**FAIR WARNING NOT A THREAT**

**UNITED STATES, PETITIONER v. DAVID W. LANIER**

**No. 95-1717**

**SUPREME COURT OF THE UNITED STATES**

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**DATE: February 27, 2012**

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| **TO:** | **Recontrust Company, N.A.**  **1800 Tapo Canyon Rd.**  **Simi Valley, CA 93065**  **TS 12-0002638** | **Landsafe Title Company**  **1800 Tapo Canyon Rd.**  **Simi Valley, CA 93065**  **TITLE NUMBER 12-0004990** |
|  | **LPS Agency Sales & Posting**  **3210 El Camino Real**  **Suite 200**  **Irvine, CA 92602-1368** | **Bank of America, N.A.**  **400 Countrywide Way**  **Simi Valley, CA 93065** |

**FROM: Terence Michael Agee**

**4603 W. 118th St., Unit A**

**Hawthorne, CA 90250**

**RE: 3938 W. 108th St.**

**Inglewood, CA 90303**

I Terence Michael Agee (Registrant) a live Man waving no rights to **IMMUNITY**: see Certificate of live Birth attached to this document of Fair Warning due hereby make this warning pursuant to the Supreme Court of the United States.

The Supreme Court has stated that before criminal liability may be imposed for violation of any penal law, due process requires "fair warning . . . "that conduct may not be treated as criminal unless it has been noticed and Fair Warning given before it has taken place, violating constitutional rights. Recontrust Company N.A. Araya Dhanasopon and Michael Munoz, Land Safe Title, Lender Processing Services and all of their agents specifically Recontrust Company Agents who signed the Notice of Default 20120104247 and Substitution of Trustee 20120207184 on a Defective Deed of Trust and incomplete assignments under CALIFORNIA CIVIL CODE REQUIRMENTS has been filed into the County Records, false information causing injury to one of the people of California by attempting to deprive one of property without due process of law.

In effect, fair warning standard to give officials (and, ultimately, governments) the same protection from civil liability and its consequences that individuals have traditionally possessed in the face of vague criminal statutes. As with official conduct under liability may be imposed under *§ 242* if, but only if, in the light of pre-existing law the unlawfulness of the defendant's conduct is apparent. Recontrust filed a defective Notice of Default claiming that there is money Due to a Client without filing an Agency Agreement which would show the interest required or producing one, furthermore they filed no Majority Action affidavit which is a violation of California Civil Code 2941.9, and violated the Business and Professional Code Sections 6126, and 17500 false advertising, and a host of other Violations, Causing mental breakdowns at times and emotional damage which has cause injury to one of the people of California.

All the above play a part of willfully and under the color of law depriving one of the people of California the right to own property which is a Constitutional and Civil Rights protected right, in violation of *18 U.S.C. § 242*;

**Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens," shall be subject to specified criminal penalties.**

All of the above and their agents are conspiring to injure, oppress, threaten, and intimidate by attempting to take the property known as 3938 West 108 Street in the City of Inglewood 90303 **Document number** **061141390** thereby taking the enjoyment of a privilege secured by the Constitution or law of the United States.

All of you have cross the line and it is my duty to give **FAIR WARNING** per the Supreme Court of the United States, if you continue with this injustice without due process of law and violation of your own color of law you may have Criminal Charge filed against you and your agency and your **IMMUNITY** lifted.

**ADDITIONAL VIOLATIONS OF A CITIZEN’S RIGHTS**

**UNDER THE COLOR OF LAW**

No one is bound to obey an unconstitutional law; no court is bound to enforce an unconstitutional law. **16 American Jurisprudence, 2nd Series, Section 177 (Constitutional Law), late 2d, Section 256**

“In a Constitutional provision intended to confer a benefit, should be liberally construed in favor of the clearly intended and expressly designated beneficiary. **Byers v. U.S., 273 U.S. 28; 16 American Jurisprudence, Section 97 (Constitutional Law)**;

The Constitution of the United States is the supreme Law of the Land. **Marbury v. Madison, 5 U.S. 137 (1803); CA Civil Code, Section 22.1**;

An unconstitutional act is not law; it conferred no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed. **Norton V. Shelby County, 118 U.S. 425 p. 442**;

Waivers of constitutional rights not only must be voluntary, but must be knowingly intelligent acts done with sufficient awareness of the relevant circumstances and consequences. **Brady v. U.S., 397 U.S. 742 at 748 (1970)**;

By the expression “Constitutional Right”, as just used, we mean a Right guaranteed to the Citizen by the Constitution and so guaranteed as to prevent legislative interference with that Right. **Delaney v. Plunkett, 91 S.E. 561; 146 Ga. 547**;

“Constitution should receive a liberal interpretation in favor of the Citizen with respect to the provisions which were designed to safeguard the liberty and security of the Citizen in regard to both person and property.”;

Economic necessity cannot justify a disregard of Constitutional guarantee. **Riley v. Carter, 79 ALR 1018; 16 American Jurisprudence (2nd Series) Constitutional Law, Sec. 81**;

The purpose and intent of a written constitution is to preserve the ancient rights held at common law, and constitutional provisions are to be so interpreted. **16 American Jurisprudence, Section 321**;

The rights of the individual are not derived from governmental agencies, whether municipal, state or federal, or even from the Constitution. They exist inherently in every man, by endowment of the Creator, and are merely reaffirmed in the Constitution, and restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government. The people’s rights are not derived from government, but the government’s authority come from the people. The Constitution but states again these rights already existing, and when legislative encroachment by the nation, state, or municipality invade these original and permanent rights, it is the duty of the courts to so declare, and to afford the necessary relief. **City of Dallas et al. v. Mitchell, 245 S.W. 944, 945-46 (Tex. 1992)**;

No public policy of a state can be allowed to override the positive guarantees of the U.S. Constitution. **16 American Jurisprudence [2nd], Const. Law, Section 70**; and

*Civil* rights are such as belong to every citizen of the state or country, or, in a wider sense, to all its inhabitants, and are not connected with the organization or administration of government. They include the rights of property, marriage, equal protection of the laws, freedom of contract, trial by jury, etc. Or, as otherwise defined, civil rights are rights appertaining to a person by virtue of his citizenship in a state or community. Such term may also refer, in its very general sense, to rights capable of being enforced or redressed in a civil action. Also, a term applied to certain rights secured to citizens of the United States by the Thirteenth and Fourteenth amendments to the Constitution and by various acts of Congress (*e.g.* Civil Rights Acts) made in pursuance thereof. **Black’s Law Dictionary, 5th edition (1979), pg. 1190.**

**The requirement of Fair Warning is satisfied.**

CC: **District Attorney, Office of**

**Steve Cooley, District Attorney**

**210 West Temple Street, Rm 18-709**

**Los Angeles 90012**

**(213) 974-3501**