RIDGEWAY SUPPLEMENT

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Cases Argued and Determined
in the

SUPERIOR COURT OF THE STATE OF RIDGEWAY

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JUDGES AND RETIRED JUDGES OF THE SUPERIOR COURT OF THE STATE OF RIDGEWAY

With Date of Appointment

JUDGES

Hecxtro, Chief Judge **08-13-22**
Eagleeye785 ..... **05-14-22**
KoalaMedvedeva **07-31-22**
AlexJCabot **11-22-22**

TABLE OF CASES REPORTED

The STATE of Ridgeway, Plaintiff,

v.

IllusionMONKEY1,
Defendant.

No. RSC-CM-260

Superior Court of Ridgeway

Decided April 30, 2022

Background: Defendant was charged with first-degree murder, unlawful possession of police-grade equipment, unlawful possession of firearms with intent to sell, and unlawful discharge of firearm. The Superior Court held trial against defendant.

Holdings: The Superior Court, zac2524, Chief Judge, held that:

(1) State's failure to substantiate evidence during discovery period, coupled with lack of witnesses called for evidence authenticated, accounted to lack of case;
(2) State failed to analyze intent or elements of charged crimes;
(3) No proof beyond a reasonable doubt was established demonstrating defendant was guilty of charged crimes;
(4) Superior Court cannot extend judicial power in order to form judgments in criminal trial, as burden of proof inherently lies with the State.

Acquitted.

APPEARANCES OF COUNSEL:

LouisMontagu, Ridgeway Department of Justice, Palmer, RW, for plaintiff.

Hecxtro, Public Defender, Palmer, RW, for defendant.

zac2524, Chief Judge:

BACKGROUND

The State of Ridgeway filed a criminal information in this case on April 9, 2022, wherein the defendant was charged with first-degree murder, unlawful possession of police-grade equipment, unlawful possession of firearms with intent to sell, and unlawful discharge of a firearm. Following the defendant's failure to appear after the issuance of a criminal summons, an automatic plea of not-guilty was entered. The case proceeded in absentia. On September 23, 2022, the court held an in-game trial.

JUDGMENT

During the trial, the prosecution failed to substantiate any of the evidence submitted during the discovery period. No witnesses were called to authenticate any of the evidence. Rather, the evidence was loosely presented and discussed. The prosecution failed to analyze intent or any of the elements of each crime with which the defendant was charged. The significance of the evidence was not correlated and there was no discernible attempt made to link the defendant to each of the crimes beyond all reasonable doubt.

With such a limited basis from which the court can reach a verdict, it will not strain its own resources to make up for the shortcomings of the prosecution. There is no need to engage in a thorough review of each crime if the prosecution itself has not taken up their responsibilities to do so. Guilt has not been established.

CONCLUSION

The defendant is found not-guilty of all of the aforementioned charges against him. The defendant is acquitted and discharged by this court.

SO ORDERED, ADJUDGED, AND DECREED.

RIDGEWAY CIVIL LIBERTIES UNION,
Plaintiff,

v.

ShadowCULTURE, in his official capacity as Sheriff of the Ridgeway County Sheriff's Office,
Defendant.

No. RSC-CV-285

Superior Court of Ridgeway

Decided May 2, 2022

Background: Civil rights and liberties advocacy group filed suit challenging act enacted by Ridgeway State Senate instituting certain firearm-free areas throughout state and private facilities as a violation of the Second Amendment. Defendants filed motion to dismiss on standing grounds, arguing that the civil liberties group failed to provide allegations of injury-in-fact.

Holdings: The Superior Court, zac2524, Chief Judge, held that:

(1) Petitioner's blacklist by law enforcement certification agency violated due process under Administrative Procedure Act;
(2) Petitioner's dishonorable discharge violated due process under Administrative Procedure Act;
(3) Blacklist by law enforcement certification agency violated statute prohibiting blacklists from employment as such blacklists operated as *de facto* employment blacklists by preventing petitioner from seeking employment in law enforcement agencies;
(4) Law enforcement agency and law enforcement certifications department's argument that statute prohibiting blacklists did not apply to retroactive administrative actions lacked merit.

Dismissed.

APPEARANCES OF COUNSEL:

AlexJCabot, Tacuss, and Insertreality, Ridgeway Civil Liberties Union, RW, for plaintiff.

Clifford2, Solicitor General, Ridgeway Department of Justice, Palmer, RW, for defendant.

zac2524, Chief Judge:

BACKGROUND

On April 19, 2022, Plaintiff filed a civil complaint against Defendant with respect to the tort of Civil Action For Systemic Rights Violation seen at 1 R. Stat. § 3201, arguing that the Firearm Freezone Act, 7 R. Stat. § 3101, *et seq.* was "overarching" and "constitutionally vague." On April 20, 2022, Defense filed a motion to dismiss this matter, arguing a lack of standing.

JUDGMENT

The State of Ridgeway's Firearm Freezone Act prohibits the possession of firearms in certain places. Under the tort of Civil Action For Systemic Rights Violation, "[p]laintiffs must demonstrate that they received concrete, non-hypothetical harm from the policy, order, procedure, or directive." 1 R. Stat. § 3201. As an organization, it is not possible for the Ridgeway Civil Liberties Union to experience concrete harm. Even though the Ridgeway Civil Liberties Union represents various individuals, largely focusing on civil rights, it does not speak for all the people who may or may not be influenced by the aforementioned law. Additionally, no tangible example of an individual being deprived of their constitutional rights as a direct result of the law has been substantiated. The Ridgeway Civil Liberties Union has largely relied on a hypothetical narrative of potential complications that may arise from the enforcement of the law. No specific instance of harm has been indicated in Plaintiff's civil complaint.

In describing the guidelines to determine if a case has standing, the U.S. Supreme Court requires that "the plaintiff must have suffered an 'injury in fact'—an invasion of a legally protected interest which is (a) concrete and particularized ... and (b) 'actual or imminent, not 'conjectural' or `hypothetical.'" *Lujan v. Defenders of Wildlife*, 504 U.S. 555 (1992). Even in the lightest interpretation of this standard, there is no indication that an imminent threat to the constitutional rights of a large group of citizens of the State of Ridgeway exists. Furthermore, in reiteration of the "injury in fact" test, "the party seeking review [must] be himself among the injured." *Sierra Club v. Morton*, 405 U.S. 727 (1972). Plaintiff's civil complaint delves primarily into the content of the law and a broad analysis of its apparent unconstitutionality without, at the very least, including one example of an injury faced by anyone. Even in a pre-enforcement challenge, Plaintiff has failed to

utilize relevant examples of injury that could be faced through the enforcement of the law. With an interest to take apart the law itself and argue its unconstitutionality without providing any rational basis as to how it would apply to the common person, Plaintiff has no standing in this case.

CONCLUSION

The Defense's motion to dismiss is granted. This case is dismissed without prejudice.

SO ORDERED, ADJUDGED, AND DECREED.

IN RE ZACHcasisbeast

ZachCasisbeast, Plaintiff,

v.

xJvmma,
Defendant.

No. RSC-CV-367

Superior Court of Ridgeway

Decided May 21, 2022

Background: Citizen arrested by defendant for failure to identify, R.S.C. § 2.05, filed petition for writ of habeas corpus, arguing defendant falsely arrested him despite the fact that the citizen provided identification.

Holdings: The Superior Court, frostbleed, J., held that:

(1) Petitioner's blacklist by law enforcement certification agency violated due process under Administrative Procedure Act;
(2) Petitioner's dishonorable discharge violated due process under Administrative Procedure Act;
(3) Blacklist by law enforcement certification agency violated statute prohibiting blacklists from employment as such blacklists operated as *de facto* employment blacklists by preventing petitioner from seeking employment in law enforcement agencies;
(4) Law enforcement agency and law enforcement certifications department's argument that statute prohibiting blacklists did not apply to retroactive administrative actions lacked merit.

Petition denied.

APPEARANCES OF COUNSEL:

Epicdino36023, RW, for plaintiff.

Turntable5000, Solicitor General, Ridgeway Department of Justice, Palmer, RW, for defendant.

Frostbleed, Superior Court Judge:

ORDER AND JUDGMENT

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 R.S.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.

The definition of R.S.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 being 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 xJvmma 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 xJvmma 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 xJvmma'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.

SO ORDERED, ADJUDGED, AND DECREED.

RIDGEWAY FINANCIAL BANKING HOLDINGS S. A., Plaintiff,

v.

IBM03, in his official capacity as Secretary of State for the State of Ridgeway,

Bank of Ridgeway, an incorporated entity in the State of Ridgeway,

XNickGamerYTX,
Defendants.

No. RSC-CV-348

Superior Court of Ridgeway

Decided May 24, 2022

Background: Financial services, banking, and stock market corporation filed suit against Secretary of State, alleging that Secretary of State erroneously issued registration to competitor registered with the same name as plaintiff's copany. The corporation sought relief declaring that competitor's registration was arbitrary, and nullifying competitor's registration. Defendants filed motion to dismiss

Holdings: The Superior Court, frostbleed, J., held that:

(1) Corporation was not entitled to trademark because its established bank was not yet in operation;
(2) Defendant did not infringe upon corporation's legal rights;
(3) Competitor did not infringe upon corporation's competitive rights in obtaining second registration.

Dismissed.

APPEARANCES OF COUNSEL:

DorkJacob, DorkJacob Law, Milton, RW, for plaintiff.

Turntable5000, Solicitor General, Ridgeway Department of Justice, Palmer, RW, for defendant.

frostbleed, Superior Court Judge:

ORDER AND JUDGMENT

I have decided to dismiss this case by motion of the defense for the reasons that follow.

BACKGROUND

This is a summary of the alleged facts. On January 29th, 2022, Mr. Samianz12 registered the "Bank of Ridgeway" with the Department of State (which I will refer to in these reasons as "Mr. Samianz12's Bank"). This was registered as a sole proprietorship. Later, Mr. Samianz12 put his Bank under the management of another one of his companies, Ridgeway Financial Banking Holdings. As the Secretary of State, Mr. ibm03 was responsible for the decision to register the company. On April 16th, 2022, Mr. xNickGamerYTx registered a different company, also called "Bank of Ridgeway" ("Mr. xNickGamerYTx's Bank"). However, Mr. Samianz12's Bank has not begun to do business yet — interested parties may merely invest in the Bank via the Ridgeway Financial Banking Holdings corporation. Mr. Samianz12's Bank used the name "Bank of Ridgeway" in earnings reports and is listed in the "Shareholder Register" as a subsidiary of the Ridgeway Financial Banking Holdings corporation. The plaintiff asserts that Mr. xNickGamerYTx's Bank infringes upon Mr. Samianz12's Bank's exclusive right to operate their corporation under the name "Bank of Ridgeway," and that Mr. Samianz12's Bank has a common law trademark on the name "Bank of Ridgeway."

The position of the plaintiff is that the Secretary of State, Mr. ibm03, acted in a manner that was "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law" when he approved the registration of Mr. xNickGamerYTx's Bank. The plaintiff submits that common law established the "Bank of Ridgeway" trademark when Mr. Samianz12 posted earnings reports using the name "Bank of Ridgeway," and listed "Bank of Ridgeway" in the "Shareholder Register" of the Ridgeway Financial Banking Holdings corporation. The defense contends that no concrete injury has been asserted by the petitioner, and that there is no valid cause of action because the Secretary of State is entitled to sovereign immunity (one of

the named defendants). Further, the defense submits that even if a cause of action existed, the Secretary of State did not "impede on [the Plaintiff's] rights" as required under 1 R. Stat. § 216 — the type of claim upon which the plaintiff relies for this Court to provide relief concerning government agency actions (specifically, regarding the case against Mr. ibm03). Finally, the defense argues that the legal concept of trademarks do not exist in the State of Ridgeway.

ANALYSIS

I will begin by addressing the last claim of the defense. Trademarks are a concept with deep roots in common law, and their enforceability does not rely on the existence of a particular "trademarks office" or statute establishing the same. If the plaintiff can establish a violation of their trademark, a cause of action may exist. Our courts are empowered to enforce trademark rights, and a source from which we can perform an analysis on common law trademark rights is the Restatement of Unfair Competition. It is in there, however, where we see that the plaintiff's case must fail.

In my view, Mr. Samianz12's Bank has never used the name "Bank of Ridgeway" as a trademark. "A trademark is a word, name, symbol, device, or other designation, or a combination of such designations, that is distinctive of a person's goods or services and that is used in a manner that identifies those goods or services and distinguishes them from the goods or services of others." Restatement (Third) of Unfair Competition § 9, at 76 (Am. L. Inst. 1995). The plaintiff admits that Mr. Samianz12's Bank has not begun actually operating yet, and merely allows initial investment via a parent company, Ridgeway Financial Banking Holdings Corporation. In my view, although Mr. Samianz12's Bank used the name "Bank of Ridgeway" in earnings reports and in the "Shareholder Register" of the Ridgeway Financial Banking Holdings Corporation, there is no indication that the name was used in "a manner that identifies [Mr. Samianz12's Bank's] goods or services." According to the plaintiff, the use of "Bank of Ridgeway" in the "Shareholder Register" is limited to listing "Bank of Ridgeway" as a subsidiary entity. And because Mr. Samianz12's Bank has not yet begun operation, I cannot see how earnings reports might grant us insight into the goods or services that Mr. Samianz12's Bank offers. Consequently, the plaintiff has not shown that a trademark exists, and accordingly, that Mr. xNickGamerYTx's Bank has not infringed upon the competitive rights of Mr. Samianz12's Bank as far as trademarks are concerned.

Having established that Mr. Samianz12's Bank is not entitled to trademark rights over the name "Bank of Ridgeway," the case against Mr. ibm03 must be dismissed in turn because the relevant agency action (Department of State) was not infringing on the legal rights of the plaintiff. I must admit that the registration of two businesses with the same name was perhaps an unwise decision on the part of the Secretary of State, but I would not go so far as to describe it as an "abuse of discretion." Of course, my role is not to rule on the wisdom of agency decisions which have been delegated to cabinet officers by statute, and so I decline to overturn the decision to register Mr. xNickGamerYTx's Bank. Because I have decided to dismiss this case in its entirety based on a failure to establish that a trademark exists, I choose to exercise restraint in reserving my opinion on the other specific issues surrounding the case against Mr. ibm03.

CONCLUSION

The case is dismissed with prejudice.

I thank the counsellors of both sides for their excellent submissions.

SO ORDERED, ADJUDGED, AND DECREED.