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CAUSE NO. C-10-CR-25-000357

**In the Interest of the Public $**

|  |  |
| --- | --- |
| **For the matter of** | **$** Directly and/or indirectly  **$**  associated with the property |
| **In re: Phillip Tyrone Jackson-Benson** | **$** of a minor/infant |
| Real Party in Interest (*jus personarum*) | $  $ |
| **PHILLIP TYRONE JACKSON-BENSON, infant/minor** | **$** |
| **PLAINTIFF** | **$** |

**EXPRESSING THE TRUST v.s.**

**THE PEOPLE OF THE STATE OF**

**MARYLAND DEFENDANT**

# BILL OF COMPLAINT IN EQUITY PRESENTMENT TO VOID PROCEEDINGS AND JURISDICTION

INTRODUCTION AND BACKGROUND with Memorandum of Law (Exhibit A)

COMES NOW, Phillip Jackson-Benson, a natural living **being of majority status** conducting

the style condition of **The Principal and Beneficial Equitable Title Holder, and not an**

**infant/minor**, hereinafter “Complainant”. As such I am exercising as well as retaining and reserving

all rights, natural, private commercial, incorporeal or otherwise and does tender this claim and make the claim that the tender was special deposited on the accounts receivables books of the court, via the respondent's commercial filings and/or other deposits into the courts registry, who by there own admission of the complaint showing or causing to show the existence of a qualified endorsement.

The respondent has come into this matter related to a trust in the capacity that is;

unsustainable, and thus is perceived as; standing in its unadulterated non-immune capacity and liable

for all damages incurred, assessments as well as penalties.

On its face it appears that the Respondent's intent and purpose, was to take up the

election to treat the within reference complaint as a draft, rather than a promise to pay. A complaint is a promise to pay, and a draft is a order to pay, and the person holding the instrument can treat it as either. **The court converted the complaint to a draft** (a form currency conversion). There might be cause for one to raise and/or complain that they lack understanding, that such information is foreign to them; and it is at that time that such an individual documents their lack of knowledge, for overseeing such matter that specially deals with an **express trust and the estate of an infant,** which involves exclusive jurisdiction and not concurrent jurisdiction. This court acts as an administration venue as a result of the administration acts and the presidential proclamation 2038, 2039, and 2040 – for which the presidents of the United States have exercised “Emergency Powers Jurisdiction” continuously, from 1933 to the present, according to the Senate report on national emergencies associated with the National Emergencies Act. To insure this information is not ambiguous, nor is it foreign to government, for the the Senate of the United States Congress has verified the aforementioned facts.

**Equities Implied Expression of a trust.**

## Minor account means an account that a custodian controls on behalf of a minor, this

***is referred to as a resulting trust the definition of a resulting trust is:*** A **resulting trust** (from the Latin “resalire” **meaning** 'to jump back') is the creation of an implied **trust** by operation of **law,** where property is transferred to someone who pays nothing for it; and then is implied to have held the property for benefit of another person.

# JURISDICTION AND VENUE

Jurisdiction is proper “other jurisdiction” wherein the Constitution, whereby Judicial

Power, SECTION authorizes such out of necessity. The judicial power shall be vested in one Supreme

Court, (who may extend such powers in a Court of Appeals, in District Courts, in County Courts, in Metropolitan Courts), and in such other courts and may be established by positive law i.e. equity, as equity is the law, as equity is everything and law without equity **must still render equity.** Therefore, this court has the power to decree in equity upon this **Express Trust matter** in-camera/chambers, and may enforce the Bill of Rights put forth in this bill as expressed in the Constitution.

We must remember as shall be discussed briefly in a moment, that an attorney who

represents an individual who has not yet attained the age of majority, is said to represent a ward of the court. An Attorney holds an administrative position as an officer of the court and as such, the attorney becomes for the ward an appointed guardian ad litem. **Now in proof that the trust exists,** and is for all necessities and purposes a “RESULTING TRUST”, in that upon attaining majority, the securities, assets, properties of the infant estate becomes **the rightful property of the beneficiary who has attained the age of majority.** Seeing that this is a “Resulting Trust”, by operation of law and as a result of the principles of equity, and that it involves a minor and/or infant and/or the properties of an infant, the proper jurisdiction is that of equity who has and maintains a right a right to inherent jurisdiction.

# RULE OF LAW

Whereby this cause, being a complaint in **exclusive equity jurisdiction**, (as it directly

involves the property/estate/securities of an infant/minor), cites the rule of law as follows upon:

# BILL OF RIGHTS

No person's (to include infants/minors) property shall be taken, damaged or destroyed

for or applied to public use without adequate compensation being made, unless by the consent of such person, and, when taken, except for the use of the State, such compensation shall be first made, or secured by deposit of money.

# JURISDICTION OF COURTS OVER THE ESTATES OF INFANTS

**Jurisdiction over the estate of an infant is inherent in equity,** but it may also be vested by administrative constitutional and administrative statutory provisions in particular courts; the administrative institution of proceedings affecting an infant's property makes the infant a ward of the court (held in trust, for such the seizure of rights and/or property could only be instituted as a result of a prior relationship i.e. a special relationship, whereby the infant/minor is the beneficiary, the state (court) the settlor and its agents and/or officers trustees, constituting a trust relationship, in equity) which has broad powers and the duty to protect his or her interests.

**Courts of equity have GENERAL AND INHERENT JURISDICTION over the**

**property of infants**. Primary jurisdiction over the estate of infants may, under administrative constitutional or administrative statutory provisions, be vested in the probate, county, district, or other specific court.

**The jurisdiction can be exercised only when the court has acquired jurisdiction as**

**to the particular infant/minor or subject matter** (jurisdiction over estates/trusts are exclusive in nature over which courts of equity have exclusive jurisdiction, and such matters must be heard at equity). The commencement of a proceeding affecting the infants property vest the court with jurisdiction over his or her estate, pursuant to which the court acts in loco parentis or as a guardian, and the infant becomes its ward. **It is the duty of the court to safeguard the infants property interest with great care** i.e. **In trust.**

After the jurisdiction of the court has attached, either through an appearance which

equates to submitting to the court's jurisdiction, and/or a plea being entered by the infant/minor, the court in its administrative capacity has broad, comprehensive and plenary powers over the estate of the infant/minor, however, courts of equity have exclusive jurisdiction over the property, of the infant/minor. This court may adjudicate the rights and equities of the infant and property, **yet only in equity,** and it may cause to be done whatever may be necessary to preserve and protect the infants's estate which includes the property/assets of said estate. However, the exercising of such powers must be tempered with reasonable limitations, and one major limitation is that courts of equity have exclusive jurisdiction over the property/assets of an infant. Therefore, **the court cannot act in violation of administration constitutional or statutory limitations on its power,** which the court or parties have done by establishing the instant matter, and thus attempt to deprive the infant/minor of the

right to the absolute enjoyment of the funds of one who has come forth now, **and is appearing at the age of majority in correction of any presumptions by previous actions or appearances in this matter.**

An infant is not competent to waive the administration statutory requirements enacted

forhis or her benefit and protection, with respects to the manner in which the jurisdiction of the court may be exercised, unless and until they attain the age of majority, then they can either.

**JURISDICTION OF COURTS OVER ESTATES OF INFANT/MINORS-JUDICIAL ALLOWANCES FOR SUPPORT, MAINTENANCE AND EDUCATION.**

Respondent(s) could not have had a valid claim against infant/minor without personal

knowledge and a copy of the photo, Finger-prints, A Forced plea, Coercion, Threats, False imprisonment, a false commercial claim is/are not considered lawful evidence and/or knowledge, because such copies are held as a forgery, evidence of involuntary servitude.

Furthermore, courts in conducting “Commerical” Business of the court must

give/disclose to or upon a party upon demand the bookkeeping entries (both receivables and payables) with an affidavit, and demand is hereby made for immediate production or the all evidence is hearsay evidence into the court. The infant/minor having attained the age of majority hereby challenges the bookkeeping and demands the full accounting on the accounts receivables and accounts payables and all dividends, profits, rents, escrows, etc. resulting from the deposit of TRUST/Estate of the ward/Beneficiary onto the courts accounts receivables and other general intangibles.

# Movement for Relief

**Complainant is entitled to the relief of damages in equity,** as 'equity must cause

equity to be, though the heavens fall ' ; Complainant is entitled to relief in the form of damages for the following reasons;

Respondent(s) has taken the private property of the complainant under extreme duress

and threat of violence against Complainant's life, property, liberties without just compensation without the expressed and/or written consent of Complainant. Respondent had a duty to respond to all complainants and questions because of the legal **special relationship**  of the parties and by not responding the Respondent is in breach of trust, because the infant estate and duty of care associated therewith/thereto is an express trust:

“**Verified Memorandum of Principles of Law and Points of Authorities on Express Special**

**Relationship Trusts”**

The court and its officers are a legal title holder of not only the express trust, but also the

constructive trust.

As now has been placed on the record I share the same or similar name as the named

defendant in their case #C-10-CR-25-000357 . However, for clarification, I am not now acting in the capacity as the named defendant, I am the beneficiary and equitable title holder. None of this information is foreign to the court, this matter must proceed in equity, failure and/or refusal to proceed at equity, under exclusive jurisdiction will constitute contempt of justice.

**ELEMENTS OF A TRUST:**

1. Settlor/Grantor/Trust – intended to create a trust, which is perceived by the reasonable observer, as in the case of the New Deal and the several Federal Acts and associated

State regulations-

* 1. The Emergency Banking Relief Act of March 9th, 1933
  2. The Social Security Act of 1934, the Trust Indenture Act
  3. The Social Security Trust
  4. The Treasury Trust
  5. The Public Trust and the Administration thereof

These are each Specific and Special RELATIONSHIP Agreements, as they are specially designed and voluntarily submitted to as required by the 13th Amendment Authorizing such.

1. Rights Must Be Identified

a. As evidenced by Due Process of Statutory Provisions and the 14th Amendment section 1 & 4

1. Identification of Beneficiary- Whom the property is held on behalf of (held in-trust)
2. Shares/Assets/Property must be Identified
3. The Trust must be Workable
4. Must have an ending i.e. can't last forever

All Elements of a Trust Are Present – 31 C.F.R. SS 363.6

***Minor means an individual under the age of 18 years. The term minor is also used to refer to an individual who has attained the age of 18 years but has not yet taken control of the securities contained in his or her minor account.***

*Minor account* *means an account that a custodian controls on behalf of a minor, that linked to the custodian's primary account. (See 31 CFR $$ 363.10 and 363.27 for more information about minor accounts.)*

**The Settlor is Federal Government** directly and through the state and local

governments (this indication is specified by the use of the Lower Cased “state” and “government” , and other proper nouns). Through various acts of Congress, and through the Age of Majority Act's.

The identity of the **Equitable Beneficial Title Holder is the Minor** both un-attained

and attained, until they control the Securities/Shares in the trusted account.

The rights are identified by **the right to attain the age of Majority, to gain control**

**of Securities Held in one's Minor Account,** and to be free Minors Disabilities.

The Trust is workable in that the Custodian/Fiduciary/Trustee/Ministerial Clerk must

*hold the minor/infant account in trust* on/for the benefit/behalf of a minor/infant, that is linked to the custodian's primary account (in Most Instances the Federal and State Treasures).

The Trust may not last forever as it and the duties of all parties end upon the attaining

the age of Majority, and documents such in a definitive manner by attaching an affidavit attesting such to his BIRTH CERTIFICATE NOTE THE PRINCIPLE:

“the register of titles is authorized to receive for registration of memorials upon say

outstanding certificate of an official birth certificate pertaining to a registered owner named and said certificate of title showing the date of birth of said registered owner, providing there is attached to said certificate an affidavit of an affiant who states that he/her is familiar with the facts recited, stating that the party named and said birth certificate is the same party as one of the owners name and said certificate of title, and that thereafter the register of titles shall treat registered owner as having obtained the age of majority as of the date of 18 years after the date of birth shown on said certificate”....

The aforementioned is a general court rule, meaning that it applies in principle in all birth certificate attaining related matters, and administrative proceeding. **A Power of Attorney** titled in part. “PHILLIP TYRONE JACKSON-BENSON power-of-attorney-general IN FACT”, #39-7195592, **A PRIVATE SPECIAL RELATIONSHIP EXPRESS TRUST,** encompassing all related matters and associated properties is at issue invoking EXCLUSIVE JURISDICTION AT/IN EQUITY.

**This matter does not involve a statutory and/or constitutional provision respecting a minor and/or infant, this matter exclusively and specially involves an estate/trust and the property of an infant/minor under equitable law.**

Generally, an infant may require property rights, but he or she is not regarded as capable of managing his or her property. Hence, the law does not entrust him or her with the custody or control of his or her estate. There reason, an infant/minor is not capable of managing his or her own property, is because they have not yet attained the age of 18 and or taken control of the securities, assets, properties held in their minor account, a good principle of equitable law.

Generally, as an equitable principal, the statute of limitations, is suspended as against infants during their disability, or either do not begin to run against an infant until the obtaining of majority, or where infancy does not toll the statutes, the **infant is allowed a statutory period after attaining majority** to contest any adverse possessions which commence during infancy. Here, the influence is upon the infant attaining the age of majority, the same with respects to a minor and/or juvenile, and as noted, such a person shall remain a minor and/or infant until such time as they gain control of the assets held in their minor account through equity.

With this supporting affidavit, the Complainant states this court in good conscience and good reason shall aid the complainant in his prayer or **show cause via facts and conclusions of equitable law** why he is not entitled to just compensation and other equitable relief to which he is entitled as equitable beneficial title holder.

Complainant prays to this court for damages in the amount as specified in the contract and the

value of the full estate plus interest, for the court is under obligation in the exercise of its inherent equitable powers to do equity.

Complainant additionally prays for **an injunction** to issue against Respondent and the, Attorney for an attempted taking of trust property, private information and solicitation against the complainant where he is not entitled to act against the trust with just-or any other cause, for such is construed as intermeddling with the estate of the infant/minor, for which they are strict and severe penalties.

Sources Cited:

$$ 336. Damages – The power to award damages in a proper case, as a necessary incident to other purely equitable relief and in the same decree, is fully admitted, and even to award damages alone in very special cases; but the jurisdiction has been exercised with the utmost caution and reserve.

See JUDICIAL INTERPRETATION OF JURISDICTION, Pomeroy Equity Jurisdiction.

A court of equity grants the relief of compensatory damages in connection with some other specific relief, and under very peculiar circumstances it decrees the payment of damages alone. Several kinds of equitable suits are wholly pecuniary in their relief, as those for contribution and exoneration. See JUDICIAL INTERPRETATION OF JURISDICTION., Pomeroy Equity

Jurisprudence:

Maxims of Equity and Adjudication States that a court of equity ($ 56) to protect and enforce rights to property the object of suits in chancery. The term “property”, as used in this section, includes that is the subject of exclusive individual ownership; or, to be more specific, includes not only lands, house, goods and chattels, rights and credits, but also a man's person, and his wife and minor children and his right to work, and to sell and acquire property, and engage in any lawful business, and his and there reputation, health and capacity to labor, and his and their right to enjoy the senses of sight, smell, hearing and taste, and his and their right to speech and locomotion, and his and their right to enjoy their sense of moral propriety when normal. As men live by their labor and property, no man is presumed to part with either without receiving or expecting an equivalent in value. Hence, whenever one person has obtained either the labor or property of another he should pay or account therefor, unless he can prove it was a gift; and so, whatever injury one person does to another's property or capacity to labor should be made good.

I declare under the laws of the United States of America that foregoing is true and

correct. Executed on this\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_2025.

By: Phillip-Tyrone: Jackson-Benson

As: Complainant and equitable **beneficial** title holder