

**IN THE SUPERIOR COURT OF THE STATE OF RIDGEWAY  
IN AND FOR RIDGEWAY COUNTY**

WILFORDSHULMAN,  
*Petitioner-Plaintiff*

v.

JAMESGARDAL, in his official and  
quasi-official capacities as Sergeant in the  
Ridgeway National Guard,  
*Respondent-Defendant*.

No. RSC-CV-3153

**PETITION FOR WRIT OF HABEAS CORPUS AND COMPLAINT**

WilfordShulman, by and through undersigned counsel, hereby bring this action against JamesGardal and in support thereof alleges as follows—

**ALLEGATIONS**

1. On June 22, 2024, a religious assembly (the “assembly”) consisting of many individuals, including WilfordShulman, had gathered in a peaceful manner on the public sidewalk located in front of the County Hall in Palmer, Ridgeway County, Ridgeway:



[Exhibit A.]

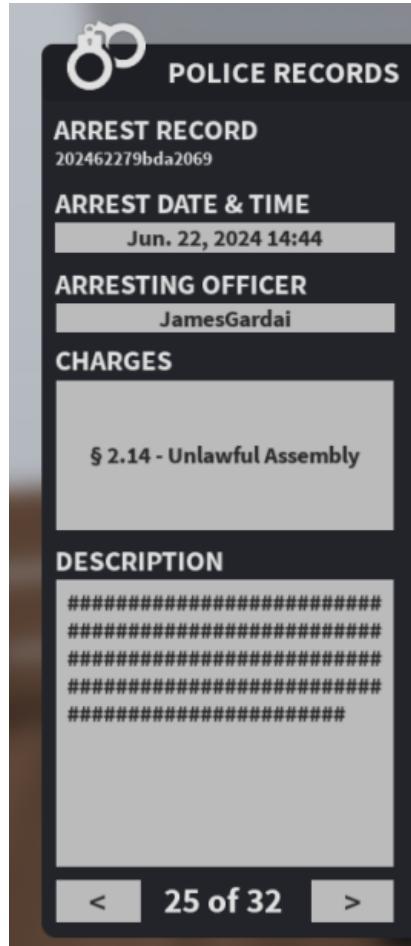
2. The assembly was under constant supervision by various law enforcement entities at the time, specifically including, but not limited to, the following agencies:
- the Ridgeway County Sheriff's Office;
  - the Palmer Police Department;
  - and the Ridgeway National Guard.
3. The assembly was collectively holding signs reading as follows: “SANCTUARY OF

NEW HOPE \*\*\* THE END IS NEAR \*\*\* JOIN US TO BE SAVED”

4. At around 22:39 UTC+03:00, Sergeant in the Ridgeway National Guard JamesGardai approached the assembly.
5. A member of the assembly told JamesGardai: “u cant do nothing lil bro”
6. JamesGardai seemingly got agitated and replied: “Really? \*\*\* You arent campaigning for anything you're unlawfully assembling \*\*\* Disperse NOW Or be arrested”
7. The assembly continued holding their signs while standing on the public sidewalk.
8. Suddenly, JamesGardai started arresting multiple, if not all, members of the assembly, including WilfordShulman, whom he later booked and incarcerated:

<https://www.youtube.com/watch?v=qzb6eI5fzvo> (last accessed Apr. 7, 2024) *[Exhibit B.]*

9. JamesGardai arrested WilfordShulman under “§ 2.14 Unlawful Assembly” of the Ridgeway Criminal Code:



*[Exhibit C.]*

10. § 2.14 of the Ridgeway Criminal Code (“§ 2.14”) provides: "Unlawful Assembly shall

include, but is not limited to, a group of 4 or more individuals ***with bats on their person*** who are acting in a violent manner or rallying without a valid permit." (emphasis added.)

11. WilfordShulman had not carried a bat on his person.
12. The rest of the assembly also had not carried bats on their persons or—to the extent that someone in the assembly had carried a bat on their person—the number of persons in the assembly who carried bats on their persons did *not* total four (4) people.
13. JamesGardai thus did not have probable cause to believe that WilfordShulman had committed a crime.
14. JamesGardai is a public servant and has been certified as a peace officer by the Law Enforcement Training Center (“LETC”) since 2023;

RIDGEWAY COUNTY LAW ENFORCEMENT TRAINING CENTER				
CERTIFICATION ROSTER				
DATE	USERNAME	STATUS	CLASS #	RECORD
1/12/2023	ExercisedAuthority	Active	11	-
1/12/2023	Fa3n7ed	Active	11	-
1/12/2023	GeminiHellerium	Active	11	-
1/12/2023	lilkemars2	Active	11	-
1/12/2023	JamesGardai	Active	11	-
1/12/2023	306kalurus	Active	11	-
1/12/2023	LSPDunit234	Active	11	-

*[Exhibit D.]*

15. JamesGardai graduated the LETC’s Class 11 in January 2023<sup>1</sup> after having undergone relevant, extensive education on the lawful scope of the authority of peace officers to conduct arrests and on June 22, 2024, JamesGardai was—at a minimum—fully aware of the fact that an arrest must be based on probable cause.

16. At all times herein, WilfordShulman had not violated § 2.14.
17. At all times herein, WilfordShulman had not committed any crime.
18. At all times herein, JamesGardai’s actions were unauthorized.
19. At all times herein, JamesGardai knew his actions to be unauthorized.

#### JURISDICTION AND VENUE

20. The Court has original jurisdiction over this Complaint under Article V, Section IV of the Ridgeway Constitution.
21. The Court’s jurisdiction is invoked in equity.
22. Venue is proper in this Court because the actions and omissions alleged in this Complaint occurred in the State of Ridgeway.

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<sup>1</sup> See Exhibit H (p. 13.)

## PARTIES

23. Petitioner and Plaintiff WilfordShulman is a resident of the State of Ridgeway and an individual.
24. Respondent and Defendant JamesGardai is a Sergeant in the Ridgeway National Guard.
25. Petitioner WilfordShulman incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.

## FIRST CAUSE OF ACTION

### Petition for Writ of Habeas Corpus

(Pursuant to the Judiciary Act, 1 R. Stat. § 2210 *et seq.*)

*Petitioner against Respondent in his official capacity as Sergeant in the R.N.G.*

26. Under State law, the crime of Unlawful Assembly only applies to “a group of 4 or more individuals **with bats on their persons** who are acting in a violent manner or rallying without a valid permit.” § 2.14 (emphasis added). No one in the religious assembly had carried a bat on their person and—even if someone in the assembly did in fact carry a bat on their person—the number of persons carrying bats on their persons did not total the four (4) persons required to constitute a § 2.14 violation. In addition, because Petitioner had not carried a bat on his person, his mere act of standing on a public sidewalk while holding a sign—irrespective of the conduct of other people around him—could not possibly have constituted a criminal offence. The Court should therefore grant this Petition for Writ of Habeas Corpus because probable cause did not exist to support the arrest and/or because Petitioner is actually innocent of the offense for which he was arrested. See *In re Zachcasisbeast*, 1 R. Supp., at 12 (2022) (frostbleed, J.)<sup>2</sup>

27. Petitioner is entitled to immediate release and expungement of the arrest record.

## SECOND CAUSE OF ACTION

### Official Misconduct

(Violation of Rid. Civil Claims Act, 1 R. Stat. § 3114)

*Plaintiff against Defendant in his quasi-official capacity as Sergeant in the R.N.G.*

28. Plaintiff WilfordShulman incorporates by reference each and every allegation set forth in the preceding paragraphs as if fully set forth herein.
29. Under the Ridgeway Constitution, persons have the right “to hold themselves … free from search or seizure.” Rid. Const. Art. I, Sec. III. Defendant’s arrest of Plaintiff as set forth herein was unsupported by probable cause and therefore violated the Ridgeway Constitution’s inexorable command against unreasonable seizures. The arrest was per se unauthorized because

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<sup>2</sup> See Exhibit E (p. 6.)

it was an unconstitutional use of power. See *Larson v. Domestic & Foreign Commerce Corp.*, 337 U.S. 697 (1949) (holding that a public official's "unconstitutional use of power" is not "validly authorized by the sovereign.") Indeed, the allegation of a complaint that the actions of an official are unconstitutional or unlawful, if taken as true, is "sufficient to show that they are »unauthorized«" *Id.* at 701. Defendant knew his actions to be unauthorized at the time because he was fully aware of the fact that an arrest must be based on probable cause.

30. Plaintiff is entitled to compensatory damages, injunctive relief, and punitive damages.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff and Petitioner WilfordShulman prays as follows—

#### **On the First Cause of Action**

- A. For declaratory relief that Defendant JamesGardai committed official misconduct;
- B. For permanent injunctive relief enjoining and restraining Defendant JamesGardai from conducting further unlawful arrests;
- C. For awardment of compensatory damages;
- D. For awardment of punitive damages;
- E. For awardment of attorney's fees and court costs;

#### **On the Second Cause of Action**

F. For declaratory relief that Respondent JamesGardai did not have probable cause to arrest Petitioner WilfordShulman;

G. For expungement of Arrest Record No. 202462279bda2069;

#### **On All Causes of Action**

H. For such other, further, and different relief as the Court deems appropriate.

DATED: JULY 7, 2024  
Palmer County Hall

#### **CENTER FOR INDIVIDUAL RIGHTS**

BY: /s/ Brenda Popplewell  
BrendaPopplewell  
Ridgeway Bar No. 21109  
*Counsel of Record*  
Palmer Apartments, Suite 5B  
Palmer, Ridgeway, RW  
Tel.: (430) 946-8594  
Fax: (753) 632-2442  
E-mail: info@brendapopplewell.org

## **EXHIBIT E**

**In re ZachCasisbeast**  
**CITE AS: 1 R. Supp. 12 (2022)**



**In re ZachCasisbeast,  
Petitioner**

**No. RSC-CV-367**

Superior Court of Ridgeway

Decided May 21, 2022

frostbleed, Superior Court Judge.

I have decided to refuse to order remedy with regard to this petition for the reasons that follow.

**BACKGROUND**

What follows is a summary of the uncontested facts of this case. On May 8th, 2022, Lieutenant xJvmma of the Palmer Police Department was on duty and in her patrol car at Palmer Boulevard. She saw what she believed to be a vehicle speeding and performing illegal lane changes. Following this, she stopped and detained the driver on the side of the road. An interaction which concluded with the driver being placed in handcuffs and in the patrol vehicle of Lieutenant xJvmma occurred. In the course of the interaction, the driver acted in a dismissive and derisive manner. The driver is the petitioner in this matter, Mr. ZachCasisbeast. While in the patrol vehicle, the petitioner provided his identification to Lieutenant xJvmma, and an arrest for Failure to Identify contrary to S.C.C. § 2.05 followed.

What occurred during the interaction when the driver was detained at the roadside but before being placed in handcuffs was different between the perspective of Lieutenant xJvmma and the petitioner. In the affidavit from the arresting officer, Lieutenant xJvmma states that she “issued a total of 3+ verbal orders to the driver to identify himself”. However, the petitioner submitted videographic evidence demonstrating that several messages from Lieutenant xJvmma were “tagged”, or censored; presumably, at least some of these messages were the “verbal orders” referred to in the affidavit.

**ANALYSIS**

In assessing petitions for writs of habeas corpus concerning arrests, the first question to be asked is whether the police were legally entitled to make that arrest — that is, the police either had a judicial warrant ordering an arrest, or the police had probable cause that a crime was committed. If the arrest was not lawful to begin with, the inquiry ends there; the record must be removed. If not, the next and final question is whether the petitioner was actually innocent of the charge or charges for which they were arrested. Indeed, an arrest can be lawful

when the subject of the arrest is actually innocent at the same time. A petitioner who demonstrates actual innocence by establishing facts that make the prospect of a hypothetical conviction on the charges virtually impossible. The standard is such that a reasonable and well-informed jury could not convict the petitioner in a hypothetical trial if they were aware of those facts, and those facts were admissible evidence.

There is no dispute regarding whether the traffic stop prior to the arrest was lawful. Therefore, I will begin by discussing whether the arrest itself was legal. I accept that Lieutenant xJvmma had made at least three verbal statements to the petitioner intended as demands for identification. What the petitioner actually saw in this interaction is irrelevant in assessing the legality of the arrest; indeed, in this part of the inquiry, we assess whether the facts and information that the police officer had knowledge of justified the arrest. See *Beck v. Ohio*, 379 U.S. 91. However, it is notable that the petitioner had said “TAGS” before being removed from the vehicle and arrested. A reasonable police officer would infer that what they are saying cannot be understood due to chat filtering. At the same time, I take into account that Lieutenant xJvmma had (presumably rhetorically) asked whether she would “have to charge for failure to identify” and again said “Identification...” after being told that her messages were being censored. In addition, I consider the fact that the petitioner had acted in an impatient and somewhat contemptuous manner towards Lieutenant xJvmma throughout the course of the stop. This fact, combined with what Lieutenant xJvmma said after being informed her messages were being censored, may lead a reasonable police officer to conclude that the subject they are speaking to is refusing to identify themselves. As a result, I conclude that the arrest was lawful because Lieutenant xJvmma had probable cause that the petitioner was refusing to identify himself, and thereby committing a criminal act.

Having established that the arrest was legally justified, we next ask whether the petitioner is actually innocent. There are two important points raised that we must consider for this prong. First, whether Lieutenant xJvmma made mere “statements” or actual “demands” for identification is disputed. Second, some of what Lieutenant xJvmma said to the petitioner was censored from the point of view of the petitioner, which means that at least one of the statements or demands made soliciting identification were not seen by the petitioner.

Having established that the arrest was legally justified, we next ask whether the petitioner is actually innocent. There are two important points raised that we must consider for this prong. First, whether Lieutenant xJvmma made mere

## 1 RIDGEWAY SUPPLEMENT

"statements" or actual "demands" for identification is disputed. Second, some of what Lieutenant xJvmmma said to the petitioner was censored from the point of view of the petitioner, which means that at least one of the statements or demands made soliciting identification were not seen by the petitioner.

The definition of S.C.C. § 2.05 in part is "[t]he act of failing to present a county issued identification or giving fictitious information to a peace officer that has a reasonable articulable suspicion that a crime has, is or is about to take place. Failing to present identification to a peace officer after having been lawfully detained." There is no legal requirement that an actual demand for identification be made by a police officer. However, in general, a person will not be guilty of Failure to Identify if a clear and unambiguous demand is not made for identification because mens rea, or "a guilty mind" may be difficult or impossible to prove — that is, the intent of the subject to fail to identify may be impossible to prove if they are not prompted to identify themselves. I agree with the petitioner that Lieutenant xJvmmma never made an unambiguous demand for identification that was visible to the petitioner. Indeed, asking if she would have to "charge for failure to identify" and stating "Identification..." does not constitute an unambiguous and clear demand. Even so, in my view, I conclude that even though Lieutenant xJvmmma had not made a clear demand from the perspective of the petitioner, the petitioner has still not established factual innocence. I make this determination based on statements made by the petitioner while in handcuffs seated in Lieutenant xJvmmma's patrol vehicle. He said: "[You] asked me a question, [t]hen asked for my id [sic] (...) [I] was going to give [you] my id [sic]". There was no further demands for identification made by the police after the petitioner was removed from his vehicle and placed in handcuffs. Clearly, in making these statements, the petitioner was aware that he was being asked for his identification. Consequently, even though no verbal demand was made for identification from the perspective of the petitioner, factual innocence has still not been established because the petitioner knew that identification was being requested.

### **CONCLUSION**

It is therefore held that the requested remedy must be refused.

I thank both counselors for their excellent submissions.



**In re Jayxndo,  
Respondent**

**No. RSC-AH-347**

Administrative Court of Ridgeway

Decided May 25, 2022

**WHEREAS**, 2 R. Stat. § 396 states, 'Administrative hearings shall take no longer than 72 hours after their commencement.' The matter at hand has been on the docket of the Chief Judge and myself for periods exceeding this period of time.

**WHEREAS**, Stat. § 396 states, If an administrative judge fails to commence a hearing, and the department acted in good faith to schedule the hearing, then the department may act in a manner that is reasonable - including using action that is usually restricted to the result of an administrative hearing.' The Ridgeway County Transit Authority is therefore empowered to carry out such actions, consistent with the penalties, but are limited to those, on the Administrative Hearing Report.

**WHEREAS**, the subject is entitled to post-hoc review by Stat. § 396; they may file for such review before the administrative court if it pleases them in the future.

**NOW THEREFORE**, The claim is SUSTAINED and THE SUBJECT IS TERMINATED AND DISHONOURABLY DISCHARGED.



**TomSkipetski5,  
Plaintiff**

v.

**StudsPerSecond Inc.**

**No. RSC-CV-380**

Superior Court of Ridgeway

Decided May 28, 2022

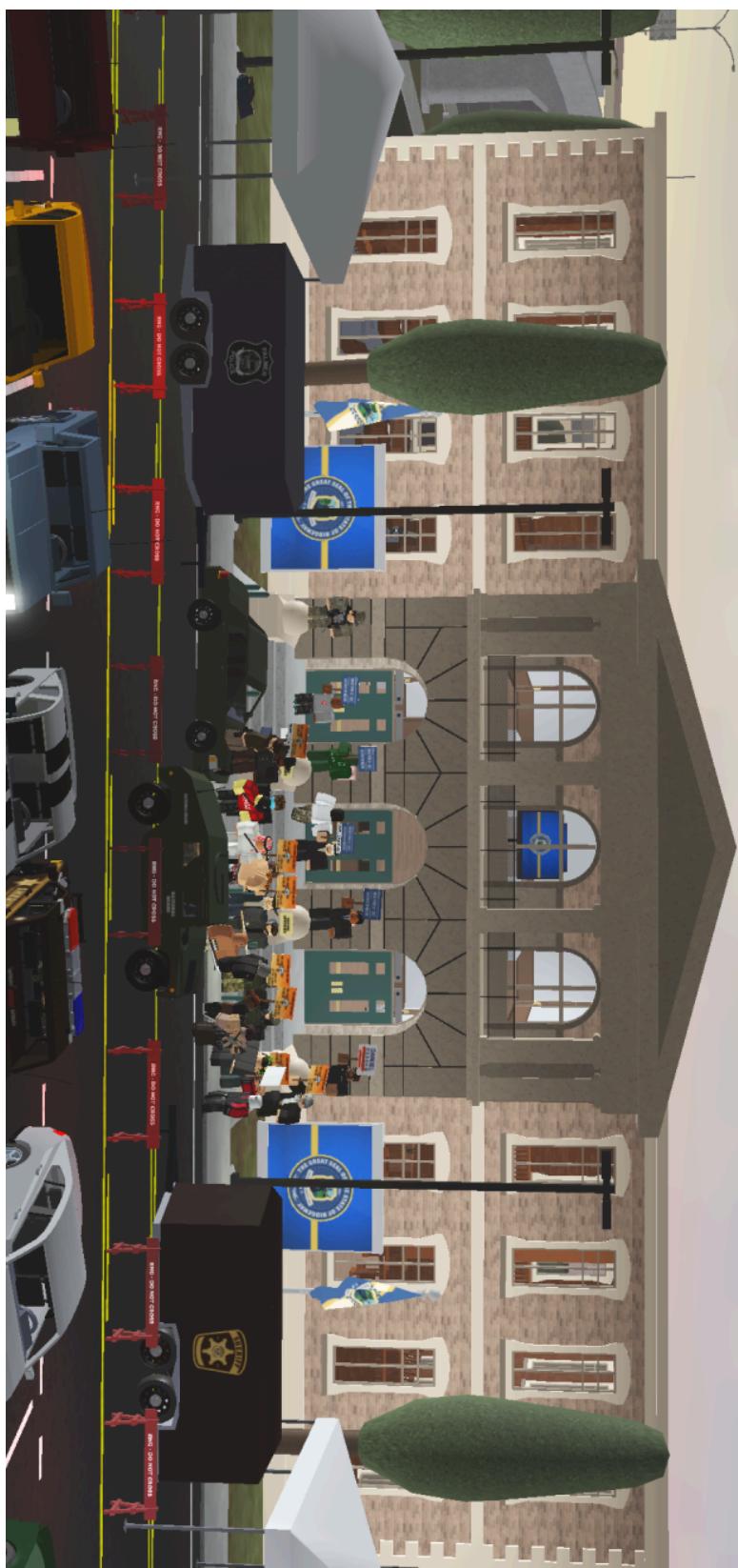
frostbleed, Superior Court Judge.

I have decided to dismiss this case on motion of the defendant for the reasons that follow.

### **BACKGROUND**

This is a summary of the alleged facts. The plaintiff, Mr. Tomskipetski5, complained about the "toxic" behavior of a coworker in StudsPerSecond, a

## **EXHIBIT F**



## **EXHIBIT G**



## **EXHIBIT H**



## Law Enforcement Training Center Graduation Release, Class 11

January 15th, 2023

Congratulations to the following for graduating from the Law Enforcement Training Center Class 11! We understand the amount of effort put forth for this achievement, and we wish you a successful career within Ridgeway.

We are extremely impressed with the amount of competent individuals within this class, and the amount of graduates surely shows it.

Congratulations to our **Valedictorian**, Ndog1792, and our **Salutatorian**, shmain123!

dev_Typ	NathanNeame	ThreeO_o
Trapazt	Denis_Skyler	robloxagone13
<b>Ndog1792</b>	JamesGardai	ExercisedAuthority
TALAN10101	ToxiEzPz	
Mamoreis	Dan_Enforcement	
XeqOr	kaliurs	
GeminiHellerium	ilikemars2	
springyokhacked	DavidLClarke	
RockStarLaw	DesiredMich	
LSPDunit234	Zartalox	
<b>shmain123</b>	Fa3n7ed	

Signed,

*Dominic8u*

*MaximusGXl*

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LET C Director  
*State of Ridgeway*

LET C Assistant Director  
*State of Ridgeway*

*Drjacks*

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LET C Assistant Director  
*State of Ridgeway*