

Notice and Demand

Affidavit of Maladministration

Legal Notice and Warning

To: Haywood County Board of Education:

School Board Chairman Chuck Francis, Vice-chairman Jim Harley Francis, Chairman Jimmy Rogers, Chairman Logan Nesbitt, Chairman Steven Kirkpatrick, Chairman Bobby Rogers, Chairman Ronnie Clark, Chairman Larry Henson, Chairman David Burnette, Board Attorney Pat Smathers.

From: _____

Cc: Attorney General Josh Stein

Cc: Governor Roy Cooper

Cc: North Carolina House of Representatives (all members)

Cc: North Carolina Senate (all members)

Notice to Agent is Notice to Principal and Notice to Principal Notice to Agent

Comes now Affiant, _____, one of the people (as seen in North Carolina Constitution Bill of Rights Article 1 Section 2). Sui Juris, in this court of record, being trustees of the People must provide due care and remember your oath which binds you. I, the Affiant, make the following statements and claims:

Job Description of the District School Board: The school board exists to oversee the activities of the school system ensuring that students may have the best possible experience and outcome. The school board exists to establish important policies and make sure they are implemented properly. Budgeting is one of the most challenging responsibilities of a school board and requires the ability to listen to the priorities and needs of staff, the community, and

the student body. The board must also review student achievement data on a regular basis to evaluate the school's effectiveness and make changes as needed.

As elected officials, you have sworn to uphold the Constitution of the United States and the Constitution and laws of the State of North Carolina. You swore to bear true faith and allegiance to the same and defend them against all enemies, foreign and domestic, and that you would faithfully, and impartially, discharge the duties of your office according to the best of your ability so help you God.

North Carolina State Constitution

Article 1 Section 1

We hold it to be self-evident that all persons are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, the enjoyment of the fruits of their own labor and the pursuit of happiness.

Affiant reminds you of the fundamental principles in the Supreme law of the land that secure my individual rights.

Article 1 Section 2

All political power is vested in and derived from the people; all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.

Affiant comes as one of the People from which your power is derived. Your oath to office affirms that your main purpose is to protect and maintain my individual rights by upholding the Constitution. This includes the rights of my heritage, those in my care, my children. Affidavit is being given as notice to you who are creating or enforcing health rules or mandates. Affiant claims you are infringing on the freedoms guaranteed to me as one of the People. You are also practicing health discrimination and segregation and are depriving people of their rights under color of law.

Section **242** of Title **18** makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the **United States**.

Article 1 Section 3

The people of this State have the inherent, sole, and exclusive right of regulating the internal government and police thereof, and of altering or abolishing their Constitution and form of government whenever it may be necessary to preserve their safety and happiness; but every such right shall be exercised in pursuance of law and consistently with the Constitution of the United States.

Affiant reminds you that the Constitution of the United States is the supreme law of the land to which all government, state and federal, is subject.

Article 1 Section 5

Every citizen of the State owes a paramount allegiance to the Constitution and government of the United States, and no law or ordinance of the State in contravention or subversion thereof can have any binding force.

Article 1 Section 7

All power of suspending laws or the execution of laws by any authority, without the consent of the representatives of the people, is injurious to their rights and shall not be exercised.

Affiant claims you, as state personnel, are subject to having your actions restricted if your actions are not consistent with protecting the People's freedom. Any failure on your part to protect these rights is a breach of your trust indenture, granted by the People, and will be considered an act of maladministration, and an attack on the People you serve. Such maladministration and attack may result in censure, fines, and termination of services

Article 1 Section 19

No person shall be taken, imprisoned, or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any manner deprived of his life, liberty, or property, but by the law of the land. No person shall be denied the equal protection of the laws; nor shall any person be subjected to discrimination by the State because of race, color, religion, or national origin.

Article 2 Section 24

The General Assembly shall not enact any local, private, or special act or resolution relating to health, sanitation, and the abatement of nuisances.

Informed consent is required for investigational medical therapies. The Nuremberg Code (1947)

Affiant affirms that any rebates, intimidation, manipulation or grooming of children to participate in activities regarding a minor's health, including staying away from friends, obstruction of airway by mandating a mask while on school property or on the bus, staying at home for prolonged periods, covid testing or vaccination, without consent of the parents is unlawful. Anyone creating and adopting any such policies shall be liable, to the fullest extent of the law for every health concern arising out of the above-mentioned violations of rights and health care policies.

Affiant demands that the School Superintendent and the District School Board **cease and desist immediately and in the future** from any policies that mandate forced mask wearing, social distancing, covid testing and/or experimental vaccination proof as condition for free and equal participation in education, or as means to discriminate against or segregate children.

Whereas, "Title IV of the Civil Rights Act of 1964 authorizes the Attorney General to address certain equal protection violations based on religion, among other bases, in public schools and institutions of higher education. The Educational Opportunities Section works to ensure that all persons regardless of their religion are provided equal educational opportunities." Any sectarian instruction that seeks to divide and induce division based on social standing, skin color, or ethnicity will violate the equal educational opportunities section of the Civil rights Act. It is a violation of the students' civil rights which protects "equal education opportunities."

Affiant claims that any attempt to incorporate Critical Race Theory and Social Emotional Learning, which is inextricably tied to CRT is a violation. These methods encourage implementation of the Social Emotional Competencies found on the ADE website. **Committing racial discrimination in the name of ending racial discrimination is both illogical and illegal. It goes against the exceptional principles on which our nation was founded. Implementing CRT and antiracist programming, in a way that treats individuals differently, on the basis of race, creates a racially hostile environment. You have violated Article 1 Section 1, Article 1 Section 3, Article 1 Section 7, Article 1 Section 19, Article 2 Section 24.**

Any man or woman who denies these claims are true must rebut them under penalty of perjury in the form of a sworn affidavit. Any man or woman who decides to suppress this affidavit agrees to pay \$30,000 and any disputes by any public officials or private actors who are bound by contract to the North Carolina Constitution agrees to have these matters heard before an Arbitrator of my choice. Any man or woman denying these claims are true must rebut these claims point by point within (3) days (72 hours). Failure to respond means that by acquiescence you agree that all claims are true.

Verification

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.

Executed in _____, North Carolina on this _____ day of _____
in the Year of Our Lord Two Thousand Twenty-One.

Autograph of Affiant

Notary as JURANT CERTIFICATE

_____ State }

_____ County }

On this _____ day of _____, 2021 before me, a Notary Public, personally appeared _____ (Name of Affiant), who proved to me on the basis of satisfactory evidence to be the man/woman whose name is subscribed to the within instruments and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her autograph(s) on the instrument the man/woman executed the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of North Carolina State and that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary /Jurat

Seal