF HABEAS CORPUS AS OF RIGHT with the Circuit Court, Ozaukee County, State of Wisconsin, which stated, in pertinent part:
- a) "I, Steven-Alan: Magritz, petition the Circuit Court, Ozaukee County, the State of Wisconsin to order the Clerk to accept this Petition for Writ of Habeas Corpus for filing and set an immediate hearing (within 72 hours) and order Respondent Maury A. Straub to appear with Respondent's witnesses, if any, and provide testimony under penalty of perjury and under Respondent's full commercial liability, and at this aforesaid hearing set certain by the Court to show cause by way of proof of claim why Steven-Alan: Magritz should not be released from the restraint of Maury A. Straub. The intent and purpose of this hearing is to inquire why Respondent is restraining Petitioner's liberty without a claim.
 - b) "Petitioner is being illegally and unlawfully restrained of his life, liberty and property, without consent, and against his will, by Maury A. Straub, Sheriff, Ozaukee County, Wisconsin. Respondent Straub threatens to arrest Petitioner if Petitioner returns to the peaceful enjoyment and possession of the parcel of ground (earth) [land] in the town of Fredonia, county of Ozaukee, Wisconsin state, which is more particularly described in the metes and bounds description marked "Exhibit A" that is attached hereto and incorporated herein by reference as if fully reproduced herein, and of which Petitioner is the only known Claimant ("Exhibit C" - 14 pages from a certified Form UCC-11 attached hereto and incorporated herein by reference).
 - c) "Petitioner was forcibly removed by Respondent from the peaceable enjoyment of Petitioner's property by Respondent in the early morning on Wednesday, October 24, 2001, and has been restrained from returning thereto by Respondent, who has blockaded Petitioner's private access road to the aforesaid parcel of ground and threatens arrest of Petitioner if Petitioner returns thereto.
 - d) "There is NO CLAIM applying to Petitioner or applying to Petitioner's parcel of ground from which Petitioner is being restrained, upon which the Respondent is acting, as evidenced by the Affidavit of negative averment which is attached hereto and incorporated herein by reference.
 - e) "Petitioner accepts for value the oaths of office of the judicial officers of the Circuit Court, Ozaukee County, namely Joseph D. McCormack, Walter J. Swietlik, and Tom R. Wolfgram, and any others that may be brought into this matter, to the extent that their acts, actions, decisions, orders, judgments, et cetera, are subject to, governed by, and restricted to the restraints imposed upon them by the Wisconsin constitution. Copies of said accepted oaths are marked "Exhibit B" and are attached hereto and incorporated herein by reference in their entirety ("Exhibit B" - 6 PAGES).

448. McCormack DENIED Petitioner's Verified Petition For Writ of Habeas Corpus with the comment that "...the Petitioner having failed to allege that a person has been restrained of personal liberty ..."
449. The aforesaid Petition for Writ of Habeas Corpus, documentation in support thereof, and McCormack's "Order" is recorded in Deeds, document number 692784, incorporated herein by reference in its entirety.
450. Petitioner believes that McCormack's DENIAL of Petitioner's Petition for Writ of Habeas Corpus is absolutely CONCLUSIVE EVIDENCE that Petitioner had NO REMEDY in the Circuit Court of Ozaukee County.
451. Petitioner believes that McCormack's DENIAL of Petitioner's Petition for Writ of Habeas Corpus is CONCLUSIVE that McCormack knowingly, willingly, and intentionally acted as participant in the criminal acts of the Enterprise.
452. Petitioner believes that McCormack's DENIAL of Petitioner's Petition for Writ of Habeas Corpus is CONCLUSIVE that McCormack occupied the position of A KINGPIN in the operations of the Enterprise.
453. Petitioner believes that the comment by county clerk Dobberpuhl (supra) that "WE OWN THE COURTS" is now exposed in its true meaning in that the "WE" does not refer to the public corporation named "Ozaukee County," nor the de jure "county of Ozaukee," but rather refers to THE ENTERPRISE that encompasses both the county and the corporation, as well as actors outside each of them.
454. On November 5, 2001, admissions (interrogatories) in the form of a Notice and Inquiry were mailed - and later filed on November 13th with the court along with Notice of Fault - to all parties who were either personally in default and dishonor at the time of the forcible taking of Petitioner's private property, as evidenced by a Formal Certificate of Protest issued, and/or had personal knowledge of the default and dishonor of each member of the Board of Supervisors of Ozaukee County, each member of the Taxation and General Claims Committee (TGCC), Maurice A. Straub, Joseph D. McCormack, Jeffrey S. Schmidt, and Dennis E. Kenealy.
455. Petitioner was exhausting his administrative remedies with the admissions (interrogatories), with the purpose to set forth the relationship, capacity, and responsibilities of the parties. Answers were provided for the Respondent's convenience, and were to be deemed the Respondent's answers by tacit procuracy should Respondent decide to not answer.
456. Respondent's ALL admitted by tacit procuracy knowing of Petitioner's remedy as published in the Ozaukee Press.
457. Respondents ALL admitted their actions /failure to act with regard to the forcible taking of Petitioner's private property caused Petitioner an injury.
458. Respondents ALL admitted that only Petitioner had a claim to Petitioner's private property.
459. Respondents ALL admitted knowing prior to the forcible taking of Petitioner's private property that NO ONE - including but not limited to the county, the state, or any third party - other than Petitioner had a claim against Petitioner's private property that was taken by force by Straub and his men.

460. The names of the aforesaid Respondents (the 32 Board members plus Straub, Kenealy, McCormack and Schmidt) as well as proof of mailing to each, are recorded in Deeds document number 692784 (incorporated herein, *supra*), to wit: Sylvester N. Weyker, Donald Dohrwardt, Paul H. Brunquell, Rose Hass Leider, George O. Lampert, Frederick Kaul, Ralph W. Port, Bernadyne M. Pape, Jack A. Eckert, Ervin J. Peiffer, Elizabeth Brelsford, Richard C. Nelson, Scott A. Jaeger, Alan P. Kletti, David H. Albert, John C. Grosklaus, Clarence A. Boesch, Thomas H. Richart, Glenn F. Stumpf, Gerald E. Walker, Kimberly J. McCulloch, Stanley F. Kulfan, Karen E. Broman, Kathryn M. Cullen, James H. Uselding, Gus W. Wirth Jr., Warren R. Sturpe, Mark A. Counce, Theodore C. Egelhoff, Francis M. Meyers, Katherine L. Smith, John J. Hilber, Maurice A. Straub, Dennis E. Kenealy, Joseph D. McCormack, and Jeffrey S. Schmidt.
461. A Formal Certificate of Protest evidencing the admissions of ALL of the aforesaid Respondents (the 32 Board members plus Straub, Kenealy, McCormack, and Schmidt) is recorded in Deeds, document number 693378, incorporated herein by reference in its entirety as if fully reproduced herein.
462. On November 13, 2001, a 5 page Letter Rogatory by three men of Wisconsin state, directed to Joseph D. McCormack and Circuit Court, Ozaukee County, was executed and filed with the court, as evidenced in Deeds, document number 692784, *supra*, (Letter Rogatory LDPS#121212).
463. The Letter Rogatory evidenced the FACTS that Petitioner had timely filed his Answer and Claim with the treasurer of the county and with the court with regard to "foreclosure" on Petitioner's private property, Ozaukee County case number 01-CV-58-B3.
464. The Letter Rogatory evidenced that the Board of Supervisors, the TGCC, Straub, McCormack, Schmidt and Kenealy were all in default and dishonor for failure to state a claim.
465. The Letter Rogatory evidenced that Petitioner was forcibly removed from the peaceful possession of his homestead by Straub and dozens of armed men, without proof of claim.
466. The Letter Rogatory evidenced that Petitioner was taken by force of arms and restrained of his liberty in Straub's jail without proof of claim of any legal authority whatsoever.
467. The Letter Rogatory evidenced Straub's failure to restore possession of Petitioner's property to Petitioner.
468. The Letter Rogatory evidenced Straub's failure to show cause why he had not restored Petitioner to possession of Petitioner's homestead.
469. The Letter Rogatory evidenced that Straub failed to show proof of claim that Straub had any legal authority for taking Petitioner's SECURED private property, or for restraining Petitioner in Straub's jail.
470. The Letter Rogatory evidenced that Kenealy was in default of Petitioner's October 6, 2001 request for proof of claim, the October 11 Notice of Fault, the October 23 Letter Rogatory to take Notice and respond as to why he should not go into the Court and correct the record, and the Notice of Fault regarding the October 23 Letter Rogatory.
471. The Letter Rogatory evidenced that McCormack was in default for failure to set forth a claim in

response to Petitioner's Verified Petition for Writ of Habeas Corpus.

472. The Letter Rogatory evidenced that McCormack was in default, and therefore in agreement by tacit procuration, of the terms of the Agreement/Treaty of the parties - McCormack and Petitioner - and that a Treaty exists that recognizes Petitioner's right to repossess the homestead from which Petitioner was forcibly removed from his peaceful enjoyment and possession.
473. The Letter Rogatory evidenced that Kenealy stipulated and agreed that he had a duty to request the Court to vacate, nullify, set aside, et cetera, the order(s) /judgment(s) /writ(s) in Ozaukee County cases 01-CV-58-B3 and 01-SC-000669.
474. The Letter Rogatory requested the Court take Mandatory Judicial Notice of the Formal (Notarial) certificates of Protest attached thereto and forthwith do its duty according to Law consistent with the facts as set forth therein within the limitations of the Constitution of the state of Wisconsin and the Honorable(s) oath(s) of office which were attached thereto and incorporated therein by reference.
475. Joseph D. McCormack failed and/or refused to honor the aforesaid Letter Rogatory which was filed with the Court November 13, 2001.
476. Tom Wolfgram and Walter J. Swietlik, also judges of the Circuit Court of Ozaukee County whose oaths of office were also attached to the aforesaid Letter Rogatory, also failed and/or refused to honor the aforesaid Letter Rogatory which was filed with the Court November 13, 2001.
477. Joseph D. McCormack FAILED and/or REFUSED to restore to Petitioner his illegally and fraudulently seized private property NOTWITHSTANDING VOLUMINOUS EVIDENCE presented to McCormack by way of affidavits, certified public records, Formal Certificates of Protest, Letters Rogatory - including but not limited to Letter Rogatory #LDPS121212, verified declaration under notarial seal - and Petitions.
478. On November 17, 2001, a NOTICE OF INTENT TO REPOSSESS PROPERTY LDPS#011117, recorded in Deeds document number 693378, incorporated herein by reference in its entirety as if fully reproduced herein, was individually served upon the following men and women in their private capacity, Sylvester N. Weyker, Donald Dohrwardt, Paul H. Brunnquell, Rose Hass Leider, George O. Lampert, Frederick Kaul, Ralph W. Fort, Bernadyne M. Pape, Jack A. Eckert, Ervin J. Peiffer, Elizabeth Brelsford, Richard C. Nelson, Scott A. Jaeger, Alan P. Kletti, David H. Albert, John C. Grosklaus, Clarence A. Boesch, Thomas H. Richart, Glenn F. Stumpf, Gerald E. Walker, Kimberly J. McCulloch, Stanley F. Kulfan, Karen E. Brown, Kathryn M. Cullen, James H. Uselding, Gus W. Wirth Jr., Warren R. Stumpe, Mark A. Cronce, Theodore C. Egelhoff, Francis M. Meyers, Katherine L. Smith, John J. Hilber, Maurice A. Straub, Dennis E. Kenealy, Joseph D. McCormack, and Jeffrey S. Schmidt, which states, in pertinent part:
- a) This is NOTICE to you, in your private capacity, that I intend to return to my parcel of ground as Creditor as it is not my intention to abandon my property. You are requested to take NOTICE of the attached 15 pages of documentation, particularly the Formal (Notarial) certificates of Protest. You may wish to seek COMPETENT counsel.

- b) If you have any personal property on my parcel of ground, you are requested to remove it forthwith. Failure to do so will result in storage fees and eventual disposal.
479. Petitioner never received any response from any of the aforesaid Respondents to the NOTICE OF INTENT TO REPOSSESS PROPERTY.
480. Petitioner never received any response to the NOTICE OF FAULT - OPPORTUNITY TO CURE (recorded with the Formal Certificate of Protest in Deeds, document number 698040, incorporated herein by reference in its entirety as if fully reproduced herein) which stated in pertinent part:
- a) On November 17, 2001, you were mailed in your private capacity a NOTICE OF INTENT TO REPOSSESS PROPERTY, with fifteen (15) pages of documentation attached.
- b) You have failed or refused to raise any objection to my repossession of my property in the town of Fredonia, the parcel of ground commonly referred to as located at W3797 Shady Lane, Saukville, Wisconsin.
- c) YOUR FAILURE TO RAISE AN OBJECTION CONSTITUTES YOUR CONSENT.
- d) This is NOTICE to you that you are granted an additional three (3) days in which to cure your condition of fault. Failure to cure will be default and protest will issue.
481. Petitioner has not seen or been presented any material fact that demonstrates evidence of any attempt by the aforesaid Respondents (Debtors) to restore Petitioner (Secured-Party Creditor) to peaceful enjoyment and possession of the parcel of ground (homestead) from which Petitioner was taken by force of arms without a claim.
482. Petitioner has not seen or been presented with any material fact that demonstrates any evidence or shows any indication whatsoever that any of the aforesaid Respondents (Debtors) will not again interfere with Petitioner's peaceful possession of Petitioner's (Secured-Party Creditor's) property, that they will not cause great bodily harm to Petitioner, or that they will not cause the death of Petitioner, when Petitioner returns to his property.
483. Petitioner incorporates herein by reference in its entirety the Formal Certificate of Protest #LDPS013002GRND and Affidavit in support thereof, as recorded in Deeds, document number 701453.
484. False, defamatory, scandalous articles were published in the print media regarding Petitioner.
485. Petitioner incorporates herein by reference in its entirety document number 698041, recorded in Deeds on January 2, 2002, which documents and evidences by way of affidavits, Formal Certificates of Protest (#LDPS011126A and #LDPS011123A) and Third Party Affidavit of Witness to Private Administrative Process #LDPS010917A, the false, defamatory, scandalous articles published by the Ozaukee Press on September 13, 2001 and October 11, 2001.
486. Formal (Notarial) Certificate of Protest #LDPS011126A states, in pertinent part:
- a) That on September 13, 2001, and October 11, 2001, the Ozaukee Press published articles written by Bill Schanen IV regarding Steven Magritz, "militia ties," and "public land."
- b) That Ozaukee Press, Port Publications, Inc., William F. Schanen III, Marie J. Schanen, and Bill Schanen IV have failed to respond to the conditional acceptances and Inquiries (Claims)

#LDPS010917A, #LDPS011013A, and #LDPS011126A by Steven-Alan: Magritz.

c) The un rebutted statements in #LDPS010917A were that the September 13, 2001 article was "egregious vilification, character assassination, slander, slander of title, reckless disregard of the facts, false statements, misstatements, labeling, et cetera."

d) That the stated terms and conditions of #LDPS011013A were that "FAILURE OR REFUSAL to respond will be deemed a verified stipulation and admission by 'you' [Ozaukee Press, Port Publications, Inc., William F. Schanen III, Marie J. Schanen, and Bill Schanen IV], by the operation of tacit procuracy, that no one has a superior title in the subject ground than Declarant [Steven Magritz]. FAILURE OR REFUSAL to respond will be deemed a verified stipulation and admission, by the operation of tacit procuracy, that 'you' have no substantive documentary evidence whatsoever that Steven Magritz either has, or had at any time in the past, any association whatsoever with any 'militia' or 'anti-government' groups."

e) That the stated terms and conditions of #LDPS011126A were that the aforesaid articles appearing in the Ozaukee Press injured or trespassed upon the name and reputation of Steven Magritz; 2) That the aforesaid articles appearing in the Ozaukee Press slandered or trespassed upon the title of "land" owned by Steven Magritz; 3) That the remedy for trespass against the rights, title or interests of Declarant [Steven Magritz] was published in the Ozaukee Press in April and May of 2001, said remedy being an amount of fifteen million dollars per trespass per man, woman, or person; and, 4) That Respondents are each indebted to Declarant [Steven Magritz] in the amount of fifteen million dollars.

487. Petitioner specifically incorporates herein all 8 pages of the Private International Administrative Remedy Claim #LDPS010917A, pages 463 through 470 of Deeds documents number 698041 regarding Ozaukee Press and Bill Schanen IV.

488. On or about December 6, 2001, Petitioner received a letter from Brian D. Glocke, an accomplice of Maurice A. Straub, indicating that Glocke and Lakeland Metals (Lakeland Metal Processing, Inc.) were bailees of Petitioner's cars and trucks that were stolen on October 24, 2001 from Petitioner's private property (homestead).

489. The property (cars and trucks) that were removed (stolen) from Petitioner from Petitioner's private property were SECURED PROPERTY, secured by a FINANCING STATEMENT filed with the Wisconsin Department of Financial Institutions, document number 01881263, incorporated herein by reference in its entirety as if fully reproduced herein. (Exhibit E, first 2 pages of doc. no. 01881263).

490. Petitioner is the Secured-Party-Creditor with regard to the property stolen (removed) by Glocke and Lakeland Metals.

491. Petitioner responded to the Glocke letter with a request to return Petitioner's property or else show cause within ten (10) days why he would not comply with said request.

492. Glocke's letter, Petitioner's response, and a Formal Certificate of Protest #LDPS011206A are recorded in Deeds, document number 698042, incorporated herein by reference in its entirety as if

fully reproduced herein.

493. Formal Certificate of Protest #LDPS011206A states, in pertinent part:

a) That on October 24, 2001, presumably Brian D. Glocke and/or Lakeland Metals, Bailees, did remove property of the aforesaid Secured-Party Creditor from W3797 Shady Lane, town of Fredonia, Wisconsin state, without claim and without the knowledge or consent of the Secured-Party Creditor.

b) That the Secured-Party Creditor has not received a response from Brian D. Glocke, Lakeland Metals, or any officers or agents of either bailee to the Notice and Inquiry (LDPS011206A) dated December 6, 2001, or the Notice Of Fault - Opportunity To Cure dated December 19, 2001, wherein bailees were requested to return the aforesaid property or show cause why Glocke will not return said property.

c) That the terms of the Agreement between the Secured-Party Creditor and bailees Brian D. Glocke are that "...the value to the undersigned [Secured-Party Creditor] of the property taken by Straub/Glocke/Lakeland without claim is \$25,000.00. Should BAILEE(s) dispose of the property of the undersigned without proof of claim, bailee(s) shall be deemed to consent and agree to pay damages in the amount of \$25,000.00, and each officer of Lakeland Metals shall also be deemed to consent and agree to pay damages in the amount of \$25,000.00. Lakeland Metals and the officers of Lakeland Metals further consent and agree to the filing of a UCC financing statement against any and all property (real and personal) of LAKELAND METALS and the property (real and personal) of the officers of LAKELAND METALS in their personal capacities. LAKELAND METALS and the officers of LAKELAND METALS further consent and agree to the signing of a Security Agreement by Secured Creditor herein (Steven-Alan: Magritz) on behalf of said LAKELAND METALS and the officers of LAKELAND METALS. LAKELAND METALS and the officers of LAKELAND METALS further consent and agree to the non-judicial liquidation of property of LAKELAND METALS and the officers of LAKELAND METALS to satisfy their obligations as set forth herein. Bailee(s) agree that they may not argue, controvert, or otherwise protest the administrative findings entered thereby in any subsequent administrative, admiralty /maritime, commercial, or judicial proceedings.

494. Petitioner has not received any response from William Ciriacks, an officer and/or employee of Lakeland Metal Processing, Inc. (aka "Lakeland Metals") evidencing his lawful authority to take, move, remove, transport, use, possess, transfer, sell, exchange, et cetera, for any purpose, either personal or business or commercial, Petitioner's private cars and trucks stolen (removed) by unknown named persons associated with or working for Straub, Glocke, or "Lakeland Metals."

495. Petitioner has not received any response from any other "Ciriacks," or any other officer, employee, or agent of Lakeland Metal Processing, Inc. (aka "Lakeland Metals") evidencing his lawful authority to take, move, remove, transport, use, possess, transfer, sell, exchange, et cetera, for any purpose, either personal or business or commercial, Petitioner's private cars and trucks stolen (removed) by unknown named persons associated with or working for Straub, Glocke, or "Lakeland Metals."

496. Petitioner never received any of his stolen cars or trucks, nor any payment from Straub, Glocke,

Ciriacks, "Takeland Metals," or any other person for the cars and trucks stolen from Petitioner.

497. On or about December 12, 2001, Petitioner received a presentment dated December 5, 2001 from Eagle Moving and Storage ("EMS") demanding extortion from Petitioner for the return of Petitioner's personal property stolen from Petitioner's private property (homestead) on October 24, 2001.
498. Petitioner is the Secured-Party creditor of all the personal property stolen (removed) by Straub and/or Eagle Moving and Storage, as evidenced by a financing statement filed with the Wisconsin Department of Financial Institutions, document number 01881263 et. seq.
499. The presentment from Eagle Moving and Storage, Petitioner's Notice /Inquiry /Presentment (conditional acceptance) dated December 12, 2001, the Notice of Fault dated December 19, 2001, and the Formal Certificate of Protest #LDPS011203A(-2) dated January 2, 2002 are recorded in Deeds document number 698042 and incorporated herein by reference in their entirety as if fully reproduced herein.
500. The Formal (Notarial) Certificate of Protest #LDPS011203A(-2) states, in pertinent part:
- a) That on October 24, 2001, Eagle Moving and Storage did remove property of the aforesaid Secured-Party Creditor from W3797 Shady Lane, town of Fredonia, Wisconsin state, without claim and without the knowledge or consent of the Secured-Party Creditor.
 - b) That the Secured-Party Creditor has not received a response from Eagle Moving and Storage (EMS herein) or any officers or agents of EMS to the Notice and Inquiry (LDPS011203A) dated December 3, 2001, the Notice /Inquiry/Presentment (LDPS011203A-2) dated December 12, 2001, or the Notice of Fault - Opportunity To Cure (LDPS011203A-2) dated December 19, 2001, wherein EMS was requested to show proof of claim, to set forth a party and a certification of claim, or to bring forth a certified copy of a contract, where EMS had the right to take the aforesaid property.
 - c) That the terms of the Agreement between the Secured-Party creditor and EMS are that "...the value to the undersigned of the property taken by EMS is \$30,000.00. Should EMS (BAILEE) dispose of the property of the undersigned without proof of claim as set forth herein, EMS shall be deemed to consent and agree to pay damages in the amount of \$30,000.00, and each officer of EMS shall also be deemed to consent and agree to pay damages in the amount of \$30,000.00. EMS and the officers of EMS further consent and agree to the filing of a UCC financing statement against any and all property (real and personal) of EMS and the property (real and personal) of the officers of EMS in their personal capacities. EMS and the officers of EMS further consent and agree to the signing of a Security Agreement by Secured Creditor herein (Steven-Alan: Magritz) on behalf of said EMS and the officers of EMS. EMS and the officers of EMS further consent and agree to the non-judicial liquidation of property of EMS and the officers of EMS to satisfy their obligations as set forth herein.
501. Petitioner has recovered some personal property from EMS, but not all of the personal property stolen (removed) under the direction of Straub, and stolen either by Straub or an agent of Straub, such as Eagle Moving and Storage.
502. On December 11, 2001, Petitioner visited the office of the clerk of court, Ozaukee County, as

part of an investigation to determine how Kenealy was able to obtain a "Default Judgment" for the "foreclosure" on Petitioner's private land, rather than having a trial on the defenses presented in Petitioner's Answer AS REQUIRED BY LAW.

503. At approximately 10:00 am on December 11 Petitioner examined the foreclosure case file 01-CV-58-B3 in the presence of five (5) witnesses.
504. Petitioner looked for his Answer to the Summons and Complaint, however, said Answer was NOT in the case file.
505. Petitioner viewed the docket sheet /minute record, and found that his Answer had NEVER BEEN RECORDED as having been received, notwithstanding the FACT that Petitioner had received the "green card" evidencing that the Registered mail had been delivered to the Clerk of Court.
506. Upon the request of Petitioner, deputy clerk Carol J. Barsch summoned Jeffrey S. Schmidt, clerk of court.
507. Schmidt came and examined the file.
508. Schmidt acknowledged that Petitioner's Answer, Claim and Counter-Claim was not in the file.
509. Schmidt acknowledged that the minute record ("docket sheet") did not evidence that Petitioner's Answer had been received on May 31, 2001, nor on any other date.
510. Schmidt stated that maybe Petitioner's Answer was in another office and that someone else had viewed the Answer before Schmidt received it.
511. Petitioner showed Schmidt a copy of the signed "green card," postal form 3811, with a signature evidencing receipt by the clerk of court.
512. Petitioner asked Schmidt why would someone else be receiving Registered mail addressed to, and signed for, Jeffrey S. Schmidt, Clerk of Court, and, what other "office" did Schmidt have?
513. Schmidt immediately picked up the telephone at his right hand, punched in some numbers, and called Dennis E. Kenealy.
514. Schmidt stated into the telephone to the effect: "Dennis, Steve Magritz is here looking for the Answer to the Complaint on the foreclosure. It is about three-fourths of an inch thick. Would you look for it in your office?"
515. Schmidt then stated to Petitioner that he would call Petitioner in the afternoon regarding the whereabouts of the missing Answer.
516. Petitioner never received the "promised" telephone call from Schmidt regarding the missing documents (Answer, Claim, and Counter-Claim).
517. Thereafter, the "missing" documents "MYSTERIOUSLY" showed up in the file.
518. The "missing" documents, including the envelope they were mailed in, "MYSTERIOUSLY" appeared in the file; they were time and date stamped by the clerk of court as having been received on MAY 31, 2001, at 9:41 AM.
519. Petitioner mailed Schmidt a NOTICE/CONFIRMATION setting forth the December 11 conversation with Schmidt, requesting that Schmidt respond if ANYTHING in the CONFIRMATION was not correct. Schmidt's

silence regarding the CONFIRMATION was to be deemed his verified assent and agreement therewith.

520. Schmidt agreed by the operation of tacit procurement that the CONFIRMATION was CORRECT.

521. Petitioner thereafter presented Schmidt with a NOTICE /INQUIRY /PRESENTMENT, #LDPS011212B.

522. As an operation of law, pursuant to #LDPS011212B Schmidt admitted:

a) That Schmidt, d.b.a. Clerk of Court, admitted the TRANSFER of court documents received by registered U.S. mail on May 31, 2001, for filing in case file 01-CV-58-B3, specifically an Answer, Claim, and Counter-Claim (Claim #LDPS101010) with in excess of 140 pages of documentary evidence certified from the public record(s) enclosed therewith, from Steven-Alan: Magritz, FROM THE OFFICE of the Clerk of Court TO the man known as Dennis E. Kenealy, d.b.a. attorney.

b) That Schmidt admitted FAILURE TO RECORD the receipt of the aforesaid Claim #LDPS101010 on the minute sheet /minute record in case file 01-CV-58-B3 AS HAVING BEEN RECEIVED by the office of the Clerk of Court.

c) That Schmidt does NOT maintain more than one "office."

d) That it is NOT the policy, custom, duty or responsibility of Dennis E. Kenealy for the receipt and/or opening of Registered U.S. mail addressed to Jeffrey S. Schmidt, Clerk of Court.

e) That there is NO legal or lawful reason why an Answer to a Summons and Complaint that was mailed to the Clerk of Court by Registered U.S. mail should not be in the case file of the applicable case.

f) That there is NO legal or lawful reason for an Answer to a Summons and Complaint that was mailed to the Clerk of Court by Registered U.S. mail to be in the possession of Dennis E. Kenealy rather than in the case file in the office of the Clerk of Court.

g) That there is NO legal or lawful reason for the Clerk of Court to transfer possession of the documents of the Clerk of Court, specifically Answers REQUIRED BY LAW to be filed with the Clerk of Court, FROM THE CUSTODY of the Clerk of Court TO Dennis E. Kenealy.

523. A Formal (Notarial) Certificate of Protest, a Notice of Fault (#LDPS011212B), Affidavits of Witnesses to the December 11 conversation with Schmidt, and the CONFIRMATION letter to Schmidt are recorded in Deeds document number 698440, incorporated herein by reference in its entirety as if fully reproduced herein.

524. Each and every member of the Board of Supervisors (32 members), plus McCormack, Straub, and Schmidt received a copy of the Schmidt Notice of Fault, BUT FAILED AND/OR REFUSED TO TAKE CORRECTIVE ACTION TO RESIORE TO PETITIONER his FRAUDULENTLY STOLEN PRIVATE PROPERIY /LAND /EARTH /HOMESTEAD, as evidenced in Deeds, document number 698440, supra, pages 866-868.

525. The names of the individuals receiving a copy of the Schmidt Notice of Fault are Sylvester N. Weyker, Donald Dohrwardt, Paul H. Brunquell, Rose Hass Leider, George O. Lampert, Frederick Kaul, Ralph W. Port, Bernadyne M. Pape, Jack A. Eckert, Ervin J. Peiffer, Elizabeth Brelsford, Richard C. Nelson, Scott A. Jaeger, Alan P. Kletti, David H. Albert, John C. Grosklaus, Clarence A. Boesch, Thomas H. Richart, Glenn F. Stumpf, Gerald E. Walker, Kimberly J. McCulloch, Stanley F. Kulfan, Karen

E. Bronan, Kathryn M. Cullen, James H. Uselding, Gustave W. Wirth Jr., Warren R. Stumpe, Mark A. Crouce, Theodore C. Egelhoff, Francis M. Meyers, Katherine L. Smith, John J. Hilber, Joseph D. McCormack, Maurice A. Straub, and Jeffrey S. Schmidt.

526. The FAILURE/REFUSAL of the aforesaid 32 members of the Board of Supervisors, McCormack, Straub, to take any corrective action whatsoever in the face of the documented and uncontrovertible evidence of the fraudulent acts of Schmidt and Kenealy indicate clearly the assent of said persons to, and/or the complicity of said persons in or with, Kenealy's and Schmidt's criminal acts, and/or the operations of the Enterprise.

527. On December 12, 2001, Petitioner received a letter (offer) dated December 11 from Karen L. Makoutz in furtherance of the goals of the Enterprise to not only unlawfully seize Petitioner's private property, but to also deprive Petitioner any compensation whatsoever in blatant and egregious violation of Article in Amendment the Fifth of the Constitution of the United States, and Article I, Section 13 of the Constitution of the state of Wisconsin, regarding the prohibition on taking private property for public use without just compensation therefor.

528. Petitioner conditionally accepted the Makoutz December 11 offer and requested Makoutz's response to a NOTICE /INQUIRY /PRESENTMENT #LDPS011212A.

529. Pursuant to #LDPS011212A Makoutz ADMITTED that:

a) Makoutz received Petitioner's Answer and Counter-Claim on May 31, 2001 in "foreclosure" case number 01-CV-58-B3.

b) Makoutz transferred to Kenealy the Answer received from Petitioner, case no. 01-CV-58-B3.

c) Makoutz KNEW that Kenealy thereafter drafted a "Default Judgment," signed by McCormack, stating that "NO ANSWER WAS RECEIVED BY KAREN L. MAKOUTZ."

d) Makoutz received Petitioner's tender of payment, a negotiable Certified Promissory Note dated April 20, 2001 (tendered in full and complete payment for alleged taxes and interest due).

e) Makoutz did not properly process aforesaid tendered payment, but rather transferred said tendered payment to Kenealy.

f) Makoutz received from Petitioner on or about April 4, 2001, negotiable Trade Acceptances (in full and complete payment for alleged taxes and interest due).

g) Makoutz refused to take aforesaid Trade Acceptances to the bank, but rather transferred said payments to Kenealy.

530. A Formal (Notarial) Certificate of Protest, a Notice of Fault, and the Makoutz letter (offer) are recorded in Deeds document number 698440, supra.

531. Each and every member of the Board of Supervisors (32 members) plus McCormack, Straub, and Makoutz received a copy of the Makoutz NOTICE OF FAULT, but FAILED and/or REFUSED TO TAKE CORRECTIVE ACTION to restore to Petitioner his fraudulently stolen private property /land /earth /homestead, as evidenced in Deeds, document number 698440, supra, pages 866 to 868.

532. The names of the individuals receiving a copy of the Makoutz Notice of Fault are Sylvester N.

Weyker, Donald Dohrwardt, Paul H. Brunquell, Rose Hass Leider, George O. Lampert, Frederick Kaul, Ralph W. Port, Bernadyne M. Pape, Jack A. Eckert, Ervin J. Peiffer, Elizabeth Brelsford, Richard C. Nelson, Scott A. Jaeger, Alan P. Kletti, David H. Albert, John C. Grosklaus, Clarence A. Boesch, Thomas H. Richart, Glenn F. Stumpf, Gerald E. Walker, Kimberly J. McCulloch, Stanley F. Kulfan, Karen E. Bronan, Kathryn M. Cullen, James H. Uselding, Gustave W. Wirth Jr., Warren R. Stumpe, Mark A. Crance, Theodore C. Egelhoff, Francis M. Meyers, Katherine L. Smith, John J. Hilber, Joseph D. McCormack, Maurice A. Straub, and Karen L. Makoutz.

533. The FAILURE/REFUSAL of the aforesaid 32 members of the Board of Supervisors, McCormack, Straub, to take any corrective action whatsoever in the face of the documented and uncontrovertible evidence of the fraudulent acts of Makoutz and Kenealy indicate clearly the assent of said persons to, and/or the complicity of said persons in or with, Makoutz's and Kenealy's criminal acts, and/or the goals or operations of the Enterprise.
534. On January 7, 2002, all 32 members of the Board of Supervisors, plus McCormack and Straub, were mailed: 1) Formal Certificate of Protest #LDPS011212A regarding the admissions of Karen L. Makoutz (recorded in Deeds, document number 698440, page 859); 2) Formal Certificate of Protest #LDPS011212B regarding the admissions of Jeffrey S. Schmidt (recorded in Deeds document number 698699 incorporated herein by reference in its entirety; page 981); 3) Notice of Circumstances of Claim regarding Petitioner's Claim served on the Board of Supervisors via service on county clerk Dobberpuhl on September 24, 2001 by deputy Sheriff Speth.
535. The aforesaid is documented in Deeds, document number 698699 supra, pages 983-985.
536. Even if Kenealy (and Dobberpuhl) had previously concealed from the Board of Supervisors the aforesaid Notice of Circumstances of Claim with certified documentation totaling 155 pages that was served by deputy Sheriff Speth on the County via personal service on county clerk Dobberpuhl on September 24, 2001, **NONE** of the members of the Board of Supervisors could now claim ignorance or innocence and attempt to blame their subordinate Kenealy, as each and every member of the Board now had in their personal possession their own PERSONAL COPY of Petitioner's Claim.
537. Each and every member of the Board, as well as McCormack and Straub, continued to ignore Petitioner's numerous entreaties, petitions for justice and remedy, and Petitioner's Claim, NOTWITHSTANDING the FACT that they were FULLY APPRISED in the premises of the acts of Makoutz, Kenealy, Schmidt, McCormack, Straub, and Dobberpuhl.
538. The Board again failed(?) / REFUSED to act on Petitioner's Claim.
539. The names of the members of the Board of Supervisors receiving the aforesaid January 7, 2002 mailing of the Protests and Notice of Circumstances of Claim, in addition to Joseph D. McCormack and Maurice A. Straub are: Sylvester N. Weyker, Donald Dohrwardt, Paul H. Brunquell, Rose Hass Leider, George O. Lampert, Frederick Kaul, Ralph W. Port, Bernadyne M. Pape, Jack A. Eckert, Ervin J. Peiffer, Elizabeth Brelsford, Richard C. Nelson, Scott A. Jaeger, Alan P. Kletti, David H. Albert, John C. Grosklaus, Clarence A. Boesch, Thomas H. Richart, Glenn F. Stumpf, Gerald E. Walker, Kimberly J.

McCulloch, Stanley F. Kulfan, Karen E. Bruman, Kathryn M. Cullen, James H. Uselding, Gustave W. Wirth Jr., Warren R. Stumpe, Mark A. Crouce, Theodore C. Egelhoff, Francis M. Meyers, Katherine L. Smith, John J. Hilber.

540. The FAILURE(?) /REFUSAL of the aforesaid 32 members of the Board of Supervisors, McCormack, or Straub, to take any corrective action whatsoever, and/or to restore Petitioner's private property to Petitioner, in the face of repeatedly presented, extensively documented uncontrovertible evidence of the fraudulent acts of officers and/or employees of Ozaukee County, including but not limited to Karen L. Makoutz, Dennis E. Kenealy and Jeffrey S. Schmidt, indicate clearly the assent, if not the consent, of said persons to, and/or the complicity of said persons in or with, the goals and/or the operations of the Enterprise.
541. On January 30, 2002, a Formal (Notarial) Certificate of Protest #LDPS013002GRND, with a 14 page Affidavit of Negative Averment in support thereof summarizing the acts of Makoutz, Kenealy, Schmidt, McCormack, Straub, Dobberpuhl, and members of the Ozaukee County Board of Supervisors, was recorded in Deeds, document number 701453, vol 1433, pages 411-427.
542. Deeds document number 701453 is attached hereto and incorporated herein by reference in its entirety as if fully reproduced herein. (Exhibit F).
543. Formal Certificate of Protest #LDPS013002GRND states: See attached copy for each and every paragraph incorporated herein by reference in its entirety as if fully reproduced herein.
544. The Affidavit of Negative Averment #LDPS013002GRND in support of Formal Certificate of Protest #LDPS013002GRND states: See attached copy for each and every paragraph incorporated herein by reference in its entirety as if fully reproduced herein.
545. A copy of Formal certificate of Protest #LDPS013002GRND and the Affidavit of Negative Averment in Support thereof was mailed January 30, 2002 to all 32 members of the Board of Supervisors (previously listed herein-above), McCormack, Straub, Schmidt, Makoutz, Kenealy, and Ozaukee County (c/o county clerk Harold Dobberpuhl), as evidenced in Deeds document number 701953, PS forms 3877, pages 610-612, incorporated herein by reference as if fully reproduced herein.
546. Each of the members of the Board of Supervisors, Makoutz, Kenealy, Schmidt, McCormack, and Straub have:
- a) Sworn an oath to support the Constitution of the United States and the Constitution of the state of Wisconsin.
 - b) A duty to be BOUND by their aforesaid oath.
 - c) A duty to be BOUND by their Agreements and Contracts, one of which is between themselves and Petitioner by virtue of Petitioner accepting their oath of office as a CONTRACT OFFER.
 - d) A duty to NOT trespass upon the Rights of Petitioner as secured by the Constitution of the United States.
 - e) A duty to NOT trespass upon the Rights of Petitioner as secured by the Constitution of the state of Wisconsin.

f) A duty to provide Petitioner a remedy for any and all wrongs or injuries that they have caused Petitioner, either directly or indirectly, by acts of commission or omission, either as principal or agent.

547. NONE of the aforesaid members of the Board of Supervisors, McCormack, Straub, Schmidt, Kenealy, Makoutz, Dobberpuhl, or "Ozaukee County" contacted Petitioner or communicated with Petitioner.

548. NONE of the aforesaid members of the Board of Supervisors, McCormack, Straub, Schmidt, Kenealy, Makoutz, Dobberpuhl, or "Ozaukee County" provided any remedy to Petitioner, or offered to provide any remedy to Petitioner.

549. The aforesaid non-response by the officers and employees of Ozaukee County was a continuation of the pattern and practice of said persons over the prior days, weeks, and months.

550. The FAILURE(?) /REFUSAL of EACH AND EVERY one of the aforesaid 38 recipients of Protest #LDPS013002GRND and Affidavit in support #LDPS013002GRND to take any corrective action whatsoever, and/or to restore Petitioner's private property to Petitioner, in the face of REPEATED entreaties and petitions for remedy, when repeatedly confronted with extensively documented uncontrovertible evidence of the acts and/or omissions and/or misfeasance and/or malfeasance and/or fraudulent acts and/or criminal acts of officers and/or employees of Ozaukee County, including but not limited to Karen L. Makoutz, Dennis E. Kenealy, or Jeffrey S. Schmidt, indicate clearly the assent, if not the consent, and/or the complicity of said persons in or with, the goals and/or operations of the Enterprise.

551. On February 7, 2002, Petitioner made a Timely Private Request For Adequate Assurance of Performance #LSPS02121212 to 37 "Debtors," i.e., the 32 members of the Board of Supervisors plus Makoutz, Kenealy, Schmidt, McCormack and Straub, as recorded in Deeds, document number 702647, incorporated herein by reference in its entirety as if fully reproduced herein, which stated, in pertinent part:

a) TAKE NOTICE that Steven-Alan: Mgritz, hereinafter Requester, does make this timely request, nunc pro tunc, to the Debtor(s) shown above, and Debtor's Principal(s) and Agent(s), for an Adequate Assurance of Performance .

b) Requester in good faith deems himself insecure.

c) Requester has never received notice the Debtor(s) will never again interfere with the peaceful enjoyment and possession of Requester's Claim, that is, the private ground [land] (specifically described in document number 701453, vol 1433 on record at the office of the Register of Deeds, Ozaukee County, Wisconsin, incorporated herein by reference) that was taken from Requester on October 24, 2001 without claim by force of arms with threat of great bodily harm by Maury A. Straub and dozens of his heavily armed men, notwithstanding Agreements with Debtor including but not limited to LDPS#011001[XX], LDPS#011117, #LDPS011101A (Deeds, #692784).

d) Requester has need of securities for the peaceful enjoyment and full use and possession of the land for which Debtor(s) have agreed that Requester has a Right to and Debtor(s) have no claim to.

e) Requester needs assurances that Debtor(s) will live up to the Agreements and Contracts, as

Debtor(s) have shown no indication of backing off and restoring Requester to the peaceful use, enjoyment and possession of Requester's Claim.

f) Requester feels insecure in the actions that the Debtor(s) have not taken, including but not limited to, not having admitted publicly that the property is that of Requester, not acting to withdraw their control, planning and use of the property within Requester's Claim, not having told Requester or acting in any way to give assurances that if Requester were to possess and use the property to the full rights of Requester as Claimant that Debtor(s) would not interfere with that action.

g) Requester makes these timely requests solely of necessity, as Requester has never been informed that Debtor(s) intend to abide by the contract. Requester feels insecure in that although Debtor(s) admit to having no Claim and that only Requester has a Claim, that the acts and actions as stated herein above and as reported in the newspapers and as communicated to Requester by your public officials at your meetings have demonstrated that it appears as though you do not intend to live by the Agreements and the Contracts.

h) Please be advised that I intend to enforce the Agreements and Contracts by whatever legal and lawful and peaceful means possible, which includes my request herein for assurances that you intend to abide by the Agreements and Contracts.

i) Requester has urgent need of responses to this request as to Debtor(s) providing adequate assurance of performance by (1) executing and returning to Requester a signed Treaty (TIEM A set forth herein below) under an "unqualified" oath under full commercial liability, (2) providing an indemnification to Requester (TIEM B set forth herein below), and/or (3) an alternative substantive offer suitable to remove Requester's insecurity.

552. On February 19, 2002, a NOTICE OF DISHONOR /FAULT - OPPORTUNITY TO CURE regarding the aforesaid TIMELY PRIVATE REQUEST FOR ADEQUATE ASSURANCE OF PERFORMANCE #LDPS02121212 was mailed to the aforesaid 37 Debtors as evidenced in Deeds, document number 703696, incorporated herein by reference in its entirety as if fully reproduced herein.

553: The NOTICE OF DISHONOR /FAULT - OPPORTUNITY TO CURE #LDPS02121212 set forth, in pertinent part:

a) That Requester [Petitioner] had not received a response from any of the Debtors to his timely request for adequate assurance of performance [Wisconsin statutes §402.609].

b) Each of the Debtors shown herein-above is at fault/ in dishonor.

c) Debtors are deemed to intend to not allow Requester the immediate peaceful possession and use of Requester's Claim.

d) As an operation of law, each of the aforesaid Debtors is in contempt of Debtor's Contracts and Agreements.

e) As an operation of law, failure to provide assurance by any of the aforesaid Debtors is a repudiation of Debtor's Contract and Agreements.

f) As an operation of law, each of the aforesaid Debtors has agreed to the statements made by

Requester in the aforesaid Request.

g) As an operation of law, each of the aforesaid Debtors is deemed to have freely confessed and admitted, stipulated and agreed, by the operation of tacit procurement, to each and every answer that was provided to the inquiries for the Debtor(s) in the aforesaid Request.

h) In the event Debtor's failure to respond is an oversight, mistake, or otherwise unintentional, Requester grants Debtor(s) three (3) days to cure the dishonor. Failure to cure will result in a Certificate of Protest that will evidence the ongoing contempt of the Debtors to the Agreements and Contracts to which they are a party. Debtor is requested to mail a copy of the response to: Notarial Services

554. None of the 37 Debtors responded, as evidenced by neither Petitioner, nor Notarial Services, receiving any response.

555. On February 23, 2002, a Formal Certificate of Protest #LDPS02121212 was executed evidencing the failure of Petitioner to receive a response from any of the aforesaid 37 Debtors, with a copy of said Protest mailed to each of the 37 Debtors.

556. Formal Certificate of Protest #LDPS02121212, the Affidavit in support, and certificates of mailing are recorded in Deeds, document number 704274, incorporated herein by reference in its entirety.

557. Formal Certificate of Protest #LDPS02121212 states, in pertinent part:

a) On this 23rd day of February [2002] ... appeared Steven-Alan Magritz, Power of Attorney in Fact for, and Secured-Party Creditor of the vessel called "Steven A. Magritz"; Priority Claimant; Wisconsinite; and declared the following as evidenced by the Affidavit of Negative Averment and documentation attached hereto and incorporated herein by reference.

b) That the Secured-Party Creditor caused to be mailed on February 7, 2002 a Timely Request For Adequate Assurance Of Performance #LDPS02121212, but has not received any response from any of the following thirty-seven (37) Debtors: Sylvester N. Weyker, Donald Dohrwardt, Paul H. Brunnquell, Rose Hass Leider, George O. Lampert, Frederick Kaul, Ralph W. Port, Bernadyne M. Pape, Jack A. Eckert, Ervin J. Peiffer, Elizabeth Brelsford, Richard C. Nelson, Scott A. Jaeger, Alan P. Kletti, David H. Albert, John C. Grosklaus, Clarence A. Bosch, Thomas H. Richart, Glenn F. Stumpf, Gerald E. Walker, Kimberly J. McCulloch, Stanley F. Kulfan, Karen E. Broman, Kathryn M. Cullen, James H. Uselding, Gustave W. Wirth Jr., Warren R. Stumpe, Mark A. Counce, Theodore C. Egelhoff, Francis M. Meyers, Katherine L. Smith, John J. Hilber, Maury A. Straub, Joseph D. McCormack, Jeffrey S. Schmidt, Karen L. Makoutz, Dennis E. Kenealy, all dba's.

c) That the Secured-Party Creditor caused to be mailed on February 19, 2002, a Notice of Dishonor/ Fault - Opportunity To Cure, to each of the aforesaid thirty-seven (37) Debtors, but has not received any response from said Debtors.

d) Attesting notarial officer has seen certified copies of the documents referenced herein, and finds each of the aforesaid Debtors in DEFAULT. Based on the terms and conditions of the Timely

Private Request For Adequate Assurance of Performance, the aforesaid Debtors have, by the operation of tacit procurement, freely confessed and admitted, stipulated and agreed, "That Requester [Secured-Party Creditor] may, by and through his Straw Man as secured creditor, execute a Security Agreement and financing statement on behalf of Debtor with Debtor's Straw Man as the named debtor, pursuant to and/or consistent with the terms as set forth in ITEM B below [said terms being set forth in the aforesaid Request For Adequate Assurance of Performance].

e) Attesting notarial officer hereby enters this Note of Protest accordingly, and certifies, on information satisfactory to said notarial officer that the foregoing is true and correct, to serve and avail the aforesaid Secured-Party Creditor hereafter if found necessary.

558. The failure /REFUSAL of each and every one of the aforesaid Debtors to either provide assurances or provide an alternative of their choice or even respond to Petitioner's request for adequate assurances, as evidenced by the Protest #LDPS02121212, indicates clearly the assent of said Debtors to Petitioner obtaining legal and lawful remedy as set forth therein.

559. During March and April of 2002, subsequent to Kenealy's continued intrusion into Petitioner's private affairs, Petitioner obtained additional admissions from Kenealy regarding his prior actions against Petitioner, whether or not he was acting in concert with others such as Makoutz, Schmidt, or Voigt.

560. Said admissions from Kenealy were obtained via a Request For Further Explanation of Intrusions By Dennis E. Kenealy, dba, Into the Private Affairs of Steven-Alan Magritz dated March 24, 2002, as evidenced by a Formal (Notarial) Certificate of Protest #LDPS02030303, all of which is recorded in Deeds document number 708567 which is incorporated herein by reference in its entirety as if fully reproduced herein.

561. Immediately following the obtainment of these additional admissions, Kenealy used the Circuit Court of Ozaukee County and Tom R. Wolfgram (judge) to obtain an injunction prohibiting Petitioner from recording additional documents in the public record evidencing Kenealy's acts, misfeasance, malfeasance, and/or criminal conduct.

562. In March, 2002, James E. Doyle (Attorney General of Wisconsin) was mailed documentation evidencing Kenealy's criminal acts.

563. Petitioner never received a response from Doyle, presumably because in prior years he had publicly exposed Doyle's misconduct in public office.

564. On April 3, 2002, James E. Doyle, District Attorney Sandy Williams, Ozaukee County judges McCormack, Swietlik and Wolfgram, Maury Straub, and Police Chief Ed Rudolf were each mailed documentation evidencing Kenealy's criminal acts.

565. Petitioner never received any response from James E. Doyle, District Attorney Sandy Williams, Ozaukee County judges McCormack, Swietlik and Wolfgram, Maury Straub, or Police Chief Ed Rudolf to the aforesaid documentation.

566. On May 28, 2003, Petitioner executed an Affidavit of Criminal Report and Probable Cause By

Witness and Victim of Criminal Activity (hereinafter "Affidavit of Criminal Report").

567. On or about July 9, 2003, Robert C. Braun mailed a copy of Petitioner's Affidavit of Criminal Report to the members of the Board of Supervisors of Ozaukee County along with a letter which stated in part: "Enclosed is an Affidavit of Criminal Report and Probable Cause setting forth the egregious wrongs committed against Mr. and Mrs. Magritz by officials of Ozaukee County. Can you or anyone else rebut this affidavit? The record shows no such rebuttal or denial. What are you as public Servants, under contract to the Most High God, going to do to correct the wrongs for which you county Supervisors hold ultimate responsibility? ... I request individual responses from each of you in writing.

568. Mr. Braun's July 9 letter and Petitioner's Affidavit of Criminal Report were mailed to: Sylvester N. Weyker, Donald Dohwardt, Paul H. Brunnquell, Rose Hass Leider, George O. Lampert, Frederick Kaul, Ralph W. Port, Bernadyne M. Pape, Jack A. Eckert, Ervin J. Peiffer, Elizabeth Brelsford, Richard C. Nelson, Scott A. Jaeger, Alan P. Kletti, David H. Albert, John C. Grosklaus, Clarence A. Boesch, Thomas H. Richart, Glenn F. Stumpf, Gerald E. Walker, Kimberly J. McCulloch, Stanley F. Kulfan, Karen E. Broman, Kathryn M. Cullen, James H. Uselding, Gustave W. Wirth Jr., Warren R. Stumpe, Mark A. Gronce, Theodore C. Egelhoff, Francis M. Meyers, Katherine L. Smith, and John J. Hilber.

569. Mr. Braun did not receive any response from any of the aforesaid members of the Board of Supervisors of Ozaukee County to his July 9, 2003 letter.

570. On or about August 24, 2003, Mr. Braun mailed a follow-up letter to the aforesaid members of the Board of Supervisors plus new members Richard Karshna, Robert A. Brooks, Craig G. Heatwole, Andrew J. Lamb, and Wanda J. Davies.

571. Mr. Braun's August 24 letter read, in pertinent part:

a) On July 9, 2003, I provided you with an Affidavit of Criminal Report and Probable Cause By Witness and Victim of Criminal Activity, by Steven Alan Magritz. I asked if you or anyone else could rebut this affidavit, since an un rebutted Affidavit stands as Truth. I asked what you were going to do to correct the wrongs, the egregious wrongs (or shall it be said the un rebutted criminal acts) perpetrated against Mr. & Mrs. Magritz, for which you hold ultimate responsibility. I requested your individual response in writing.

b) Your silence has been deafening. The wrongs committed against the Magritz's can not even be justified as "legal plunder". Can they? The acts are so blatantly immoral and illegal and unlawful that no one wants to talk about them, do they? What if these acts had been perpetrated against you, would you then raise your voice? And who would listen? Don't you realize that each and every one of us will give an account for every thought, every word, and every deed? Do you believe that "Thou shalt not steal" applies only to an individual man, but not to two or more men or women acting as a group? God have mercy on your soul if you believe that.

c) Are you going to call for prosecution of the criminal acts brought to your attention? Are you

going to restore the Magritz's to their full unhindered use and possession of their property? Are you going to make them whole for those acts for which you bear ultimate responsibility?

d) I again request your individual response in writing.

572. Mr. Braun never received any response from any of the recipients of his August 24, 2003 letter.

573. On November 2, 2004, Mr. Braun recorded an Affidavit, his July 9, 2003 letter, his August 24, 2003, letter, and Petitioner's Affidavit of Criminal Report in Deeds, document number 805562, a copy of which is attached hereto and incorporated herein by reference in its entirety, PARAGRAPH BY PARAGRAPH, as if fully reproduced herein. (Exhibit G).

574. The failure /REFUSAL of any of the aforesaid members of the Board of Supervisors of Ozaukee County to respond to Mr. Braun's letters and Petitioner's Affidavit of Criminal Report is conclusive evidence of their assent, if not consent, to all of the acts of commission or omission as set forth in Petitioner's Affidavit, as well as conclusive evidence of their assent or consent to the goals and/or operations of the Enterprise.

575. Petitioner's aforesaid Affidavit of Criminal Report was filed with the U.S. Attorney, Eastern District of Wisconsin, from whom no response was received.

576. Petitioner's aforesaid Affidavit of Criminal Report was filed with Sandy Williams, district attorney for Ozaukee County, who mailed Petitioner a letter indicating her REFUSAL TO PROSECUTE.

577. When Petitioner exercised an in pais remedy pursuant to the herein-above described Timely Private Request For Adequate Assurance Of Performance, Petitioner was prosecuted by James E. Doyle.

578. Petitioner's prosecution by Doyle was retaliatory and vindictive, as Petitioner had previously obtained admissions that Doyle used Wisconsin taxpayer funds to pay for the private civil lawsuit of his sister Catherine after Catherine had been accused of kicking a seven (7) year old girl child in the face while the child was kneeling praying on a sidewalk.

579. In star chamber proceedings, Doyle's assistant obtained the suborned perjury of Kenealy, Makoutz, Schmidt, Straub, Wirth, and Stumpe, who all testified contrary to their prior Contracts and Agreements.

580. Presiding officer C. William Foust, who had been extensively apprised in the premises by numerous third parties, nevertheless accommodated Doyle and sentenced Petitioner to five years in prison.

581. Petitioner spent five years in prison for merely attempting to recover his fraudulently stolen private property in a peaceful, and what he believes to be legal and lawful manner.

582. Jeffrey S. Schmidt, clerk of court who: tampered with court files AND records; illegally transferred and concealed court documents; committed misconduct in public office; and was a vital and instrumental "player" in the operations of THE ENTERPRISE, requested that C. William Foust sentence Petitioner to the maximum time in prison and maximum fine, that is, seventy (70) years in prison (basically 2 life sentences for Petitioner, who was 57 years old at the time), and a \$70,000.00 fine.

583. Upon information, reason and belief, during the time Petitioner was imprisoned, an unknown number of unknown named persons who were officers or officials or employees or agents of the public corporation named Ozaukee County, or of the Enterprise, did demolish, destroy, remove, raze, render useless, etc., Petitioner's private, two-story concrete block dwelling house located on Petitioner's fraudulently stolen private land (consisting of 62.25 acres).
584. Upon information, reason and belief, during the time Petitioner was imprisoned, an unknown number of unknown named persons who were officers or officials or employees or agents of the public corporation named Ozaukee County, or of the Enterprise, did demolish, destroy, remove, render useless, etc., Petitioner's private sewage treatment facility located on Petitioner's fraudulently stolen private land.
585. Upon information, reason and belief, during the time Petitioner was imprisoned, an unknown number of unknown named persons who were officers or officials or employees or agents of the public corporation named Ozaukee County, or of the Enterprise, did cut down, chop, saw, harvest, remove, etc., Petitioner's private trees located on Petitioner's fraudulently stolen private land.
586. Petitioner reserves the right to amend this Petition (Complaint) as often as necessary for the obtainment of justice, the addition of parties unknown at this time, the addition of parties unnamed at this time, the addition of unknown unnamed parties, or the addition of injuries or damages unknown or unnamed at this time.
587. Petitioner has suffered irreparable harm as a result of the reckless disregard of the law and/or of Petitioner's constitutionally-secured rights by the Defendants. As a result of the malicious acts of Defendants, many of whom have sworn an oath to support the Constitution of the United States and the Constitution of the state of Wisconsin and have thereafter acted with callous indifference to both their oath and to Petitioner's rights, Petitioner has been deprived of his home, his property, his professional reputation, his business, his marriage, and his trust of public servants, law enforcement officers, attorneys, judges, and other like hypocrites who swear an oath with the operative clause, "So help me God." Petitioner has suffered personal indignity, humiliation, mental suffering, mental anguish, nightmares, flashbacks, inability to sleep, depression, constant apprehension of being harmed again - especially by those false-swearers in positions of trust, - anxiety, aggravation, distress, and an overwhelming feeling of being dehumanized. Petitioner constantly thinks about being physically attacked by "law" enforcement officers concealing their identities behind masks (because they are criminals?) and threatening Petitioner with death by gunshot to the face in his own home. Petitioner lives in constant fear of abuse by public servants. Petitioner has suffered insult, degradation, deprivation of personhood, inhumane living conditions, and the inability to care for his beloved pets. Petitioner has been severely emotionally traumatized by the outrageous criminal acts of betrayal, treason to the Constitution and terrorism perpetrated by men and women in fiduciary positions of trust in whom an entire community has misplaced their trust.

588. - 590. Reserved.

PURPOSES OF THE ENTERPRISE

591. Upon information, reason and belief, all of the individual Defendants, including the "Doe" Defendants as well as additional persons not known to Petitioner at this time, together comprise an "Enterprise," as such term is used in the RICO statute, viz. a "union or group of individuals associated in fact although not a legal entity." "Enterprise" includes illicit and licit enterprises and governmental and other entities (Wisconsin "WCCA" statute §946.82). The objectives of the "Enterprise" include, but are not necessarily limited to, the following:

- a) Pecuniary gain, or for the purpose of gaining entrance to, or maintaining, or increasing position in such enterprise;
- b) To enrich members and/or associates through the commission of multiple crimes, including predicate crimes under the RICO statute, e.g., extortion, attempted murder, theft, kidnapping, mail fraud, robbery, interstate transportation of stolen vehicles /parts, terrorism, and other grave felonies, including but not limited to the fencing (receiving and sale) of stolen property through legitimate businesses in virtually untraceable sales to "walk-in" cash customers by auto salvage yards or storage facilities; misconduct in public office; tampering with public records; conspiracy;
- c) To advance the interests of certain corporate entities, especially those of municipal or quasi-municipal nature, in which a number of individual Defendants are employed or from which they derive pecuniary gain or their livelihood;
- d) To use political control and raw, arbitrary power to enrich the Enterprise or individuals or entities therein by impoverishing others through feigned legal plunder;
- e) To use political control and raw, arbitrary power to reduce to peonage and ultimate annihilation those of a particular status or character or nationality who do not wish to participate in the crimes of the "Enterprise," or who resist the exploitation by the "Enterprise";
- f) To subject peoples such as Petitioner to the will and political schemes of Defendants in order to extract or extort the labor or productivity or "life-blood" or proceeds of labor of Petitioner for the benefit of Defendants or others.

SELECTED ACTS OF RACKETEERING ACTIVITY UNDER WISCONSIN ORGANIZED CRIME
CONTROL ACT (WOCCA) IDENTIFIED IN THE FOREGOING PLAIN STATEMENT OF FACTS

592. Regarding treasurer Makoutz's demands via U.S. mail for payment of "credit transactions" or else legal action ("foreclosure proceedings") would be taken: Mail fraud; abuse of legal process; coercion; extortionate credit transaction; misconduct in public office; threats to injure.
593. Regarding Petitioner's April 5, 2001 tender of payment to Makoutz: Extortion; extortionate credit transaction; fraud.
594. Regarding Makoutz's failure to record aforesaid April 5 tender of payment: Breach of fiduciary duty; misconduct in public office; fraudulent writing; tampering with public documents; obstruction of justice.
595. Regarding Makoutz's failure to take the April 5 tender of payment to the bank: Breach of fiduciary duty; misconduct in public office; obstruction of justice; theft; conversion of a negotiable instrument /security /writing.
596. Regarding Makoutz's failure to issue a Redemption Certificate for the April 5 tender of payment: Misconduct in public office; breach of fiduciary duty; obstruction of justice.
597. Regarding Makoutz's transfer of the April 5 tender of payment to Kenealy: Breach of fiduciary duty; misconduct in public office; theft; conversion of a negotiable instrument /security /writing; obstruction of justice.
598. Regarding Kenealy retaining possession of the April 5 tender of payment: Misconduct in public office; theft; conversion of a negotiable instrument /security /writing; obstruction of justice; concealment.
599. Regarding Petitioner's April 20, 2001 tender of payment to Makoutz: Extortion; extortionate credit transaction; fraud.
600. Regarding Makoutz's failure to record aforesaid April 20 tender of payment: Breach of fiduciary duty; misconduct in public office; fraudulent writing; tampering with public documents; obstruction of justice.
601. Regarding Makoutz's failure to present for collection the April 20 tender of payment: Breach of fiduciary duty; misconduct in public office; obstruction of justice; theft; conversion of a negotiable instrument /security /writing.
602. Regarding Makoutz's failure to issue a Redemption Certificate for the April 20 tender of payment: Misconduct in public office; breach of fiduciary duty; obstruction of justice.
603. Regarding Makoutz's transfer of the April 20 tender of payment to Kenealy: Breach of fiduciary duty; misconduct in public office; theft; conversion of a negotiable instrument /security /writing; obstruction of justice.
604. Regarding Kenealy retaining possession of the April 20 tender of payment: Misconduct in public office; theft; conversion of a negotiable instrument /security /writing; obstruction of justice; concealment.

605. Regarding Kenealy's April 24, 2001 letter threatening foreclosure proceedings (when he had in his possession both tendered payments!): Mail fraud; abuse of legal process.
606. Regarding Makoutz's telephone call to Kenealy on April 30, 2001: Wire fraud.
607. Regarding Makoutz's and Kenealy's refusal to accept the April 30, 2001 tender of cash payment: Misconduct in public office; conspiracy; breach of fiduciary; obstruction of justice.
608. Regarding Kenealy's filing of foreclosure proceedings without authorization of the county Board of Supervisors: Misconduct in public office; abuse of legal process; false swearing; obstruction of justice.
609. Regarding Kenealy's filing of fabricated foreclosure proceedings after converting Petitioner's tenders of payment and retaining in his possession both tendered payments (April 5 and April 20): Misconduct in public office; abuse of legal process; false swearing; obstruction of justice; fraud upon the court; concealment.
610. Regarding Kenealy's concealment of Petitioner's Answer, Claim and Counterclaim served upon Makoutz on May 31, 2001: Misconduct in public office; obstruction of justice; tampering with public records; concealment.
611. Regarding clerk of court Schmidt's failure to record Petitioner's Answer, Claim and Counterclaim on the court minute record when received on May 31, 2001: Misconduct in public office; tampering with public records; obstruction of justice.
612. Regarding Schmidt's failure to obtain written permission from a judge to permit removal of Petitioner's Answer, Claim and Counterclaim from the court files: Misconduct in public office; tampering with public records; obstruction of justice.
613. Regarding Schmidt's transfer of Petitioner's Answer, Claim and Counterclaim to Kenealy: Misconduct in public office; tampering with public records; obstruction of justice; theft of public documents.
614. Regarding Schmidt's failure to obtain a receipt from Kenealy and failure to retrieve Petitioner's Answer, Claim and Counterclaim within the mandatory 10 days: Misconduct in public office; tampering with public records; obstruction of justice; theft of public documents.
615. Regarding Kenealy's failure to return Petitioner's Answer, Claim and Counterclaim to the court until some time in December, 2001 after Petitioner started an investigation: Misconduct in public office; tampering with public records; obstruction of justice; theft of public documents; concealment.
616. Regarding Schmidt's December 12, 2001 telephone call to Kenealy to "look for it in your office" (Petitioner's missing Answer, Claim and Counterclaim): Wire fraud.
617. Regarding Kenealy's July 2001 letters with returned documents originally mailed to Voigt: Mail fraud; falsification of public documents; obstruction of justice; breach of fiduciary duty; fraudulent writings; misconduct in public office.
618. Regarding the guardian ad litem Michael J. Riebe mailing Petitioner a letter asking to be contacted if Petitioner had a claim, and then refusing to accept delivery of Petitioner's response:

Mail fraud; conspiracy; breach of fiduciary; obstruction of justice.

619. Regarding Joseph D. McCormack and the August 8, 2001 hearing in which McCormack indicates receipt of Petitioner's Answer, Claim and Counterclaim from the notary public, but ignores it: Obstruction of justice; breach of fiduciary duty; misconduct in public office.
620. Regarding McCormack's failure to set the matter for trial, having for himself read Petitioner's COMPLETE DEFENSES of non-liability AND having paid notwithstanding the non-liability, AND having heard Kenealy admit one of Petitioner's defenses as indicated on the transcript: Obstruction of justice; breach of fiduciary duty; misconduct in public office.
621. Regarding McCormack's failure to set the matter for trial contrary to the clear mandate of the statutes: Obstruction of justice; breach of fiduciary duty; misconduct in public office.
622. Regarding McCormack's failure to require the submission of any evidence whatsoever in clear violation of the foreclosure rules and/or the rules of evidence: Obstruction of justice; breach of fiduciary duty; misconduct in public office.
623. Regarding McCormack's failure to require ANY evidence or testimony that there existed any failure to redeem or unpaid liability whatsoever: Obstruction of justice; breach of fiduciary duty; misconduct in public office.
624. Regarding McCormack's failure to obtain evidence or testimony as to Petitioner's homestead contrary to the clear mandate of the statutes: Obstruction of justice; breach of fiduciary duty; misconduct in public office.
625. Regarding McCormack's failure to provide Findings of Fact and Conclusion of Law: Obstruction of justice; breach of fiduciary duty; misconduct in public office.
626. Regarding McCormack's unsubstantiated statement, which is clearly controverted by the record of the court, that "... it appearing by DUE PROOF ...": Obstruction of justice; breach of fiduciary duty; misconduct in public office.
627. Regarding Kenealy submitting a false/fraudulent judgment to the court for signing by a judge: False swearing; fraud upon the court; obstruction of justice.
628. Regarding McCormack's signing of Kenealy's proffered "judgment": Obstruction of justice; breach of fiduciary duty; misconduct in public office; fraud upon the court.
629. Regarding Kenealy's August 13, 2001 letter to Petitioner following Kenealy's fraudulently obtained void judgment stating "we are asking you to vacate the property by August 31, 2001.": Mail fraud.
630. Regarding Kenealy's September 12, 2001 Summons and Complaint: Mail fraud; abuse of legal process; intimidation of a victim/witness of a criminal activity.
631. Regarding Kenealy's apparent removal of Petitioner's Claim served upon the county clerk on September 24, 2001, and subsequent concealment thereof: Obstruction of justice; tampering with public records; concealment; misconduct in public office.
632. Regarding Kenealy's October 5, 2001 letter to vacate or abandon: Mail fraud.

633. Regarding Maurice A. Straub's October 24, 2001 trespass with a band of armed men: Armed robbery; armed assault; aggravated battery; kidnapping; false imprisonment; transfer of encumbered property.
634. Regarding Maurice A. Straub's disposal of Petitioner's stolen cars and trucks: Interstate transportation of stolen vehicles/parts.
635. Regarding the destruction of Petitioner's private dwelling house and private sewage disposal system: Terrorism.
636. Regarding the numerous instances of assent /consent by members of the Ozaukee County Board of Supervisors: Parties to a crime; misconduct in public office; breach of fiduciary duty; obstruction of justice.
637. - 640. Reserved.

COUNTS

641. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
642. Petitioner claims that almost all, if not each and every, "racketeering activity" listed /set forth in the mandatory judicial notice section of this Complaint will be incontrovertibly proven upon trial.
643. Petitioner claims that all of the acts of the Defendants were committed intentionally or with intent, whether stated as such, or not stated, elsewhere herein.
644. Petitioner claims that all of the acts of the Defendants were committed knowingly, whether stated as such, or not stated, elsewhere herein.
645. Petitioner claims that all of the acts of the Defendants were committed willfully, whether stated as such, or not stated, elsewhere herein.
646. Petitioner claims that all of the omissions or the failures to act by the Defendants were committed intentionally or with intent, whether stated as such, or not stated, elsewhere herein.
647. Petitioner claims that all of the omissions or the failures to act by the Defendants were committed knowingly, whether stated as such, or not stated, elsewhere herein.
648. Petitioner claims that all of the omissions or the failures to act by the Defendants were committed willfully, whether stated as such, or not stated, elsewhere herein.
649. Petitioner claims that all of the members of the conspiracy knowingly agreed to participate in or conduct an enterprise through a pattern of racketeering activity.
650. Petitioner states that at no time did Petitioner voluntarily assent or consent to the threats, or acts, or threatened acts, or acts of violence, or fearful tactics of Defendants.
651. Petitioner states that Petitioner never abandoned any of his property, but rather that Petitioner's property was taken from his peaceful enjoyment, use and possession by force of arms under threat of death to Petitioner.
652. Petitioner states that Petitioner tendered payments of extortion to Makoutz under threat or fear or coercion.
653. Petitioner claims the expectation of the right, or the expectation of the right and the right itself, in all claims set forth herein, whether stated as such or not.
654. Petitioner claims full and complete sole legal and equitable title, in fee simple absolute vested ownership to the 62.25 acres of subject land taken from Petitioner by force of arms. Petitioner claims such title from the original private land grants (Land Patents) granted by the United States of America up through purchase by Petitioner from Betty J. Magritz. Betty J. Magritz had sole legal and equitable title in fee simple absolute. Petitioner purchased the legal and equitable title from Betty J. Magritz along with all original privileges and immunities granted by the United States of America. Petitioner thereafter held title to the subject land in fee simple absolute. Petitioner makes offer of proof by way of "Abstract of Title," from Land Patents issued

- under the seal of the President of the United States of America, through mense conveyance to Betty J. Magritz, and thence to Petitioner (Land Patents, Exhibit H, attached hereto and incorporated herein).
655. Petitioner's possession of the 62.25 acres of subject land was peaceable from its inception up to the time Petitioner was forcibly removed under threat of death by heavily armed and masked men who concealed their identities when assaulting, invading, trespassing upon Petitioner's private land.
656. Petitioner was in lawful and peaceful possession of his 62.25 acres of land, buildings, and all appurtenances when forcibly disseized by Maurice A. Straub and his heavily armed men.
657. Straub was acting pursuant to a simulated "judgment" (void judgment) on behalf of public business corporation Ozaukee County, which currently unlawfully possesses and retains Petitioner's private land by force of arms and threat of deadly force.
658. Petitioner peaceably worked the 62.25 acres of subject land, lived in a dwelling (home) thereon, and harvested crops for 25 years.
659. Petitioner was in lawful possession of his land/homestead with the right to exclude all others and with the expectation of the right of privacy at the time that Petitioner was violently disseized of said property under threat of death by Maurice A. Straub and his band of masked and armed men.
660. Petitioner claims the right to be restored to the peaceful enjoyment and possession at this present time.
661. Petitioner claims that Defendants knew that Petitioner had a recorded security interest in the personal property stolen, taken, removed, concealed or transferred by Maurice A. Straub et al. on and after the date of assault, October 24, 2001 (Wis. stats. §943.25).
662. Petitioner claims that the Defendants conduct was particularly outrageous, demonstrating reckless disregard for the known rights of Petitioner.
663. Petitioner has not seen or been presented with any document or evidence that any of the Defendants who had sworn/affirmed an oath to support the Constitution of the United States and the Constitution of the state of Wisconsin have studied, or have received education or training on either constitution, either by self-study or from their employer, Ozaukee County, so as to equip them for their duties of their offices.
664. Petitioner denies that the public business corporation named Ozaukee County provided education or training on either Constitution so as to equip its officers and employees for the duties required of their sworn oaths, the primary duty of which is the protection of private rights.

COUNT 1: "JUDGMENT" 01-CV-58-B3 IS VOID, AS WELL AS FRAUDULENTLY OBTAINED

665. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
666. Petitioner was violently disseized of his private land pursuant to Ozaukee County, State of Wisconsin, simulated judgment case number 01-CV-58-B3 dated August 9, 2001.
667. The legal description of Petitioner's land is set forth in the attached Formal Certificate of Protest #LDPS013002GRND which is incorporated herein by reference in its entirety as if fully reproduced herein.
668. Petitioner's interest in said land is absolute title, fee simple absolute, full and complete legal title and full and complete equitable title, with rights to EXCLUDE ALL OTHERS.
669. Petitioner has right of immediate, unhindered, peaceful possession of said private land which was taken by force of arms on October 24, 2001 pursuant to void judgment number 01-CV-58-B3.
670. Petitioner's land is currently in the possession of Defendant business corporation named "Ozaukee County."
671. Petitioner is prevented from repossessing his private land by threat of death from Defendant Maurice A. Straub and his armed band of men.
672. Petitioner is entitled to immediate possession as of the date of signing this Petition (Complaint).
673. Before a judge can proceed judicially, jurisdiction must be complete consisting of two opposing parties (not their attorneys - although attorneys can enter an appearance on behalf of a party, only the parties can testify and until the plaintiff testifies the court has no basis upon which to rule judicially), and the two halves of subject matter jurisdiction - the statutory or common law authority the action is brought under (the theory of indemnity) and the testimony of a competent fact witness regarding the injury (the cause of action). If there is a jurisdictional failing appearing on the face of the record, the matter is void, subject to vacation with damages, and can never be time barred.
674. "Judgment" number 01-CV-58-B3 is void for the following reasons: 1) Want of subject matter jurisdiction; 2) Violation of due process of law; 3) Obtainment of judgment by fraud; 4) Defective petition filed; 5) Fraud committed in the procurement of presumed jurisdiction; 6) Judge did not follow statutory procedure; 7) Unlawful activity of judge.
675. Regarding Want of Subject Matter Jurisdiction:
- a) Only the county Board of Supervisors could authorize foreclosure on a purported tax certificate against Petitioner's land.
 - b) The county Board of Supervisors did not authorize foreclosure proceedings on a purported tax certificate against Petitioner's land.
 - c) There was never any tax certificate plead or evidenced in the proceedings that could be "foreclosed upon" and which was/is requisite for the court to have subject matter jurisdiction in the

instant matter.

675. d) The proceedings were instituted by an attorney, Dennis E. Kenealy, without authority and without evidence of a claim.

676. Regarding Denial of Due Process of Law:

a) Petitioner has the expectation of the right to have McCormack, Kenealy, and other oath-takers to strictly obey the Constitution of the United States and the Constitution of the state of Wisconsin, and not trespass against, impair, or infringe upon Petitioner's constitutionally-secured rights.

b) Petitioner was denied the right of presentment and/or examination of the purported instrument being "foreclosed" upon against Petitioner's private land.

c) Petitioner was denied the right of actual notice of the hearings of the TGGC wherein Kenealy was advocating the taking of Petitioner's private land.

d) Petitioner's right to have his defenses adjudicated was violated.

e) Petitioner's right of a statutorily required trial on the issues was violated.

d) Petitioner's right to examine a plaintiff and expose the theft/conversion/concealment of his payments by attorney Kenealy was violated.

e) Petitioner's right to examine a plaintiff and expose the theft/conversion/concealment of his Answer, Claim and Counterclaim by attorney Kenealy was violated.

f) Petitioner's right to the requisite testimony of a plaintiff was violated.

g) Petitioner's right to examine a plaintiff was violated.

h) Petitioner's right to examine the testimony of a plaintiff asserting a claim of any monies owed was violated, especially inasmuch as there was no testimony given of any monies owed.

i) Petitioner's right of testimony regarding his homestead rights was violated.

j) Petitioner's right to have the required foreclosure rules strictly followed was violated.

k) No evidence was given, offered, moved into evidence, or received by the court.

l) No documented evidence was placed on the record (no physical evidence; no documentary evidence).

m) When a court or an officer of the court has knowledge requiring exercise of a duty, failure to exercise such duty constitutes denial of "due process of law." (Robinson v. Johnson, 50 F.Supp. 774 (1943)).

n) Petitioner was egregiously denied due process of law with the result that his private property was seized without any compensation whatsoever, ever.

677. Regarding Obtainment of Judgment by Fraud:

a) Defendant Kenealy converted Petitioner's payments (aided and abetted by Defendant Makoutz) and thereafter fraudulently represented that Petitioner had not tendered payment.

b) Defendant Kenealy submitted a fraudulent writing to the court to initiate foreclosure proceedings.

c) Defendant Kenealy committed theft of Petitioner's Answer, Claim and Counterclaim (aided and

abetted by Defendant Schmidt) and thereafter concealed same from the court.

d) Defendant Kenealy admitted on the record that he had in his possession Petitioner's Answer that was served upon Defendant Makoutz, but then drafted a judgment signed by Defendant McCormack stating that no answer was received by Makoutz.

e) Defendant Kenealy submitted a fraudulent writing (judgment) to the court for signing by a judge.

678. The other grounds for the "judgment" being void were set forth in the Plain Statement of Facts section, and are specifically restated herein by reference. A copy of the simulated "judgment" to be declared void is attached hereto and incorporated herein by reference (Exhibit A).

COUNT TWO: USE OF HOBBS ACT INCOME/PROCEEDS (18 U.S.C. §1962(a))

679. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
680. At all times material to this petition defendant officers, employees and associates of Ozaukee County did purchase services, supplies, hardware, equipment, guns, uniforms, communications gear, vehicles, etc. in interstate commerce.
681. During the month of April, 2001 defendant Makoutz did obtain, and did attempt to obtain by extortion, as that term is defined in 18 U.S.C. §1951 from Petitioner under color of official right, \$22,452.83, \$182.14, and \$22,634.97.
682. Section 1962(a) of RICO provides that "It shall be unlawful for any person who has received any income derived, directly or indirectly from a pattern of racketeering activity or through collection of an unlawful debt as a principal within the meaning of Section 2, Title 18, United States Code, to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in the acquisition of any interest in, or the establishment or operation of, any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce."
683. During the month of April, 2001, in Port Washington, Wisconsin, defendant Makoutz did unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by extortion, as that term is defined in Title 18, United States Code, Section 1951, in that defendant Makoutz did obtain and attempt to obtain negotiable instruments /securities /writings from Petitioner with his consent having been induced by the wrongful use of actual and threatened force, violence, and fear, including fear of economic harm, by threat of abuse of legal process (coercion, 22 U.S.C. §7102).
684. That on October 24, 2001, on the private property of Petitioner in the town of Fredonia, county of Ozaukee, Wisconsin, and elsewhere, defendant Maurice A. Straub and approximately 24 heavily armed men did unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce as that term is defined in Title 18, United States Code, Section 1951, in that the defendant Maurice A. Straub and accomplices including but not limited to Eagle Moving and Storage and its officers /employees /agents and Lakeland Metal Processing, Inc. (Lakeland Metals, an auto salvage yard) and its officers (such as William Ciriacks) /employees /agents, did unlawfully take and obtain personal property consisting of 24 or so cars and trucks, hundreds of board feet of dimensional lumber, hundreds of commercial size concrete blocks, dozens of pieces of electronic equipment such as computers and diagnostic equipment, refrigeration equipment, 14 large steel fuel tanks, numerous storage drums for beverages, thousands of feet of irrigation pipe and tubing, fabricating steel, plow, boat, rosin, dozens of electric motors, wooden oak and maple executive desks, business furniture and equipment, communications and recording devices, two way radios, food, pet food, cable, thousands of items of packaged merchandise ready for sale (having been nationally advertised and ready for

shipment), plus much other business and personal property from Secured-Party Creditor /Petitioner Steven Alan Magritz, against his will by means of armed force and threat of death and threatened force, violence, and fear of death or injury, immediate and future to his person and property, that is, by masked men going in disguise, forcibly breaking into Petitioner's private home, aiming an assault rifle at Petitioner's head, throwing Petitioner to the floor, and binding him, after which Straub and his accomplices looted Petitioner's homestead, outbuildings, guest dwelling, and property - virtually all moveable property.

685. As a proximate result of Defendants' unlawful pattern of illegal extortionate conduct and armed robbery as described above, Petitioner has been injured in his person, business, and/or property.

686. By reason of the foregoing, Petitioner is entitled to recover, pursuant to 18 U.S.C. §1964(c), threefold damages, in such amount as shall be determined by offer of proof at the time of trial.

687. In addition, Petitioner is entitled to recover attorney's fees and costs of this litigation, as well as damages attributable to the activities engaged in by the Defendants in violation of the RICO statute.

COUNT THREE: PATTERN OF RACKETEERING ACTIVITY (18 U.S.C. §1962(c))

688. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
689. Petitioner, a private, unfranchised natural born man, shall be deemed to be a "person" within the meaning of 18 U.S.C. §1964(c) for purposes of this Complaint (Petition) only, but only if required, and then only to the extent necessary, in order to obtain damages for this claim and for other claims.
690. At all times material hereto, Defendants and each of them are "persons" within the meaning of 18 U.S.C. §1961(3).
691. Defendants and each of them - those of the Defendants who at times relevant hereto were officers or employees or agents of Ozaukee County or State of Wisconsin acting in their individual capacities but under color of their authority as such - comprised, together with Eagle Moving and Storage, or Lakeland Metal Processing, Inc. as well as officers /employees /agents of either, together with persons unknown to Petitioner at this time and therefore not named in this Complaint, an "enterprise" within the meaning of 18 U.S.C. §1961(4), viz., a "union or group of individuals associated in fact although not a legal entity." "Enterprise" includes illicit and licit enterprises and governmental and other entities - Wisconsin "WCCA" statute §946.82.
692. The enterprise alleged herein has an ascertainable structure, separate and apart from the pattern of racketeering activity in which the Defendants engage.
693. Said RICO enterprise, by and through its agents, representatives, designees, nominees, employees, and/or officers, willfully caused to be carried out, or facilitated and/or suffered to be carried out the various attacks upon Petitioner, with knowledge that the results would be, among other things, loss of way of life, impoverishment, possible loss of life, theft/conversion of property, and destruction of property, as has indeed transpired.
694. Such conduct included, but was not limited to, the deliberate indifference to constitutionally-secured rights of Petitioner and duty of Defendants not to infringe upon or trespass against or impair said rights, international law, and the law of nations; aiding, abetting, furthering, facilitating and permitting to be carried out acts of theft, robbery, kidnapping, false imprisonment, terrorism, etc.; extortion, abuse of legal process, conversion, obstruction of justice, mail fraud, wire fraud, armed robbery, aggravated battery, extortionate credit transactions, interstate transportation of stolen motor vehicles/parts, kidnapping, false imprisonment, impressment, involuntary servitude, terrorism; and conspiracy to commit all of the foregoing, and all of the additional crimes related to attacks on Petitioner as mentioned in this complaint.
695. Such conduct further involved various of the individual Defendants acting as accessories after the fact to the various RICO predicate acts or WCCA racketeering activities herein alleged, whether under federal law or local (state) laws. Each and every Defendant who shall not have actually

committed, or conspired to commit, the several predicate acts /racketeering activities alleged in this complaint, but who shall be shown to have been an accessory after the fact to such crime, is guilty of a predicate act /racketeering activity no less than the person(s) who actually committed it, United States v. Patrianca, 912 F.Supp. 596, 627 (D. Mass. 1995).

696. The numerous predicate acts /racketeering activities of extortion, theft, misconduct in public office, tampering with public records, concealment, abuse of legal process, obstruction of justice, mail fraud, wire fraud, kidnaping, false imprisonment, armed robbery, aggravated battery, racketeering, interstate transportation of stolen vehicles/parts, extortionate credit transactions, terrorism are part of an elaborate web of schemes designed by Defendants, and by additional persons not known to Petitioner and not named as Defendants in this Complaint, to carry out the purposes described herein above.

697. In carrying out the overt acts herein alleged, Defendants and each of them engaged in a pattern of racketeering activity, in violation of 18 U.S.C. §1962(c).

698. By reason of the foregoing, Petitioner is entitled to recover, pursuant to 18 U.S.C. §1964(c), threefold damages, in such amount as shall be determined by offer of proof at the time of trial.

699. In addition, Petitioner is entitled to recover attorney's fees, interest, and costs of this litigation, as well as damages attributable to the activities engaged in by the Defendants in violation of the RICO /Wocca statutes.

COUNT FOUR: RACKETEERING ACTIVITY (18 U.S.C. §1961(1))

700. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
701. Section 1962(b) of RICO provides that "It shall be unlawful for any person through a pattern of racketeering activity or through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in, or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce.
702. Under all theories of enterprise alleged by Petitioner, the enterprises have an ascertainable structure, separate and apart from the pattern of racketeering activity in which the Defendants engage.
703. With respect to the allegations contained herein, the Defendants and each of them have engaged in a "pattern of racketeering activity," as defined in Section 1961(5) of RICO, by committing and/or conspiring to commit or aiding and abetting a scheme for at least two such acts of racketeering activity, as described above, within the past ten years.
704. The multiple acts of racketeering activity committed and/or conspired to or aided and abetted by the Defendants, were related to each other, and amount to and pose a threat of continued racketeering activity, and therefore, constitute a "pattern of racketeering activity" as defined in 18 U.S.C. §1961(5).
705. Defendants acts amount to an overt and extortionate scheme to acquire or maintain an interest in or control of an enterprise(s) that affect interstate commerce.
706. In carrying out the overt acts and fraudulent extortionate scheme described above, Defendants have engaged in violation of federal and state laws and predicate acts under RICO, including at least those described supra in the "Selected Acts of Racketeering Activity" section of this Complaint.
707. Therefore, Defendants have each engaged in racketeering activity, as defined in 18 U.S.C. §1961(1) of the RICO statute.
708. As a proximate result of Defendants' unlawful pattern of illegal extortionate conduct as described above, Petitioner has been injured in his person, business and/or property.
709. By reason of the foregoing, Petitioner is entitled to recover, pursuant to 18 U.S.C. §1964(c), threefold damages, in such amount as shall be determined by offer of proof at the time of trial.
710. In addition, Petitioner is entitled to recover his attorneys' fees and costs of this litigation, as well as his damages attributable to the activities engaged in by the Defendants in violation of the RICO statute.

COUNT FIVE: CONSPIRACY TO COMMIT RICO VIOLATIONS (18 U.S.C. §1962(b, c))

711. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
712. At all times material herein, Defendants mutually agreed to engage in the aforementioned predicate acts and racketeering activities, giving rise to the RICO claims under §§1962(b) and 1962(c) set forth above.
713. Defendants are therefore liable as co-conspirators, under application of the doctrine of *Pinkerton v. United States*, 328 U.S. 640 (1946) and *Salinas v. United States*, 522 U.S. 52 (1997) for the substantive §§1962(b) and 1962(c) violations committed by Defendants, inasmuch as:
- a) Defendants and each of them engaged in unlawful activities constituting a RICO pattern of racketeering activity;
 - b) Defendants are members of a RICO conspiracy, designed and intended to contravene RICO §§1962(b) and 1962(c);
 - c) Defendants engaged in activities intended to advance and promote the RICO conspiracy in violating RICO §§1962(b) and 1962(c);
 - d) All Defendants are and were members of the RICO conspiracy, at and throughout the time frame that the unlawful predicate acts were committed that constitute the pattern of racketeering activity; and
 - e) The offenses fell within the scope of the unlawful agreement, and could reasonably have been foreseen to be a necessary or natural consequence of the unlawful agreement.
714. The overall objectives of the RICO conspiracy are generally as described in this Complaint supra in the "Purposes of the Enterprise" section.
715. The motives of the Enterprise vis-a-vis Petitioner or those like situated include but are not limited to the following:
- a) To create a climate of fear;
 - b) To punish those, such as Petitioner, who demand that public servants be restrained by Constitutional limitations or restrictions as well as their oath of office;
 - c) To punish those, such as private, unfranchised natural born men, who exercise unalienable rights, waiving none, rather than submit to despotic or tyrannical or unlawful authoritarian dictates;
 - d) To cover up acts of commission or omission of members of the Enterprise which have injured others;
716. As a proximate result of Defendants' conspiracy to violate RICO §§1962(b) and 1962(c) as described above, Petitioner has been injured in his person, business or property.
717. By reason of the foregoing, Petitioner is entitled to recover, pursuant to 18 U.S.C. §1964(d), threefold damages, in such amount as shall be determined by offer of proof at the time of trial.
718. In addition, Petitioner is entitled to recover his attorney's fees and costs of this litigation, as well as his damages attributable to the activities engaged in by the Defendants in violation of the RICO statute.

COUNT SIX: INJUNCTIVE AND DECLARATORY RELIEF (18 U.S.C. §1964(c))

719. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
720. This claim for relief arises under 18 U.S.C. §1964(c) of RICO providing for injunctive and declaratory relief for Defendants' violations of 18 U.S.C. §1962 by seeking to aid and abet and aiding and abetting a scheme to violate 18 U.S.C. §§1962(b) and (c).
721. With respect to Defendants' violation of 18 U.S.C. §1962, each Defendant has sought to, and has aided and abetted, each other respectively, and other unknown persons not named as Defendants in this Complaint, in the commission of those violations of 18 U.S.C. §1962 by seeking to aid and abetting a scheme to violate 18 U.S.C. §§1962(b) and (c).
722. Each of the Defendants has aided and abetted, and has a shared intent to aid and abet each other in attempting to derive, and in actually deriving substantial income and proceeds through the above-described pattern of racketeering activity.
723. Each of the Defendants has aided and abetted, and has a shared interest to aid and abet each other in acquiring and maintaining an interest or control of the RICO §1962(b) racketeering enterprise, through a pattern of racketeering activity, in violation of 18 U.S.C. §1962(a) and 18 U.S.C. §1962(b).
724. Each of the Defendants has aided and abetted, and has a shared interest to aid and abet each other in conducting or participating in the conduct of the affairs of the §1962(c) racketeering activity, in violation of 18 U.S.C. §1962(a) and 18 U.S.C. §1962(c).
725. By reason of the foregoing, Petitioner has been injured in his person, business, and/or property, and is entitled to bring this action to obtain injunctive and declaratory relief, as well as his costs of suit, interest, and attorney's fees.
726. Upon information and belief, Defendants have attempted to and have aided and abetted and they have committed and continue to commit the unlawful racketeering predicate acts including, but not limited to, those described herein-above, and they have attempted to generate, and have continued to generate, income or proceeds therefrom.
727. Defendants' violations of the above federal and state laws, and the effects thereof detailed above, are continuing, and will continue, unless injunctive relief prohibiting the Defendants' illegal acts, constituting a pattern of racketeering activity, is fashioned and imposed by this Court.
728. By reason of the foregoing, Petitioner is entitled to injunctive and declaratory relief, pursuant to 18 U.S.C. §1964(c).

COUNT SEVEN: INJUNCTIVE RELIEF (18 U.S.C. §1964(c))

729. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
730. Pursuant to 19 U.S.C. §1964(c), Petitioner demands all such injunctive relief as shall be necessary to divest the Defendants and each of them from further involvement in the Enterprise, and from being or remaining in a position to continue or repeat the acts comprising a pattern of racketeering activity herein complained of.
731. Such injunctive relief should include, but not be limited to, a permanent injunction against each and every one of the Defendants, prohibiting and enjoining them from occupying or continuing to occupy any office, employment, or position of trust in the government of the United States, or the Armed Forces of the United States, or the government of the state of Wisconsin or State of Wisconsin, or a subunit of either, or the county of Ozaukee or Ozaukee County, or the government of any state, county, municipality, military unit whatsoever wherever the United States exercises, or may exercise, jurisdiction under the Constitution or laws of the United States.
732. Such injunctive relief should include, but not be limited to, a permanent injunction against each and every one of the Defendants, prohibiting and enjoining them from engaging or participating, directly or indirectly, in any capacity, whether as proprietor, member, officer, shareholder, partner, investor, employee, agent, representative, or independent contractor:
- a) In any business or enterprise whose business activities include the receipt, recording, counting, deposit, handling or other fiduciary duties associated with any negotiable instruments, securities, notes, writings, etc.;
 - b) In any business or enterprise whose business activities include the printing, publishing, or distributing of newspapers, including but not limited to Port Publications, Inc., publisher of the Ozaukee Press newspaper;
 - c) In any business or enterprise whose business activities include the ownership, operation, leasing, renting, maintenance of real estate of any kind;
 - d) In any business or enterprise, affording such Defendant the opportunity to "launder" or to conceal the unlawful origins of monies generated by unlawful activities of any of the kinds described in this Complaint, especially those of notorious "cash and carry" operations such as auto salvage and property storage.
733. In addition to the foregoing, the Court should fashion a permanent injunction containing such other, further or different provisions as it deems necessary or appropriate to prevent, deter and prohibit Defendants from continuing to engage in, or repeating, any of the crimes herein complained of.

COUNT EIGHT: COMMON LAW INJUNCTIVE RELIEF

734. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.

735. In the alternative, if the Court shall deem that it is unlawful or inappropriate to grant pursuant to RICO statute, 18 U.S.C. §1964(c), injunctive relief, of the kinds or any of the kinds described in Count Seven of this Complaint, Petitioner prays for common-law injunctive relief, enjoining and prohibiting the Defendants and each of them from doing those things described in the several requests for injunctive relief in Count Seven of this Complaint.

COUNT NINE: DECLARATORY JUDGMENT (28 U.S.C. §2201 ET. SEQ.)

736. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.

737. This claim for relief arises under the Declaratory Judgment Act, 28 U.S.C. §2201 et. seq.

738. Petitioner demands a declaratory judgment of the following:

A) That the officers or officials of Ozaukee County, the Ozaukee County Board of Supervisors, the Ozaukee County Sheriff's Department, and the Ozaukee County Circuit Court are all bound to support the Constitution of the United States and the Constitution of the state of Wisconsin, not only in their official capacities, but also in their private capacities.

B) That the persons set forth in item A) above have a duty to not act in violation of the Constitution of the United States or the Constitution of the state of Wisconsin.

C) That the persons set forth in item A) above have a duty to Petitioner to not violate, impair, infringe upon, or trespass against any of Petitioner's private rights, substantive rights, common rights, or civil rights.

D) That the persons set forth in item A) above have breached their fiduciary duty to Petitioner by violation of his private rights, substantive rights, common rights, or civil rights.

E) That Ozaukee County is a business public corporation.

F) That Ozaukee County is precluded from demanding any particular substance in payment or tender of payment for any alleged debt or extension of credit.

G) That Petitioner neither had, nor has, nor can have any duty, obligation or liability to the corporation named Ozaukee County except by way of contract entered into willingly, voluntarily, knowingly, intentionally, without fraud, deception or concealment, and with full disclosure of all of the terms thereof.

H) That Petitioner neither had, nor has, any contract with the corporation named Ozaukee County, nor with the county of Ozaukee, nor any silent or purported or concealed principal of either, giving rise to any liability or duty or obligation to Ozaukee County, on or for any purported "Tax Certificate," or claim of indebtedness.

I) That Petitioner did not consent to any duty, liability or obligation to the corporation named Ozaukee County, or the county of Ozaukee, or the principal of either.

J) That Petitioner had no liability, duty or obligation to Ozaukee County prior to April 5, 2001.

K) That after Petitioner made tender of payment to Ozaukee County on April 5, 2001, Petitioner had no liability, duty or obligation to Ozaukee County.

L) That on April 30, 2001, Petitioner had no liability or tax liability to Ozaukee County, based on any purported tax certificate or other claimed indebtedness.

M) That Ozaukee County had no legal or lawful claim to Petitioner's 62.25 acres of land at the time Maurice A. Straub dispossessed Petitioner by force of arms on October 24, 2001, from said land.

N) That Joseph D. McCormack acted without subject matter jurisdiction in Ozaukee County case number 01-CV-58-B3 with regard to Petitioner's 62.25 acres of land.

O) That the proceedings in Ozaukee County case number 01-CV-58-B3 are void ab initio with regard to Petitioner's 62.25 acres of land and confer no rights, privileges, immunities, claim, title or interest on, to or in Ozaukee County or officers or employees or agents or principals of Ozaukee County.

P) That property taken from Petitioner by force of arms by Maurice A. Straub and his armed band of men on October 24, 2001 was property with a perfected security interest in the Secured-Party Creditor, Steven Alan Magritz.

Q) That the 62.25 acres of land taken by force of arms by Maurice A. Straub on October 24, 2001 from Petitioner was land patented from the United States of America to the original Patentees in 1837 and 1840, through which Patents Petitioner held said land, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, forever, free from any interest or claim whatsoever from Ozaukee County, or any principal or agent of Ozaukee County.

R) That Ozaukee County, as well as the persons set forth in item A) above, and each of them, have trespassed upon Petitioner's Land Patents as well as upon Petitioner's private, patented land.

S) That Petitioner held the aforesaid 62.25 acres of land in fee simple absolute, with the right to EXCLUDE ALL OTHERS.

T) That Petitioner is the only party that has evidenced a claim upon the aforesaid 62.25 acres of land.

U) That Petitioner held full, complete legal title to the aforesaid 62.25 acres of land, which he never abandoned, relinquished, waived or impaired.

V) That Petitioner held full, complete equitable title to the aforesaid 62.25 acres of land, which he never abandoned, relinquished, waived or impaired.

W) That no person, party, entity, individual, corporation, officer, official, employee, principal, or agent, including but not limited to Ozaukee County or State of Wisconsin, has ever evidenced any right, title, interest or claim in any court upon which Petitioner was legally or lawfully dispossessed from his 62.25 acres of land.

X) That Petitioner was not legally dispossessed from his 62.25 acres of land by Maurice A. Straub on October 24, 2001.

Y) That Petitioner was not lawfully dispossessed from his 62.25 acres of land by Maurice A. Straub on October 24, 2001.

Z) That Ozaukee County has been in illegal possession of Petitioner's 62.25 acres of land since October 24, 2001.

AA) That Ozaukee County has been in unlawful possession of Petitioner's 62.25 acres of land since October 24, 2001.

AB) That Ozaukee County has the duty and obligation to immediately restore Petitioner to the

unhindered, full and complete peaceful enjoyment and possession of his 62.25 acres of land.

AC) That neither Ozaukee County, nor any principal, agent, assignee, or transferee of or from Ozaukee County has any right, title, interest, or claim in the 62.25 acres of land taken by force from Petitioner by Maurice A. Straub on October 24, 2001.

AD) That Ozaukee County, the Ozaukee County Sheriff's Department, the Ozaukee County Circuit Court, and the Ozaukee County Board of Supervisors, through, with, by their officers, officials, employees, agents, or associates, have acted, and are continuing to act, contrary to the Constitution and laws of the United States and the Constitution and laws of the state of Wisconsin, inter alia in that they:

a) Violated the prohibition against impairment of contracts, inasmuch as Land Patents issued by the United States of America are executed contracts, upon the which those held by Petitioner, said Defendants infringed or impaired.

b) Violated the right of freedom of assembly by attempting to force Petitioner to join or associate with or support their corporation.

c) Violated the right of Petitioner to be secure in his person against unreasonable seizure.

d) Violated the right of Petitioner to be secure in his house, papers and effects against unreasonable seizure.

e) Violated the right of Petitioner to not be deprived of property without due process of law.

f) Violated the right of Petitioner to not have his private property taken for public use without just compensation.

g) Violated Article 20(2) of the Universal Declaration of Human Rights, that is, "No one may be compelled to belong to an association."

h) Instituted legal proceedings without statutorily required authorization.

i) Instituted legal proceedings without evidencing a claim, injury, or cause of action.

j) Repeatedly, consistently, egregiously violated rights to due process of law in court proceedings by violating rules of evidence, required procedures, and constitutionally-secured rights.

k) Have knowingly received and expended, and continue to receive and expend funds that are, directly or indirectly the proceeds ("laundered" or otherwise) of extortion, fraud, armed robbery, and other crimes.

l) Have engaged in and continue to engage in planning and preparation for the overthrow of the Bill of Rights and for the imposition of fiat rule, the seizure of property, the suspension of the Bill of Rights and/or other provisions of the Constitution of the United States, under color of law or otherwise.

739. Petitioner requests a declaration declaring the rights and other legal relations of Petitioner vis-a-vis Defendants, especially defendant Ozaukee County and its officers /employees who are Defendants, having the force of a judgment.

740. Petitioner requests further relief under the Declaratory Judgments statutes in that the full,

complete legal and equitable title, in fee simple absolute with the right to exclude all others to the defendant 62.25 acres of land taken from Petitioner by force of arms, be declared in Petitioner, and further, that a writ of assistance or writ of ejectment be issued and executed restoring Petitioner to unhindered, peaceful enjoyment and possession of said land.

741. Petitioner further requests that this Court retain jurisdiction until all of the Defendants have fully complied with the orders of the court.

COUNT TEN: RELIEF UNDER ANTI-TERRORISM ACT (18 U.S.C. §2333)

742. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
743. This claim for relief arises under the Anti-Terrorism Act of 1991, specifically 18 U.S.C. §2333.
744. The unlawful use of armed assault, kidnapping, and/or the destruction of Petitioner's building used as a dwelling unit constituted acts of "terrorism" within the meaning of 18 U.S.C. §2331, 2332(b)(g)(5)(B), 2333, 2339A, 1363.
745. As the direct result of the Defendants carrying out of, or complicity in, the terrorist attacks upon the person or property of Petitioner, Petitioner has been injured in his person, property, or business.
746. By reason of the foregoing, pursuant to 18 U.S.C. §2333 Petitioner is entitled to sue ... in any appropriate district court of the United States and shall recover threefold the damages ... he sustains and the cost of the suit, including attorney's fees. Petitioner accordingly demands judgment, in threefold such amount as shall be sustained by proof at trial, plus attorney's fees.

COUNT ELEVEN: PATENT INFRINGEMENT (35 U.S.C. §271)

747. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
748. This claim for relief arises under 35 U.S.C. §271 for infringement on a patent.
749. Petitioner is claimant /assignee of Land Patents 1435 and 672 granted by the United States of America. Petitioner is sole claimant /assignee.
750. The liability for infringement on Petitioner's Land Patents 1435 and 672 issued in 1837 and 1840 respectively by President Martin Van Buren extends to "whoever actively induces infringement." Said term "whoever" includes "any state, any instrumentality of a state, any officer, or employee, of a state or instrumentality of a state acting in his official capacity. Any state, and any such instrumentality, officer or employee, shall be subject to the provisions of this title in the same manner and to the same extent as any governmental entity."
751. As a direct result of the Defendants carrying out of, or complicity in, the infringement upon and commercial use of Petitioner's Patents, Petitioner has been injured in his person, property or business.
752. By reason of the foregoing, Petitioner is entitled to remedy pursuant to 35 U.S.C. §281. Petitioner accordingly demands judgment pursuant to 35 U.S.C. §§284, 285, 286 for damages, interest, costs, and treble damages as shall be sustained by proof at trial, plus attorney's fees.

COUNT TWELVE: CONSPIRACY TO INTERFERE WITH RIGHTS (42 U.S.C. §1985)

753. Petitioner incorporates and re-alleges all of the foregoing as if set forth at length herein.
754. This claim for relief arises under the Civil Rights Act, 17 stat. 13 (42 U.S.C. §1985), depriving persons of rights or privileges.
755. Defendants did conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in Ozaukee County, State of Wisconsin, with intent to deny Petitioner the equal protection of the laws, or to injure Petitioner or Petitioner's property for lawfully enforcing, or attempting to enforce, the rights of Petitioner to the equal protection of the laws.
756. Defendants did conspire and/or go in disguise on the premises of Petitioner for the purpose of depriving, either directly or indirectly, Petitioner the equal protection of the laws, or equal privileges or immunities under the laws.
757. Defendants engaged in the aforesaid conspiracy thereafter did, or caused to be done, acts in furtherance of such conspiracy whereby Petitioner was injured in his person and/or in his property, as well as being deprived of the peaceful possession and enjoyment of his property, as well as suffering emotional and mental pain, anguish, and other injuries.
758. Defendant(s) acted maliciously, with callous indifference to Petitioner's constitutionally-secured rights. Defendant(s) acted under color of law. Defendant(s) acted with actual knowledge that he/she was violating federally protected rights or with reckless disregard of whether he/she was doing so.
759. Defendant(s) did, or caused to be done, under color of law, commit extortion, armed robbery and the theft of Petitioner's property. Under color of law, as a policy or custom of Ozaukee County, Defendant(s) did unlawfully seize and take for themselves or others, property as well as land believed to have a current market value of at least \$750,000.00 (as is, without development or "parceling"), without any compensation whatsoever to Petitioner.
760. Defendant public corporation named "Ozaukee County" was deliberately indifferent to whether or not its officers and/or employees received education or training regarding their sole sworn duty, that is, their sworn oath to support the Constitution of the United States and the Constitution of the state of Wisconsin, inasmuch as Ozaukee County has not provided education or training regarding either Constitution, nor the imperative knowledge that the sole function of government is the protection of private rights. This failure to educate or train its officers and/or employees in the Constitutions as well as their duties to protect, or not infringe upon, trespass upon or impair private rights was the cause of the deprivation of Petitioner's constitutionally-secured rights.
761. As a direct result of the conspiracy of the Defendant(s), Petitioner has been injured in his person, property, or business.
762. By reason of the foregoing, pursuant to 42 U.S.C. §1985, Petitioner is entitled to compensatory damages, and demands judgment in such amount as shall be sustained by proof at trial, plus attorney's

fees.

763. By reason of the foregoing, Petitioner is entitled to punitive damages from the Defendant(s), in their individual capacities to punish Defendant(s) for their outrageous conduct, or willful or malicious conduct and to deter others from similar behavior, and demands judgment for same.

COUNT THIRTEEN: CIVIL ACTION FOR DEPRIVATION OF RIGHTS (42 U.S.C. §1983)

764. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
765. This claim for relief arises under the Civil Rights Act, 17 stat. 13 (42 U.S.C. §1983), deprivation of rights under color of law.
766. Defendants did, under color of law, within the jurisdiction of the United States, subject Petitioner or cause Petitioner to be subjected to the deprivation of rights, privileges or immunities secured by the Constitution and laws of the United States.
767. Petitioner has been injured in his rights to peaceful enjoyment and possession of his property, his right not to be injured in his reputation or business or mental or emotional well being, his right to work and earn a living, his right to not be deprived of his liberty, his right to freedom of assembly or to not assemble with any organization, his right to due process of law, his right to contract or not to contract or to not have his contracts impaired, his right to be secure in his home, papers, and effects, his right to just compensation for private property taken for public use.
768. Petitioner has been injured in his rights by a policy or custom prescribed by Ozaukee County. The execution of the policy or custom was ratified by the entire Board of Supervisors of Ozaukee County consisting of some thirty-two (32) men and women, and can be said to fairly represent official policy. The ratification of said execution and policy is evidenced by affidavits and documentation recorded in the office of the register of deeds, document number 805562, which is attached hereto and incorporated herein by reference in its entirety as if fully reproduced herein.
769. Defendants did, or caused to be done, under color of law, commit extortion, armed robbery and theft of Petitioner's property. Under color of law, and as a policy or custom of Ozaukee County, Defendants did unlawfully seize and take for themselves or others personal property as well as land believed to have a current market of at least \$750,000.00 (as is, without development or "parceling"), without any compensation whatsoever to Petitioner.
770. Defendant public corporation named "Ozaukee County" was deliberately indifferent to whether or not its officers and/or employees received education or training regarding their sole sworn duty, that is, their sworn oath to support the Constitution of the United States and the Constitution of the state of Wisconsin, inasmuch as Ozaukee County has not provided education or training regarding either Constitution, nor the imperative knowledge that the sole function of government is the protection of private rights. This failure to educate or train its officers and/or employees in the Constitutions and private rights was the cause of the deprivation of Petitioner's rights.
771. Petitioner has been injured in his person, property, rights, business. Petitioner has suffered loss of valuable property, inconvenience, loss of earnings, impairment of earning capacity, expenses, mental suffering.
772. By reason of the foregoing, pursuant to 42 U.S.C. §1983, Petitioner is entitled to the return of

all of his property, as well as compensatory damages, and demands judgment for the deprivation of rights and for injuries suffered, including but not limited to disgorgement of rents, rents based on the full fair market value of Petitioner's property, loss of prior earnings based upon earnings of like professionals, loss of future earnings, injuries of the deprivation of liberty, humiliation, libel, mental suffering, as well as other injuries sustained, in such amounts as shall be sustained by proof at trial, as well as attorneys' fees.

773. By reason of the foregoing, Petitioner is entitled to punitive damages from the Defendants, in their individual capacities to punish Defendants for their malicious conduct, callous indifference, outrageous conduct, or acting with actual knowledge that he/she/they were violating federally protected rights or with reckless disregard of whether he/she/they were doing so, and to deter others from similar behavior, and demands judgment for same.

COUNTS FOURTEEN THROUGH SEVENTEEN: COMMON LAW TORTS

COUNT FOURTEEN: CONVERSION / TRESPASS TO CHATTELS / EXTORTION

774. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
775. Defendants Makoutz, Kenealy, Schmidt, and McCormack, aided and abetted by other Defendants, did convert, take, remove, conceal, transfer, use, retain possession, or fail to deliver or apply or maintain as required by law, Petitioner's tenders of payment to Makoutz, as well as Petitioner's pleadings (Answer, Claim, Counterclaim) filed with the court and served upon Makoutz, during the months of April and May, 2001.
776. Defendant Kenealy, upon information, reason and belief, did convert, take, remove, conceal, use, retain possession of, transfer, or fail to deliver or apply or maintain as required by law, Petitioner's Claim served upon Ozaukee County clerk Dobberpuhl by deputy Sheriff Speth on September 24, 2001.
777. Defendant Straub, aided and abetted by other Defendants, including but not limited to Eagle Moving and Storage, Inc. and Lakeland Metal Processing, Inc. (with an unknown number of unknown named defendants) did convert, remove, conceal, transfer, use, retain possession of, Petitioner's personal and business property from Petitioner's possession by armed force and use of deadly weapons on October 24, 2001.
778. All of the aforesaid acts were done without the voluntary consent of Petitioner, but with actual force or threatened force, coercion, or threatened death to Petitioner.
779. Petitioner has been injured in his person, property, and/or business as a direct result of Defendants actions.
780. By reason of the foregoing, Petitioner is entitled to compensatory damages, and demands judgment in such amount as shall be sustained by proof at trial, plus attorneys' fees, costs, and interest.
781. By reason of the outrageous conduct of Defendants, Petitioner is entitled to punitive damages from the Defendants in their individual capacities to punish Defendants for their willful, wanton, malicious conduct and to deter others from similar behavior, and demands judgment for same.

COUNT FIFTEEN: TRESPASS TO LAND

782. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.

783. Defendant Straub, aided and abetted by armed masked men and other Defendants, did by force of arms trespass upon the 62.25 acres of private land of Petitioner and did take away and remove by force Petitioner from the peaceful enjoyment and use of said land on October 24, 2001.

784. Defendant Straub and other Defendants, directly or indirectly, continue to trespass upon and possess Petitioner's private land by threat of the use of deadly force against Petitioner, should Petitioner return to his land, up to this present date.

785. As a direct result of the foregoing, Petitioner has been injured in his person, property and business by Defendants past and present trespass upon Petitioner's land.

786. By reason of the foregoing, Petitioner is entitled to compensatory damages, as well as the return to his unhindered, full and complete peaceful enjoyment and possession of his land, and demands damages in such amount as shall be sustained by proof at trial plus costs, interest, and attorneys' fees.

787. By reason of the outrageous conduct of Defendants, Petitioner is entitled to punitive damages from Defendants in their individual capacities to punish Defendants for their willful, wanton, malicious conduct and to deter others from similar behavior, and demands judgment for same.

COUNT SIXTEEN: LIBEL, AND/OR RIGHT TO PRIVACY

788. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
789. Petitioner specifically re-alleges the paragraphs including, describing, setting forth, or discussing the defamatory statements made by Kenealy and published in the Ozaukee Press newspapers during September and October, 2001.
790. By reason of the false, scandalous, defamatory statements published by the Ozaukee Press newspapers, Petitioner was libeled, humiliated, vilified, demonized, and suffered irreparable harm to his business, his professional reputation, his character, and his standing in the community.
791. By reason of the foregoing, Petitioner is entitled to compensatory damages, and demands judgment in such amount as shall be sustained by proof at trial, plus costs, interest, and attorneys' fees.
792. By reason of the outrageous, reckless conduct of Defendants, Petitioner is entitled to punitive damages from Defendants in their individual capacities to punish Defendants for willful, wanton, malicious conduct and to deter others from similar behavior, and demands judgment for same.

COUNT SEVENTEEN: BREACH OF FIDUCIARY DUTY

793. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
794. Defendants who are or were members of the Board of Supervisors of Ozaukee County, as well as the Defendants who are or were elected officers or officials of Ozaukee County, plus defendant Kenealy, are/were all bound by sworn oath to support the Constitution of the United States and the Constitution of the state of Wisconsin. As such, the Defendants, and each of them, was duty bound to not trespass against, infringe upon, or impair the private rights, substantive rights, common rights, or civil rights of Petitioner, not only those enumerated in Article I (Declaration of Rights) of the Constitution of the state of Wisconsin or the "Bill of Rights" (First Ten Articles in Amendment) of the Constitution of the United States, but also those rights not enumerated but reserved by the people.
795. Petitioner has accepted, and does accept, the sworn/affirmed oaths of office, to which Defendant oath-takers have bound themselves with the operative clause "So help me God," as a firm contract between Petitioner and said oath-takers, thereby providing evidence of a firm, unshakeable, iron-clad duty on the part of Defendant oath-takers to not trespass against, infringe upon, or impair any constitutionally-secured right of Petitioner.
796. Defendant(s) trespass against, infringement upon, or impairment of any constitutionally-secured right of Petitioner constitutes an automatic breach of duty by Defendant(s).
797. Defendant(s), whether in their official or individual capacities, or whether they are acting as de facto or de jure officers or officials, or as individuals without any oath-imposed duties or obligations, are nevertheless under a duty or obligation to not trespass against, infringe upon, or impair any rights whatsoever of Petitioner.
798. Defendants breach of duty to not trespass against, infringe upon, or impair the rights of Petitioner have caused Petitioner injury in his person, property, or business.
799. By reason of the foregoing, Petitioner is entitled to compensatory damages, and demands judgment in such amount as shall be sustained by proof at trial, plus costs, interest, and attorneys' fees.
800. By reason of the outrageous, reckless breach of duty by Defendants, Petitioner is entitled to punitive damages from Defendants in their individual capacities to punish Defendants for their bad behavior and to deter others from similar behavior, and demands judgment for same.

COUNTS EIGHTEEN THROUGH TWENTY: CONSTITUTIONAL VIOLATIONS

COUNT EIGHTEEN: FOURTH AMENDMENT VIOLATION

801. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
802. On October 24, 2001, Petitioner was in the lawful, peaceful, use, enjoyment and possession of his private homestead consisting of 62.25 acres of land, two dwelling houses, and several outbuildings. Petitioner had the expectation of the right of privacy and right to exclude others from his private property.
803. On October 24, 2001, Petitioner was violently attacked by Maurice A. Straub and a band of heavily armed men, going in disguise (masked), acting without any claim whatsoever, but presumably acting under color of law, who unreasonably seized Petitioner's home, land, buildings, and other property.
804. Defendant Straub and his men broke into Petitioner's home through the use of force and violence, aimed at least one assault rifle at Petitioner's head from a distance of about one foot, threatened Petitioner with death, and threw Petitioner to the floor and handcuffed him.
805. Petitioner had not committed any crime, nor was he charged with any crime.
806. Straub did not have a warrant for the arrest of Petitioner.
807. Straub took Petitioner to Straub's jail and locked him in a cell for several hours, thereby falsely imprisoning Petitioner.
808. After several hours, and after being finger-printed, Straub released Petitioner, and threatened Petitioner with further arrest if Petitioner returned to Petitioner's private homestead which Straub stated that he was taking for Ozaukee County.
809. Straub and Ozaukee County continue at the present time to possess Petitioner's private homestead, consisting of 62.25 acres of land, to which Petitioner is entitled to immediate unhindered possession and enjoyment at this present date.
810. Defendants intentionally destroyed Petitioner's concrete block guest dwelling house.
811. Petitioner has been injured in his person, property, and business by Straub and his fellow Defendants.
812. Petitioner claims full and complete legal title and equitable title to the exclusion of all others to the aforesaid land from which he was dispossessed by Straub by force on October 24, 2001.
813. By reason of the foregoing, Petitioner is entitled to the immediate unhindered peaceful enjoyment, possession and exclusive use of his aforesaid homestead, plus compensatory damages from Defendants in their individual capacities, and demands judgment in such amount as shall be sustained at trial, plus costs, interest and attorneys' fees.
814. By reason of the outrageous, reckless conduct by Defendants, Petitioner is entitled to punitive damages from Defendants in their individual capacities to punish Defendants for their bad behavior and to deter others from similar behavior, and demands judgment for same.

COUNT NINETEEN: FIFTH AMENDMENT VIOLATION

815. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
816. With regard to denial of due process of law, Petitioner re-alleges for emphasis the paragraphs describing the activities of Makoutz, Kenealy, and Schmidt in April and May of 2001, the paragraphs describing the activities of Kenealy and McCormack and the August 8, 2001 "hearing" and simulated "judgment," and the paragraphs describing Kenealy, Dobberpuhl, and deputy Sheriff Speth with regard to Petitioner's 155 page Claim served upon Ozaukee County in September, 2001.
817. With regard to the taking of private property for public use without any compensation whatsoever, Petitioner re-alleges for emphasis the paragraphs describing defendant Straub's armed attack on Petitioner on October 24, 2001, as well as the numerous subsequent failures /refusals of the members of the Board of Supervisors to either restore Petitioner's property or to compensate Petitioner for the property stolen by Straub.
818. By reason of the foregoing, Petitioner was irreparably injured in his person, property, business, and liberty (five years in prison for attempting to lawfully retrieve his stolen property), and is entitled to compensatory damages from Defendants in their individual capacities, and demand judgment in such amount as shall be sustained at trial, plus costs, interest, and attorneys' fees.
819. By reason of the outrageous, reckless conduct by Defendants, Petitioner is entitled to punitive damages from Defendants in their individual capacities to punish Defendants for their bad behavior and to deter others from similar behavior, and demands judgment for same.

COUNT TWENTY: IMPAIRING THE OBLIGATION OF CONTRACTS

820. Petitioner incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein.
821. Petitioner is the sole Claimant /Assignee by mense conveyance of Land Patents 1435 and 672 granted in 1837 and 1840 respectively by the United States of America and issued by President Martin Van Buren.
822. Land Patents are executed contracts which are protected by Article I, Section 10, Clause 1 of the Constitution of the United States, as well as Article I, Section 12 of the Constitution of the state of Wisconsin, from impairment or infringement by all parties, entities, organizations, individuals, including but not limited to states, counties, cities, or any other governmental unit or subunit.
823. Defendants, especially public business corporation Ozaukee County, have trespassed upon, infringed, impaired, and continue to trespass upon, infringe, and impair, Petitioner's Land Patents 1435 and 672 by their unlawful possession and use of the 62.25 acres of Petitioner's private land which Defendants continue to possess by force of arms and threat of imprisonment or death to Petitioner if Petitioner attempts to repossess his Patented Land.
824. Defendants have slandered Petitioner's title to his 62.25 acres of private land.
825. By reason of the foregoing, Petitioner has been irreparably injured in his person, property, liberty and business, and is entitled to compensatory damages from Defendants, and demands judgment in such amount as shall be sustained at trial, plus costs, interest and attorneys' fees.
826. By reason of the outrageous, reckless conduct by Defendants, Petitioner is entitled to punitive damages from Defendants in their individual capacities to punish Defendants for their bad behavior and to deter others from similar behavior, and demands judgment for same.

PRAYER FOR RELIEF

WHEREFORE, the Petitioner, Steven Alan Magritz, prays to YHWH for judgment in his favor and against the Defendants as set forth in each count for relief, as well as general and special relief as follows:

A. On Count One, decreeing /ruling that "judgment" in Ozaukee County, State of Wisconsin, case number 01-CV-58-B3, in regard to or in respect of Petitioner's 62.25 acres of land (denoted "parcel # 4-034-09-001.0") is void ab initio for: want of subject matter jurisdiction; violation of due process of law; obtainment of "judgment" by fraud; defective petition filed; fraud committed in procurement of presumed jurisdiction; judge did not follow statutory procedure; unlawful activity of judge; and, being a mere nullity, grounds no rights, forms no defense to actions taken pursuant to, protects no one acting under it, constitutes no hindrance to the prosecution of any right, and under which trespass will lie for property seized pursuant thereto;

B. On Count Two, awarding Petitioner threefold damages, costs and attorneys' fees, in amounts to be proved at trial, based on the violation by defendants [excluding 62.25 acres of land] of the RICO statute, 18 U.S.C. §1962(a);

C. On Count Three, awarding Petitioner threefold damages, costs and attorneys' fees, in amounts to be proved at trial, based on the violation by defendants [excluding the 62.25 acres of land] of the RICO statute, 18 U.S.C. §1962(c);

D. On Count Four, awarding Petitioner threefold damages, costs and attorneys' fees, in amounts to be proved at trial, based on the violation by defendants [excluding the 62.25 acres of land] of the RICO statute, 18 U.S.C. §1964(b);

E. On Count Five, awarding Petitioner threefold damages, costs and attorneys' fees, in amounts to be proved at trial, based on the violation by defendants [excluding the 62.25 acres of land] of the anti-conspiracy provisions of the RICO statute, 18 U.S.C. §1962(d);

F. On Count Six, awarding Petitioner declaratory and injunctive relief pursuant to the RICO statute, including but not limited to ruling that "judgment" in Ozaukee County, State of Wisconsin, case number 01-CV-58-B3 in regard to or in respect of Petitioner's 62.25 acres of land (denoted "parcel # 4-034-09-001.0") is void ab initio, and that any and all process or proceedings or actions resulting therefrom are ultra vires or without legal or lawful protection;

G. On Count Seven, granting all such preliminary and permanent injunctive relief authorized under the RICO statute as the Court deems lawful, appropriate and necessary to divest the several defendants of their interests in the RICO Enterprise(s) alleged in the Complaint, and to prevent them from continuing in repeating the acts of racketeering complained of, or other racketeering acts proscribed in the RICO statute, as described more particularly in this Complaint;

H. On Count Eight, decreeing all other, further and different preliminary and permanent injunctive relief (i.e., as may be authorized by federal and/or local law, other than the RICO statute) as the Court deems lawful, appropriate and necessary to divest the several defendants of

their interests in the RICO Enterprise(s) alleged in the Complaint, to prevent them from continuing or repeating the criminal and unlawful acts complained of, and generally to accomplish those purposes mentioned in Count Seven of the Complaint;

I. On Count Nine, granting declaratory and injunctive relief against certain unconstitutional acts of Ozaukee County, Ozaukee County Circuit Court, Ozaukee County Sheriff's Department, Ozaukee County Treasurer, Ozaukee County Board of Supervisors, as well as Ozaukee County officers, employees, agents or associates, as set forth and more particularly described in Count Nine of this Complaint;

J. On Count Ten, awarding Petitioner threefold damages, costs of suit and attorney's fees under the Anti-Terrorism Act of 1991, 18 U.S.C. §2333;

K. On Count Eleven, awarding Petitioner all such relief, including but not limited to money damages, attorneys' fees, declaratory and injunctive relief, decreeing the defendants [excluding the 62.25 acres of land] are infringing upon Petitioner's Land Patents, and ordering defendants removed from Petitioner's Patented Land, restoring Petitioner to said 62.25 acres of land, and prohibiting defendants by permanent injunction from ever again interfering or hindering or impairing, etc., Petitioner's peaceful enjoyment and possession of said 62.25 acres of land;

L. On Count Twelve, awarding Petitioner compensatory damages, costs and attorneys' fees, in amounts to be proved at trial, based on the violation by defendants [excluding the 62.25 acres of land] of the conspiracy to interfere with rights statute, 42 U.S.C. §1985, plus punitive damages in the amount specified as liquidated damages for trespass against Petitioner's rights of which defendants had public notice by way of legal publication prior to their conspiratorial acts, that is, fifteen million dollars lawful coin of the United States of America;

M. On Count Thirteen, awarding Petitioner compensatory damages, costs and attorneys' fees, in amounts to be proved at trial, based on the violation by defendants [excluding the 62.25 acres of land] of the deprivation of rights statute, 42 U.S.C. §1983, plus punitive damages in the amount specified as liquidated damages for trespass against Petitioner's rights of which defendants had prior public notice by way of legal publication prior to their unlawful acts, that is, fifteen million dollars coin of the United States of America;

N. On Count Fourteen, awarding Petitioner compensatory damages and all further preliminary and injunctive relief pursuant to common law remedy or as may be authorized under federal and/or local law for injuries caused by defendants from extortion, conversion, trespass to chattels, plus costs and attorneys' fees, plus punitive damages in the amount specified as liquidated damages for trespass against Petitioner's rights of which defendants had prior public notice by way of legal publication before they caused Petitioner's injuries, that is, fifteen million dollars lawful coin of the United States of America;

O. On Count Fifteen, awarding Petitioner compensatory damages measured by foregone rent based on full market value of Petitioner's 62.25 acres of land applied at the highest prevailing commercial rate, plus disgorgement of gross rents received by Ozaukee County, plus quiet title of defendant 62.25

acres of land in Petitioner in fee simple absolute, plus ejectment of any occupiers or occupants of said 62.25 acres of land, plus restoration of Petitioner to unhindered, exclusive enjoyment and possession of said land, plus permanent injunction prohibiting any of the defendants from ever interfering with Petitioner's enjoyment, use, or possession of said 62.25 acres of land, plus all further preliminary and injunctive relief pursuant to common law remedy as may be authorized under federal and/or local law, plus costs and attorneys' fees, plus punitive damages in the amount specified as liquidated damages for trespass against Petitioner's rights of which defendants had prior public notice by way of legal publication before they caused Petitioner's injuries, that is, fifteen million dollars lawful coin of the United States of America;

P. On Count Sixteen, awarding Petitioner compensatory damages and all further preliminary and injunctive relief pursuant to common law remedy or as may be authorized under federal and/or local law for injuries caused by defendants from libel and/or defamation and/or violation of Petitioner's right to privacy, plus costs and attorneys' fees, plus punitive damages in the amount specified as liquidated damages for trespass against Petitioner's rights of which defendants had prior public notice by way of legal publication before they caused Petitioner's injuries, that is, fifteen million dollars lawful coin of the United States of America;

Q. On Count Seventeen, awarding Petitioner compensatory damages and all further preliminary and injunctive relief pursuant to common law remedy or as may be authorized under federal and/or local law for injuries caused by defendants breach of duty, plus costs and attorneys' fees, plus punitive damages in the amount specified as liquidated damages for trespass against Petitioner's rights of which defendants had prior public notice by way of legal publication before they caused Petitioner's injuries, that is, fifteen million dollars lawful coin of the United States of America;

R. On Count Eighteen, awarding Petitioner compensatory damages and all further preliminary and injunctive relief pursuant to common law remedy or as may be authorized under federal and/or local law for injuries caused by defendants from unlawful seizure of Petitioner's person and/or property and/or Petitioner's private land and homestead, including but not limited to quiet title of defendant 62.25 acres of land in Petitioner, full and complete legal and equitable title in fee simple absolute, immediate ejectment of any and all occupiers or occupants of said land, and immediate restoration to Petitioner of unhindered exclusive enjoyment, use, and possession of said land, plus permanent injunction prohibiting any of the defendants from ever interfering with Petitioner's enjoyment, use, or possession of said 62.25 acres of land, plus costs and attorneys' fees, plus punitive damages in the amount specified as liquidated damages for trespass against Petitioner's rights of which defendants had prior public notice by way of legal publication before they caused Petitioner's injuries, that is, fifteen million dollars lawful coin of the United States of America;

S. On Count Nineteen, awarding Petitioner compensatory damages and all further preliminary and injunctive relief pursuant to common law remedy or as may be authorized under federal and/or local law for injuries caused by defendants from violation of Petitioner's right to due process of law, plus

costs and attorneys' fees, plus punitive damages in the amount specified as liquidated damages for trespass against Petitioner's rights of which defendants had prior public notice by way of legal publication before they caused Petitioner's injuries, that is, fifteen million dollars lawful coin of the United States of America;

T. On Count Twenty, awarding Petitioner compensatory damages and all further preliminary and injunctive relief pursuant to common law remedy or as may be authorized under federal and/or local law for injuries caused by defendants impairing the obligation of contracts as well as slander of Petitioner's title, including but not limited to quiet title of defendant 62.25 acres of land in Petitioner, full and complete legal and equitable title in fee simple absolute, immediate ejection of any and all occupiers or occupants of said land, and immediate restoration to Petitioner of unhindered exclusive enjoyment, use, and possession of said land, plus permanent injunction prohibiting any of the defendants from ever interfering with Petitioner's enjoyment, use, or possession of said 62.25 acres of land, plus costs and attorneys' fees, plus punitive damages in the amount specified as liquidated damages for trespass against Petitioner's rights of which defendants had prior public notice by way of legal publication before they caused Petitioner's injuries, that is, fifteen million dollars lawful coin of the United States of America;

U. On each and every count of the complaint (petition), awarding Petitioner pre-trial and post-trial interest, at the highest rate authorized or allowed by law, contract, or rule of court;

V. On each and every count of the complaint, awarding Petitioner his costs, disbursements, and expenses of suit, including his reasonable attorneys' fees, to the fullest extent authorized pursuant to statute, contract, or rule of court;


W. On each and every count of the complaint, awarding Petitioner such other, further and different relief as the Court may deem just and proper.

DEMAND FOR TRIAL BY JURY

Petitioner demands a trial by jury, per Georgia vs. Brailsford, of his peers, i.e., private, unfranchised, natural-born men, of all issues so triable.

I declare under penalty of perjury under the laws of the United States of America (de jure) that the foregoing facts in this Petition /Complaint are true and correct, and as for those statements made upon information, reason or belief, Petitioner believes them to be true and correct. Executed on

June 3, 2007 .



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