**The Winning Simple Quick Strategy for an Initial Court Appearance.  
Using *Subrogation* and the *Do Not Consent UNTIL approach*.** (rev 02-28-2018)

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***Are you dealing in court …Traffic (if a criminal charges have been added to it, otherwise not). This may also apply to some Child support claims, Taxes cases, Bankruptcy cases, Lawsuits or Foreclosures in Court, and especially to Criminal (in no damaged party situations only)?***

*This was posted on another message board, with extra tips added.* ***Not legal advice.*** *Just a summary of ideas presented by other members of our Private Member Association.*

**Understand this well enough to be conversational about what you are doing, prior to use. This is not a script, but a guideline. Proprietary information for discussion purposes, and not to be shared with non members.**

When you must go to the public court system, one would want to *not* give the court an opportunity to arrest you for *non*-appearance, so you must go in under special appearance, and not play the role AS the ALL CAPS NAME on their papers (or First MI only, Last), but act FOR the name on their papers. It makes no sense to act as if you ARE in fact a non living fictional NAME by answering to the name as if it is YOU. You are living man or woman, it is fiction. Keep this strait.

You should appear only by special appearance no generally as the NAME. Way too many cocky patriots make that mistake with the name. You should submit a written letter to the clerk early and then a Motion to Dismiss closer to the appearance time, at least 1 day ahead, and copy all parties. Remember, a man can appear under special vs general appearance to enter his Motion to Dismiss and not consent to proceed otherwise. By entering this way, you set the terms of the procedure.

You are not here to win money, but to close and discharge the charges using the bonds they create in your NAME for criminal action. You need to close the "books" on the “charges” so they leave you alone. It is simple and consistent with other strategies we’ve seen. Too many people get cocky and simple don’t appear, thus causing more problems. Judges don’t want this concept known and will avoid it at all costs, and BAR attorneys will ***NOT*** do this for you. This is something good to do as early as you can, *before* accepting an attorney if possible. Or if necessary, you *may* need to remove your attorney and at least demand they allow you to speak this into the record at the next appearance. This might might just save you a lot of money and long term, in exchange for some harassment you may receive short term. *You may have to walk through some fire short term to get out of long obligation (prison or fines).* You will likely get tested a few times, so stay with it. Keep it simple, do not add to it.

**Memorize this information as best you can until it feels conversational to you, and keep a copy of these notes with you wherever you go. You can go in and give them your full Name Upper and Lower Case (no initials), if you play the *Name Game* or mix with other sovereign/patriot theories, they may try to say you didn’t’ “appear” and hit you with a warrant. So keep it simple.**

Again, this approach could perhaps be used along with a previous written NOTICE/ LETTER or Writ to the court (submitted as soon as possible), and recorded with the clerk of court before appearing. THEN submit the separate Motion to Dismiss to the Clerk within 24 hours of the appearance and serve a copy to the plaintiff. Fair notice is always required of all parties. This notice might be a variation of this text/script outline, as call it a Notice of Appearance, Writ or, Motion To Dismiss.

***If you have a CUSIP securities report***, submit that along with the separate letter to the clerk ahead of time, and include it as a exhibit for the record, and using the separate special letter we have used for sending that report the clerk in advance. This WILL make them very nervous and perhaps upset. So, be prepared to read this during the appearance as well, and tell them you rest on your papers filed...do you have them? Referencing what you recorded is often needed.

Have a clear *conversational understanding* on these concepts before use this, or they will easily throw you off to their agenda. Always set up who you are first and insist it’s on the record with you as beneficiary, and the the judge is trustee today. They will not like this, because it throws them out of their game. So be ready for distraction, yelling, and threats. Stay cool and keep asking questions.

**When called up.** Come forward and say, “*I am here you honor”*. After introductions, and maybe giving your name as your God given name (first and last only) - say:

* 1. Are these proceedings being recorded?
  2. Judge is your bond and oath of office valid, current, up to date, and still in affect?
  3. For the record please present your bond and oath of office to the court.
  4. Is the Attorney (for plaintiff or prosecution) bonded for this matter?

1. **When called, identify as a man, Executor, and beneficiary ONLY, not as the liable trustee/surety for the NAME**. They key isn’t the name it is the terms of your special appearance.

*“I am here as Executor of The Estate named in this matter, by making a special appearance and not generally, and only appear for the purposes of a demur - with All Rights Reserved, under my full God given name John Henry Doe - as indicated on this Birth Certificate (hold it up). I am also the sole beneficiary, for the legal entity known as JOHN H. DOE (as indicated on their documents), not as the surety, and I appoint the judge as trustee today to settle this matter”. Based on that understanding we may proceed to hear my Motion to Dismiss previously submitted, do you have it before you your honor?* You just made an offer set the terms of your special appearance today.

1. **Jurisdiction controlling actions, which you can direct to the opposing attorney.** *“Before we can proceed I also have some additional questions - I am not in a position to enter a plea today nor do I consent to proceed until some things are established on the record”*This is to disqualify their lawyer (prosecutor or plaintiff lawyer):
   1. Don’t let their lawyer speak until or unless he is on the witness stand.
   2. Ask, *Does the Attorney have a license to practice law in Florida, or does he have a certificate from the state supreme court to practice law as an occupation, or do business as a law firm?*
   3. Ask to *see the lawyers bond*.
   4. *Is the attorney a first hand eye witness?*
   5. *Is there a first hand eye witness for a damaged party here today?* *I have a right to face my accuser is that no correct?*
   6. *Is the Attorney the man I owe a debt to?*
   7. *I am a man, so is there a verified claim against me, as executor or beneficiary?*
   8. *What man claims that I wronged or harmed him?*
   9. *Is there man that claims that I owe him a debt here today?*
   10. *I demand to see the man I owe a debt to, on the stand, before I consent to proceed.*
   11. *Your Honor, the attorney cannot prove the claim; therefore, I require a Dismissal for failure to state a claim for which relief can be granted.*

If you can get this series of question in the first time, start with it on the next hearing.  
*“I do not consent to proceed until…”* You could even bring up subrogation again first.

1. **Subrogation (don’t forget this is the main questions to get to)**
   1. *Further, I require to know this... since I am beneficiary to any trust or securities being administered here, will the plaintiff (or prosecutor if a criminal case), certify my right of subrogation in writing, please?*
   2. *As the on in the office of the Executor, I do not consent to proceed until I receive this confirmation.*

What you are effectively saying here is that you are not going to be the surety to underwrite and become liable for the bonds they created for the case in your ENTITY name (or DBA NAM). You are stating you have the highest claim to any public securities created in your DBA NAME, as all courts do with criminal and civil charges. By bringing this claim up YOU now own (claim) the case and the bond, which the prosecution had to create in your DBA NAME without permission. No one else alive could make a higher claim then your name than you. Period.

1. **As a follow up and say:**

*“As executor I require to have plaintiff (or prosecutor) or judge offset and discharge the case and settle the accounts, claims, complaints, and charges”.*

In all criminal cases there are “charges” or claims of debt owed. Stay in point, this request for certification to your right of subrogation, cannot be refused. You are not there to enter a plea or to proceed, until this subrogation matter is settled first.

1. **If they do not comply and try to move forward with something else say:**

*“I remind the court, I do not consent to these proceedings, and your offers are not accepted”. I still have the matter of subrogation unresolved here, and I require to be recognized as executor and require the trustee to fulfill his duty.*

**OPTIONAL - If you previously appeared and entered a plea - consider adding this**:

*...I hereby withdraw any previous appearances and agreement entered under duress, I am here ONLY to address the subrogation question - and pose my question* (as above).

1. Keep coming back to your point -

*Again I state, as Executor of the estate and beneficiary... Will the plaintiff (or prosecutor if a criminal case) certify my right of subrogation in writing please? (They may again defer or move to another issue, so repeat this again the 3rd time). I do not consent to proceeding and again I state, as beneficiary, will the plaintiff (or prosecutor if a criminal case) certify my right of subrogation in writing please?”*

1. Then you may ***close the deal*** by saying….

“*I do not consent to being surety for this case and these proceedings. As beneficiary, let the record show I believe I DO have a right to subrogation that’s being denied”.* (you often must hold on NOT proceeding or consenting several times).   
*“I demand the bond in my name be immediately brought forward, so I can see who will indemnify me if I am damaged”.*

***Remember they will interrupt, and cut you off, so get back to your point and be patient, do not lose your cool. This is all a test. THey may res-et, have you sit down, or reschedule, this is likely a sign you are winning.***

1. *“Your honor, as trustee, who do I speak to about getting this handled and closed, is there in insurance claim form I need?”* They will likely try anything to ignore you and play like they don’t know what’s going on. Or they may close the case, and try to get you out of there or reschedule.
2. Do your best and politely repeat

*“ Again, I do not consent to proceed or re-schedule, as I see no reason this cannot be settled, satisfied, and discharged now”*. The court and prosecutors have full authority as trustees, to settle this matter now.

**MAYBE say at the end, if they try to move this down the road to a later time…**

*“ in order to stay in honor and in the spirit of fair play, I offer the prosecutor 72 hours to comply or submit their indemnity bond for my claim, when shall I receive this bond?”*

**REMEMBER** - They will do all they can to ignore the issue, demure to something else, and proceed to enter a plea for you...just watch them try – so be sure to remind them *you do no consent UNTIL* the comply with your request regarding subrogation. If they enter a please, request to see the “written power of attorney where you granted them authority to enter a plea for you”.

You are there to close it out today, not to let them roll over you. If they threaten contempt (as they sometimes do), keep your cool and ask *“as beneficiary am I entitled to due process or not?”.* You are only there for YOUR result not theirs. Get a settlement, set-off, and dismissal, if they will hand it to you. **Member results have shown, that often they will not address ANY of this openly -** but they may instead come up with an a dismissal based on another point (as offered in the Motion to Dismiss), or offer a small settlement to make this go away.   
  
As a follow up, a follow up letter of demand for subrogation could be sent to the prosecutor/plaintiff after 72 hours that way, just keep creating your record. If you have to reappear or they doa recess, come back and start from the beginning, that’s what they are testing you on if they do that. THIS IS ACCORDING TO MANY MEMBER EXPERIENCES.

Possible later action, **Submit a claim** against the Attorney for trespass and fraud.

In many of the example member have told us about, the judge reportedly dismissed the case, and told the man or woman to leave the court. If you give up too easily they can get you for contempt ONLY to get you to give up your positions. Be ready for that. A few day in jail is better than years or litigation or worse. When they see this life changing event using subrogation now hanging over their head (by making them liable), they may schedule you to the end of the day, so others will not see this process. This rescheduling to the end game happens a lot. After one reported event like this, the judge told everyone to go home, and he closed court for the day. Said the court will not open until the next day, he then left the court. We also have audio testimonials of this being used.

**Always be ready for some push back or avoidance of the issue.** Stay on these main points above, and politely remind them ***we cannot proceed until these issues are addressed***. It may not be fatal to do this later in a case appearance, but do it at the earliest possible time get this on the record. The judge WILL likely try to move on to other proceedings or get you engaged in other things or issues, so be ready for them to *distract and dissuade* you. Get these items resolved and *stay on point* to close the deal in a few moments.

If you did utilize an attorney, tell them you intend to write a letter privately to the judge and ask them to submit your demand. But it’s better if you speak the words. It is FAR more powerful if you say it.

**If they do push you into getting a public defender or a private attorney or you seem stuck**, and it is a criminal charge only, in that case accept the public defender then look into upgrading the optional completely separate criminal case method found at [**http://youarelaw.org/slamdunk**](http://youarelaw.org/slamdunk) - for an ongoing way to kick the case out (extra private coaching fees apply). You can still come back and do this again, but be sure YOU speak the words into the record.

Also check out [**Premium Membership**](about:blank) at [www.Youarelaw.org](http://www.youarelaw.org) for more ideas, if you are not a Premium Member yet.

Ongoing knowledge if the KEY to handle jurisdictional and void judgement methods, and it is still needed if using this method in case they railroad you.

*No one can make a guarantee to every situation*, but if you understand the legal logic, this should work well. It will NOT likely work in criminal matters where a real damaged party or endangered party is involved. We do not support those who endanger others.

**Not Legal Advice and None is Offered**



**The BIG LEGAL Remedy? Learn about Subrogation**

Child Support – Lawsuits – Credit Cards – Mortgages - Tax – Criminal – Traffic?

**Subrogation – Very important concept to understand as ALL court cases are actually *commercial transactions* (even if criminal), and they make a claim to YOUR securities to settle the “charges” or claims, because you failed to.**

**What is SUBROGATION?** <http://thelawdictionary.org/subrogation>

**The substitution of one thing for another, or of one person into the place of another with respect to rights, claims, or securities.** Subrogation denotes the putting a third person who has paid a debt in the place of the creditor to whom he has paid it, so as that he may exercise against the debtor all SUBROGATION 1117 SUBSTANTIAL DAMAGES the rights which the creditor, if unpaid, might have done. Brown. The equity by which a person who is secondarily liable for a debt, and has paid it, is put in the place of the creditor, so as to entitle to make use of all the securities and remedies possessed by the creditor, in order to enforce the right of exoneration as against the principal debtor, or of contribution against others who are liable in the same rank as himself. Bisp. Eq.

**SUBROGATION** <https://legal-dictionary.thefreedictionary.com/subrogation>

**The Substitution of one person in the place of another with reference to a lawful claim, demand, or right**, so that he or she who is substituted succeeds to the rights of the other in relation to the debt or claim, and its rights, remedies, or Securities.

**There are two types of subrogation**: legal and conventional. Legal subrogation arises by operation of law, whereas conventional subrogation is a result of a contract.

The purpose of subrogation is to **compel the ultimate payment of a debt** by the party who, in Equity and good conscience, should pay it. **This subrogation is an equitable device used to avoid injustice.**

**Legal subrogation takes place as a *matter of equity*, with or without an agreement.** The right of legal subrogation can be either modified or extinguished through a contractual agreement. It cannot be used to displace a contract agreed upon by the parties. Conventional subrogation arises when one individual satisfies the debt of another as a result of a contractual agreement that provides that *any claims or liens that exist as security for the debt be kept alive for the benefit of the party who pays the debt*. It is necessary that the agreement be supported by consideration; however, it does not have to be in writing and can be either express or implied.   
*(COMMENT: this is what you get yourself into in court)*

The facts of each case determine the issue of whether or not subrogation is applicable. In general, the remedy is broad enough to include every instance in which one party, who is not a mere volunteer, *pays a debt* for which a second party is primarily liable and which, in equity and good conscience, should have been discharged by the second party. **Subrogation is a highly favored remedy that the courts are inclined to extend and apply liberally.**

**The ordinary equity maxims are applicable to subrogation, which is not permitted when there is an adequate legal remedy.** The plaintiff must come into court with clean hands, and the person who seeks equity must do equity. The remedy is *not available* when there are equal or superior equities in other individuals who are in opposition to the party seeking subrogation.   
*The remedy is denied when the person seeking subrogation has interfered with the rights of others, committed Fraud, or been negligent.*

The right to subrogation accrues upon payment of the debt. The subrogee is generally entitled to all the creditor's rights, privileges, priorities, remedies, and judgments and is subject only to whatever limitations and conditions were binding on the creditor. He does not, however, have any more extensive rights than the creditor.

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**COMMENT:**

This applies directly to any court “charge”, you have the highest equitable claim to matters involving your NAME estate which the court has made an account out of. Therefore, requiring the plaintiff/prosecutor to *“certify your right to subrogation”* is the right move. **Keep it THIS simple**. This turns the tables, makes you plaintiff, and order them to settle the accounts (or you should order them after you ask). This has been tested live in court and is quite effective if you follow through.

*Optional idea* we have thought of trying - one MAY be able to ***write a private letter*** to the judge as well simply asking:

***Will the plaintiff (or prosecutor) certify my right of subrogation (do so in writing please)?***

If you already have an attorney show him what you plan to send to the judge. The attorney will likely run from this approach and discourage you, as it exposes the game they are all playing together. Then send this letter privately from you to the judge in chambers, *signed as the living soul (LS)*.

**Do not let them stop you from exercising this right to your right of subrogation, but you must demand it to get it. Several testimonials, short 4 step script, and stories in the Premium Member area of**

[www.Youarelaw.org](http://www.youarelaw.org)