

DEFENDANT'S DECLARATION NOTICE OF NON-COMPLIANCE WITH FRAUDULENT  
ORDERS  
AND DEMAND FOR JUDICIAL REVIEW

TO THE HONORABLE COURT:

Defendant Marvin D. Tutt hereby formally declares his position regarding the ongoing garnishment orders and respectfully demands immediate judicial review of the fraudulent calculations underlying these orders.

I. DECLARATION OF FACTS

I, Marvin D. Tutt, declare under penalty of perjury:

1. I have been unemployed since March 2024, as verified by the Maryland Department of Labor.
2. When confronted with motions for contempt filed by Regina Robinson, this Court has directed her to "contact CCSA" rather than exercising judicial review.
3. Charles County CSA has imputed income to me of \$82,000 annually.
4. Based on this phantom income, garnishments of approximately \$138 per week have been imposed.
5. The money I need to survive has been taken from me based on these fraudulent calculations.
6. I have filed multiple emergency motions documenting this impossibility, which remain unaddressed.
7. The Court has repeatedly declined to hold emergency hearings while allowing the fraudulent garnishments to continue.

II. LEGAL FRAMEWORK

A. Fraud Vitiates Everything

"Fraud vitiates everything it touches." *United States v. Throckmorton*, 98 U.S. 61, 64 (1878). No court order based on fraudulent representations can be legally enforced.

## B. Void Orders Need Not Be Obeyed

"A void judgment is a legal nullity." *Kalb v. Feuerstein*, 308 U.S. 433, 438 (1940). Orders based on mathematical impossibilities (\$0 income generating \$82,000 obligations) are void ab initio.

## C. Constitutional Right to Resist Unlawful Deprivation

The Fifth and Fourteenth Amendments prohibit the deprivation of property without due process. When the state acts without lawful authority, citizens retain the right to resist. *Bad Elk v. United States*, 177 U.S. 529, 534-35 (1900).

## D. Contempt Cannot Be Based on Void Orders

"One cannot be held in contempt for violating an order that is void." *In re Marriage of Gionis*, 219 Cal. App. 3d 1007, 1016 (1990).

## III. FORMAL DECLARATION

Based on the above facts and law, I hereby declare:

### 1. The Current Garnishment Orders Are Fraudulent

- They are based on phantom income that does not exist
- Mathematical fact:  $\$0 \neq \$82,000$
- No rational basis exists for these calculations
- They are based on false income reporting and custodial fraud by Regina
- Marvin Tutt alleges that this fraud was protected by Charles County Court
- Regina Robinson NEVER responded to Motion to Vacate despite formal service
- Court refused to compel responses or investigate fraud allegations
- Court's protection of Regina Robinson's silence constitutes accessory after the fact to fraud
- Continuing enforcement without addressing fraud violates Maryland Rule 2-535(b)

Legal Authority:

- Maryland Rule 2-311(b) (15-day response requirement for motions)
- Maryland Rule 2-535(b) (fraud upon court may be raised at any time)
- 18 U.S.C. § 241 (conspiracy against rights - court protecting fraud)
- 18 U.S.C. § 3 (accessory after the fact to federal crimes)

## 2. I Will Not Voluntarily Comply With Fraudulent Orders

- I cannot and will not pay money I do not have
- I cannot and will not acknowledge debts based on phantom income and due process violations
- I cannot and will not participate in my own financial destruction through fraud

## 3. This Court Must Exercise Judicial Review

- Deferring to CSA administrative determinations violates separation of powers
- The Court cannot delegate its judicial function to an interested party
- Due process requires independent judicial determination of contested facts

## 4. Any Contempt Proceedings Are Retaliatory

- Filing contempt while fraud claims remain unaddressed is retaliation
- Punishing someone for refusing to comply with fraud is itself unlawful
- This would constitute willful deprivation of rights under 18 U.S.C. § 242

## IV. MATHEMATICAL PROOF OF FRAUD

Let the Court take judicial notice of these undisputed mathematical facts:

- Defendant's documented income: \$0
- CSA's imputed income: \$82,000
- Mathematical difference: \$82,000
- Percentage error: INFINITE (division by zero)
- Declared defendant "Voluntarily impoverished" despite being under extraordinary criminal mandate

No reasonable person, and certainly no court exercising judicial authority, could find these calculations anything other than fraudulent.

## V. DEMAND FOR IMMEDIATE ACTION

I respectfully DEMAND this Court:

### 1. Exercise Judicial Authority

- Stop deferring to CSA administrative determinations
- Make independent findings of fact
- Rule on the impossibility presented

### 2. Stay All Garnishments

- Immediately halt garnishments pending judicial review
- Order return of fraudulently obtained funds
- Prevent further irreparable harm

### 3. Hold Evidentiary Hearing

- Allow presentation of evidence of fraud
- Require CSA to prove the \$82,000 income existed
- Make findings of fact on the record

### 4. Acknowledge the Fraud or Admit Judicial Impotence

- Either rule that \$0 can equal \$82,000 (impossible)
- Or acknowledge the garnishments are fraudulent
- Or admit this Court lacks power to review CSA determinations

## VI. WARNING OF CRIMINAL LIABILITY

This Court is hereby placed on formal notice that continuing to enforce garnishments after written notice of fraud may constitute:

- 18 U.S.C. § 242 - Deprivation of rights under color of law
- 18 U.S.C. § 241 - Conspiracy against rights
- 18 U.S.C. § 1341 - Mail fraud (Yes, I noticed that you completely stopped sending me mail.)
- 18 U.S.C. § 1343 - Wire fraud (if electronic transfers involved)
- Maryland Criminal Law § 8-801 - Theft by deception

Each garnishment payment taken after notice of fraud represents a separate criminal act.

## VII. CONCLUSION

This Court stands at a crossroads:

Option 1: Exercise judicial authority, review the evidence, and acknowledge the fraud.

Option 2: Continue deferring to CSA, enforce fraudulent garnishments, and face the consequences.

I am prepared to defend my rights through all available legal channels, including:

- Criminal complaints to federal authorities
- Civil rights litigation (already filed and on appeal)
- Congressional investigation requests
- Media exposure of judicial corruption

- International human rights complaints (Have been holding off)

The fraud is undeniable. The Court's response will determine whether it functions as a judicial body or as a collection agency for CSA.

/s/ Marvin D. Tutt  
Marvin D. Tutt  
Defendant

Date: August 19, 2025

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#### VERIFICATION

I, Marvin D. Tutt, verify under penalty of perjury under the laws of Maryland that:

1. I have been unemployed since March 2024
2. The garnishment calculations showing \$82,000 income are fraudulent
3. All factual statements in this declaration are true and correct

This verification is made under penalty of perjury with full understanding that false statements are punishable by law.

/s/ Marvin D. Tutt  
Marvin D. Tutt  
Date: August 19, 2025

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/s/ Marvin D. Tutt  
Marvin D. Tutt