

1 David Heaton
2 Sixth Judicial District
3 1/2 mile North, Marxville Rd.
4 Sterling, Utah
5

6 **MANTI CITY JUSTICE COURT**
7 **COUNTY OF SANPETE OF THE STATE OF UTAH**
8

9
10 STATE OF UTAH)
11 CITY OF MANTI)

Case No. 961208

12 Plaintiff,)

Citation(s) F015984

13 against)

**DEMAND FOR BILL
OF PARTICULARS**

14 David Heaton)

15 Accused)
16)
17)
18)
19)
20)

21 Comes now the accused, pursuant to the limitations imposed
22 upon plaintiff and this tribunal by Article I, Section 12 of the
23 Utah State Constitution, to wit:
24

25 "In criminal prosecutions the accused shall have
26 the right to appear and defend in person and by
27 counsel, to demand the nature and cause of the
28 accusation against him,"
29

30 with authority and unalienable right to know the nature and
31 cause to the instant accusations, in the above captioned
32 statutory cause, to demand that plaintiff provide to the accused
33 a Bill of Particulars to make more definite and certain the
34 accusatory instrument of plaintiff in the following respects, to
35 wit: the venue in which the process of plaintiff was issued and
36 served and the jurisdiction of this tribunal invoked over the
37 accused by the accusatory instrument and process of plaintiff in
38 the following particulars:
39

40 1.

41 What allegation(s) or fact(s) does plaintiff depend to

1 establish the status of the accused within purview of the statute
2 alleged by plaintiff to have been violated by the accused?

3 2.

4 What allegation(s) or fact(s) does plaintiff depend upon to
5 establish the accused is within the venue of the process
6 purported to be properly served upon the accused?

7 3.

8 What allegation(s) or fact(s) does plaintiff depend upon to
9 establish the personal jurisdiction of the above captioned
10 tribunal over accused and to establish that such personal
11 jurisdiction was regularly and lawfully obtained?

12 4.

13 Is 53-3-203, under authority of which plaintiff purports to
14 bring statutory accusation against the accused, enacted by the
15 Utah State Legislators, under the authority of the Common-Law
16 Jurisdiction, in a venue consistent therewith, as authorized by
17 the Constitution for the State of Utah? Yes or No?

18 5.

19 Is 53-3-203, under authority of which plaintiff purports to
20 bring statutory accusation against the accused, enacted by the
21 Utah State Legislators, under the authority of the Corporate
22 Jurisdiction, in a venue consistent therewith, as authorized by
23 the Constitution for the State of Utah? Yes or No?

24 6.

25 Is 53-3-203, under authority of which plaintiff purports to
26 bring statutory accusation against the accused, enacted by the
27 Utah State Legislators, under the authority of the
28 Maritime/Admiralty Jurisdiction, in a venue consistent therewith,
29 as authorized by the Constitution for the State of Utah? Yes or
30 No?

31 7.

32 Is 53-3-203, under authority of which plaintiff purports to
33 bring statutory accusation against the accused, enacted by the
34 Utah State Legislators, under the authority of the Martial-Law
35 Jurisdiction, in a venue consistent therewith, as authorized by
36 the Constitution for the State of Utah? Yes or No?

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8.

Does plaintiff invoke a Common-Law Jurisdiction in the instant statutory cause in the above captioned tribunal? Yes or No?

9.

Did plaintiff issue and serve process in a Common-Law venue to compel the appearance of the accused in the above captioned tribunal and cause consistent therewith? Yes or No?

10.

Does plaintiff invoke a corporate Jurisdiction in the instant statutory cause in the above captioned tribunal? Yes or No?

11.

Did plaintiff issue and serve process in a corporate venue to compel the appearance of the accused in the above captioned tribunal and cause consistent therewith? Yes or No?

12.

Does plaintiff invoke a Maritime/Admiralty Jurisdiction in the instant statutory cause in the above captioned tribunal? Yes or No?

13.

Did plaintiff issue and serve process in a Maritime/Admiralty venue to compel the appearance of the accused in the above captioned tribunal and cause consistent therewith? Yes or No?

14.

Does plaintiff invoke a Martial-Law Jurisdiction in the instant statutory cause in the above captioned tribunal? Yes or No?

15.

Did plaintiff issue and serve process in a Martial-Law venue to compel the appearance of the accused in the above captioned tribunal and cause consistent therewith? Yes or No?

16.

Does plaintiff allege that the "person," as defined in and for the statutes 53-3-203, violation of which said statute(s) is


1 alleged by the accusatory instrument of plaintiff, an Artificial
2 Person? Yes or No?

3
4 17.
5 Does plaintiff allege that the "person," as defined in and
6 for the statutes 53-3-203, violation of which said statute(s) is
7 alleged by the accusatory instrument of plaintiff, an Natural
8 Person? Yes or No?

9 Failure of plaintiff to timely provide the accused the BILL
10 OF PARTICULARS herein demanded by accused, to make more definite
11 and certain the accusatory instrument and accusations of
12 plaintiff in the aforesaid respects for clarification of the
13 venue and Jurisdiction of the statutes depended upon by plaintiff
14 and the venue and jurisdiction invoked by plaintiff in the above
15 captioned tribunal, will be considered an attempt by plaintiff to
16 withhold full disclosure of the nature and cause of the
17 accusations brought by plaintiff and will make it impossible for
18 the accused to meaningfully respond to or defend against the
19 accusations and process made and issued or caused to be issued by
20 plaintiff.

21 Subscribed this 12 day of Oct, in the Year of Our Lord and
22 Savior Jesus Christ, Nineteen Hundred and ninety-six.
23

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 (seal)
David Heaton
Sixth Judicial District
1/2 mile North Markville Rd.
Sterling, Utah

AFFIDAVIT OF David Heaton

County of kane
State of Utah

Affirmed:

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I David Heaton, being put upon due and by solemn affirmation hereby state that I do not understand the nature and cause of the accusations in the particulars questioned by the forgoing DEMAND FOR BILL OF PARTICULARS and the forgoing DEMAND FOR BILL OF PARTICULARS is presented to plaintiff in good faith and is not interposed for the purpose delay or any other purpose.

Subscribed and Affirmed this 12 day of Oct, in the Year of Our Lord and Savior Jesus Christ Nineteen Hundred and ninety-six.

David Heaton (seal)
David Heaton
Sixth Judicial District
1/2 mile North Markville Rd.
Sterling, Utah

We, the undersigned, witness this day that one known to us to be the above signatory did personally appear before us in the County of Kane, in the State of Utah, and upon due and solemn affirmation executed, and affixed the above signature and seal hereto.

Carol Anne Rogers a citizen in the state of Utah
Print Name & address P.O. 1417 Duck Creek Village, Utah

Michael Robert Ayres III a citizen in the state of Montana
Print Name & address P.O. Box 1477 Duck Village, Utah

Cynthia Palomares a citizen in the state of California
Print Name & address P.O. Box 1650040 Sterling, Utah

COPY

NO. **106615**
Filed And Recorded At Request Of
David Heaton
December 16, 1996
At 20 Minutes Past 10 O'Clock
A M In Book 122 Of Official Records
Page 595 Lincoln County Nevada.
Yuriko Setzer
County Recorder
by Zusli Krueger, deputy