Judicial Notice NOTICE FOR PRESIDING JUDGE TO TAKE JUDICAL NOTICE REGARDING RULES OF EVIDENCE

Cause No(s). \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The State of Texas § IN THE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COURT

§

VS. § \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ §

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ § \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TEXAS

Judicial Notice

Pursuant under 201(b)(2) and 201(C)(2) of the Texas and Federal Rules of Evidence:

(b) Kinds of Facts That May Be Judicially Noticed. The court may judicially notice a fact that is not subject to reasonable dispute because it:

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

(c) Taking Notice. The court:

(1) may take judicial notice on its own; or

(2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

MANDATORY

Public Law 93-595: A Court shall take Judicial Notice if requested by a party and supplied with the necessary information.

NOTICE FOR PRESIDING JUDGE TO TAKE JUDICAL NOTICE

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereby ask the presiding judge of this Honorable Court to take Judicial Notice pursuant to Rule 201(b)(2) and 201(C)(2) of Texas Rules of Evidence, of the following:

JUDICIAL NOTICE

All officers of the court are hereby placed on notice under authority of the supremacy and equal protection clauses of the United States Constitution and the common law authorities of Haines v Kerner, 404 U.S. 519, Platsky v. C.I.A. 953 F.2d. 25, and Anastasoff v. United States, 223 F.3d 898 (8th Cir. 2000) relying on Willy v. Coastal Corp., 503 U.S. 131, 135 (1992), “United States v. International Business Machines Corp., 517 U.S. 843, 856 (1996), quoting Payne v. Tennessee, 501 U.S. 808, 842 (1991) (Souter, J., concurring). Trinsey v. Pagliaro, D.C. Pa. 1964, 229 F. Supp. 647, American Red Cross v. Community Blood Center of the Ozarks, 257 F.3d 859 (8th Cir. 07/25/2001). In re Haines: pro se litigants (Defendant is a pro se litigant) are held to less stringent pleading standards than BAR registered attorneys. Regardless of the deficiencies in their pleadings, pro se litigants are entitled to the opportunity to submit evidence in support of their claims. In re Platsky: court errs if court dismisses the pro se litigant (Defendant is a pro se litigant) without instruction of how pleadings are deficient and how to repair pleadings. In re Anastasoff: litigants’ constitutional rights are violated when courts depart from precedent where parties are similarly situated. All litigants have a constitutional right to have their claims adjudicated according the rule of precedent. See Anastasoff v. United States, 223 F.3d 898 (8th Cir. 2000). Statements of counsel, in their briefs or their arguments are not sufficient for a motion to dismiss or for summary judgment, Trinsey v. Pagliaro, D.C. Pa. 1964, 229 F. Supp. 647.

Prayerfully Submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing has been delivered to the following party or counsel of record via delivery confirmation, hand delivery or fax on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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INSTRUCTIONS

This document is used to get the judge to recognize that pleadings by pro se litigants are 1) not held to BAR standards 2) are entitled to submit evidence in support of their claims 3) may not be dismissed without being first given an opportunity to repair deficiencies in pleadings 4) courts may not depart from precedent where parties are similarly situated 5) All litigants have a constitutional right to have their claims adjudicated according the rule of precedent 6) Statements of counsel, in their briefs or their arguments are not sufficient for a motion to dismiss or for summary judgment

Line 1: Where you put the cause numbers of the case.

Line 2: Put either ‘Municipal’, ‘Justice of the Peace’ or County.

Line 3: Put either ‘In the City of (whatever City)”, “Precinct (whatever number)” or “(whatever county Court it is – like – At Law #11)

Line 4: Put your name in Upper and Lower Caps.

Line 5: Put whatever county the court is in – like – “Galveston”.

Line 6: Put your name in Upper and Lower Caps.

Line 7: Sign your name, print your name in Upper and Lower Caps then below that print your address.

Line 8: Put the numbered day of the Month that you serve a copy of this document to the prosecutor.

Line 9: Put the name of the Month that you serve a copy of this document to the prosecutor.

Line 10: Put the last number of the year that you serve a copy of this document to the prosecutor. – like - 2013 .

Line 11: Put “ Prosecutor for (Whatever Court)

Line 12: Put the street address where the prosecutor will be served.

Line 13: Put the City, State and Zipcode where the Prosecutor will be served.

Line 14: Sign your name, print your name in Upper and Lower Caps then below that print your address.

Original goes to the clerk of the court, one copy to the Prosecutor and one copy for you to keep and have stamped by the clerk. Be sure and NOT include the instruction sheets.