

**AFFIDAVIT OF INFORMATION
CRIMINAL COMPLAINT
FOR PUBLIC NOTICE FILING**

John Parks Trowbridge, Jr.,	)	NO. _____
)	
Complainant Affiant,	)	AFFIDAVIT OF INFORMATION
)	
v.	)	TREASON TO THE CONSTITUTION;
	)	MISPRISION OF FELONY; STATEMENTS
Eric Himpton Holder, Jr.,	)	OR ENTRIES GENERALLY; OFFICIAL
Loretta Elizabeth Lynch,	)	CERTIFICATES OR WRITINGS; FRAUDS
John Malcolm Bales,	)	AND SWINDLES; CRIMINAL ATTEMPT;
Joshua David Smeltzer,	)	CRIMINAL CONSPIRACY; SIMULATING
David J. Maland,	)	LEGAL PROCESS; PERJURY;
Michael H. Schneider,	)	AGGRAVATED PERJURY; TAMPERING
K. Nicole Mitchell,	)	WITH GOVERNMENTAL RECORD;
Ron Clark, and	)	RECORD OF A FRAUDULENT COURT;
Keith F. Giblin,	)	ABUSE OF OFFICIAL CAPACITY;
	)	OFFICIAL OPPRESSION
Defendants.)	
	)	18 U.S.C. 4

John Parks Trowbridge, Jr. (the “Complainant Affiant”) hereby files this Affidavit of Information upon probable cause pursuant to the provisions of that certain *Constitution* ordained, established, and implemented March 4, 1789, Independence Hall, Philadelphia, Pennsylvania (the “Constitution”), relating to jurisdiction, in respect of the legislative powers therein conferred upon Congress, and the Fifth Article of Amendment thereto; Title 18 U.S.C. §§ 4, 13, 1001, 1018, 1341, and 1346; and Texas Penal Code §§ 7.01, 7.02, 15.01, 15.02, 32.48, 37.02, 37.03, 37.10, 37.13, 39.02, and 39.03—in respect of which, conclusive documentary evidence of the above-listed offenses committed by the above-named defendants, in criminal conspiracy, under the pretense of conducting a judicial proceeding, denying Complainant Affiant due process of law and attempting to deprive Complainant Affiant of Complainant Affiant’s property under color of law, office, and authority, in criminal negligence of the law of the land, appears in the alleged

record of alleged United States District Court for the Eastern District of Texas (the “Alleged Court”), alleged Tyler Division Civil Action No. 6:14-cv-595 (the “Alleged Tyler Litigation”) and alleged Lufkin Division Civil Action No. 9:14-cv-138 (the “Alleged Lufkin Litigation”); wherefore, Complainant Affiant hereby solemnly swears, declares, and deposes as follows:

1. Complainant Affiant is competent to state the matters set forth herein.
2. Complainant Affiant has knowledge of the facts stated herein.
3. All the facts stated herein are true, correct, and complete in accordance with Complainant Affiant’s best firsthand personal knowledge and belief, and if called upon as a witness, Complainant Affiant shall testify to their veracity.

Plain statement of facts.

4. Upon Complainant Affiant’s filing in the alleged record of the Alleged Lufkin Litigation of Complainant Affiant’s September 14, 2015, objection to denial of due process of law and demand for the constitutional authority that gives the Alleged Court the capacity to take jurisdiction^[1] and enter judgments, orders, and decrees in favor of the United States arising from a civil or criminal proceeding regarding a debt, in Tyler County, Texas (Dkt. #58), defendants went silent^[2] and abandoned the Alleged Lufkin Litigation; the alleged record of which remains

[¹ It remains rudimentary law that “[a]s regards all courts of the United States inferior to this tribunal, two things are necessary to create jurisdiction, whether original or appellate. The Constitution must have given to the court the capacity to take it, and an act of Congress must have supplied it. . . . To the extent that such action is not taken, the power lies dormant.” *The Mayor v. Cooper*, 6 Wall. 247, 252, 18 L.Ed. 851 (1868) (emphasis added); accord, *Christianson v. Colt Industries Operating Co.*, 486 U.S. 800, 818, 108 S.Ct. 2166, 2179, 100 L.Ed.2d 811 (1988); *Firestone Tire & Rubber Co. v. Risjord*, 449 U.S. 368, 379-380, 101 S.Ct. 669, 676-677, 66 L.Ed.2d 571 (1981); *Kline v. Burke Construction Co.*, 260 U.S. 226, 233-234, 43 S.Ct. 79, 82-83, 67 L.Ed. 226 (1922); *Case of th [sic] Sewing Machine Companies*, 18 Wall. 553, 577-578, 586-587, 21 L.Ed. 914 (1874); *Sheldon v. Sill*, 8 How. 441, 449, 12 L.Ed. 1147 (1850); *Cary v. Curtis*, 3 How. 236, 245, 11 L.Ed. 576 (1845); *McIntire v. Wood*, 7 Cranch 504, 506, 3 L.Ed. 420 (1813). (Underline emphasis only added.) *Finley v. United States*, 490 U.S. 545, 109 S.Ct. 2003, 104 L.Ed.2d 593.]

[² Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading.²⁴

. . . 24. See *United States v. Sclafani*, 265 F.2d 408 (2d Cir.), cert. den., 360 U.S. 918, 79 S.Ct. 1436, 3 L.Ed.2d 1534 (1959); c.f., *Avery v. Clearly*, 132 U.S. 604, 10 S.Ct. 220, 33 L.Ed. 469 (1890); *Atilus v.*

devoid of response or other writing of any kind from any defendant since Complainant Affiant's September 14, 2015, filing,^[3] 107 days ago.

5. There being no constitutional authority that gives the Alleged Court the capacity to take jurisdiction and enter a judgment, order, or decree in favor of the United States arising from a civil or criminal proceeding regarding a debt, in Tyler County, Texas^[4]:

(a) As of date of first respective appearance in the alleged record of Alleged Tyler Litigation or Alleged Lufkin Litigation, defendants Michael H. Schneider, K. Nicole Mitchell, Ron Clark, and Keith F. Giblin impersonated a public servant and attempted to induce Complainant Affiant to submit to their pretended official authority or rely on their pretended official acts by knowingly purporting to hold a position or office, **including that of a Federal judge and court**, authorized to enter a judgment, order, or decree in favor of the United States arising from a civil or criminal proceeding regarding a debt, in Tyler County, Texas—**a position or office which has no lawful existence under the Constitution**; and

(b) Every official certificate or writing entered or caused to be entered in the alleged record of the Alleged Tyler Litigation or Alleged Lufkin Litigation or delivered or caused to be delivered to Complainant Affiant by any defendant, is unconstitutional, unlawful,

United States, 406 F.2d 694, 698 (5th Cir. 1969); American Nat'l Ins. Co., etc. v. Murray, 383 F.2d 81 (5th Cir. 1967). *United States v. Prudden*, 424 F.2d 1021 (5th Cir., 1970).]

[³ *De non apparentibus et non existentibus eadem est ratio*. The law is the same respecting things which do not appear and things which do not exist. John Bouvier, *Bouvier's Law Dictionary*, Third Revision (Being the Eighth Edition), revised by Francis Rawle (West Publishing Co.: St. Paul, Minn., 1914) (**hereinafter "BOUVIER'S"**), p. 2130.]

[*Idem est non probari et non esse ; non deficit jus sed probatio*. What is not proved and what does not exist, are the same ; it is not the defect of the law, but of proof. *Id.* at 2136.]

[⁴ **The several States of the Union** are not, it is true, in every respect independent, many of the right [*sic*] and powers which originally belonged to them being now vested in the government created by the Constitution. But, except as restrained and limited by that instrument, they possess and exercise the authority of independent States, and the principles of public law to which we have referred are applicable to them. One of these principles is that **every State** [of the Union] **possesses exclusive jurisdiction and sovereignty over persons and property within its territory**. . . . (Underline emphasis added.) *Pennoyer v. Neff*, 95 U.S. 714, 722 (1878).]

and false and evidence of fraud and a criminal conspiracy between the defendants, each of whom is culpable for the high crimes, crimes, and misdemeanors cited hereinabove.

6. Beginning no later than date of first respective appearance, express or implied, in the alleged record of the Alleged Tyler Litigation or Alleged Lufkin Litigation, defendants Eric Himpton Holder, Jr., Loretta Elizabeth Lynch, John Malcolm Bales, Joshua David Smeltzer, David J. Maland, Michael H. Schneider, K. Nicole Mitchell, Ron Clark, and Keith F. Giblin:

(a) conspired criminally in a sham (pretended) judicial proceeding and intended to deny and denied Complainant Affiant due process of law,^[5] a right guaranteed by the Fifth Article of Amendment to the Constitution, and either:

(i) usurped exercise of jurisdiction beyond the boundaries fixed by the Constitution at Article 4 § 3(2) for courts of general jurisdiction, of which the Alleged Court is one, in geographic area fixed by the Constitution at Article 3 § 2(1) exclusively for courts of limited jurisdiction^[6]; or

(ii) relied upon the Alleged Court's usurpation of exercise of jurisdiction as aforesaid, in conspiracy with other defendants, to defraud Complainant Affiant and attempt to deprive Complainant Affiant of Complainant Affiant's property under color of law, office, and authority; and

(b) perjured themselves by knowingly and willfully making materially false and fraudulent statements and representations and making and using false writings containing

[⁵ Due process of law is process according to the law of the land. . . . Mr. Justice Matthews, delivering the opinion of the court in *Hurtado v. California*, 110 U.S. 516, 533, 3 Sup. Ct. 111, 292, 28 L. Ed. 232 (1884).

Due process of law in the latter [the Fifth Article of Amendment to the Constitution] refers to that law of the land which derives its authority from the legislative powers conferred upon Congress by the Constitution of the United States, exercised within the limits therein prescribed and interpreted according to the principles of the common law. . . . *Id.* at 535.]

[⁶ We have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the constitution. *Cohens v. Virginia*, 19 U.S. 264, 6 Wheat. 265, 5 L.Ed. 257 (1821).]

materially false and fraudulent statements or entries and entering the same in the alleged record of the Alleged Tyler Litigation or Alleged Lufkin Litigation;

(c) knowingly made and delivered as true, official certificates or writings containing statements which they knew to be false;

(d) made, presented, or used a record or document falsified as aforesaid, with knowledge of its falsity and with intent that it be taken as a genuine governmental record;

(e) perpetrated a scheme or artifice to defraud Complainant Affiant of the intangible right of honest services by causing to be sent and delivered to Complainant Affiant via the Postal Service or private or commercial interstate carrier, a false certificate or writing; and

(f) violated their oath of office^[7] through (i) criminal negligence of the express and implied provisions of the Constitution relating to jurisdiction, in respect of the legislative powers therein conferred upon Congress, (ii) repudiation, in substance, deed, and fact, of sworn allegiance to the Constitution, and (iii) engagement in a criminal conspiracy among themselves, under color of office, knowingly and with intent to defraud Complainant Affiant and deprive Complainant Affiant of Complainant Affiant's real property in Tyler County, Texas.

Verification.

The Undersigned Complainant Affiant, John Parks Trowbridge, Jr., hereby solemnly swears, declares, and states that Complainant Affiant executes this Affidavit on Complainant Affiant's unlimited liability, that Complainant Affiant can competently state the matters set forth

[⁷ An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: "I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." . . . 5 U.S.C. 3331.]

herein, and that the facts stated herein are true, correct, and complete in accordance with

Complainant Affiant's best firsthand personal knowledge and belief.

Further Complainant Affiant sayeth naught.

Date: Subscribed and sworn to this thirtieth day of the twelfth month in the year of our Lord two thousand fifteen [December 30, A.D. 2015], at Humble, Harris County, Texas.

John Parks Trowbridge, Jr.
John Parks Trowbridge, Jr.

12.30.15
Date

Lucrecia Fay Taylor
Witness: Lucrecia Fay Taylor

12-30-15
Date

Cynthia Ann Jenkins
Witness: Cynthia Ann Jenkins

12.30.15
Date

Shyla Rae Lee McComb
Witness: Shyla Rae Lee McComb