

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

John Parks Trowbridge, Jr.,)	NO. _____
)	
Complainant Affiant,)	AFFIDAVIT OF INFORMATION
)	
v.)	IMPERSONATING PUBLIC SERVANT
)	
Michael H. Schneider,)	
K. Nicole Mitchell,)	
Ron Clark, and)	
Keith F. Giblin,)	
)	
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. § 13; and Texas Penal Code § 37.11, in respect of which, conclusive documentary evidence of the above offense committed by the above-named defendants, in criminal conspiracy, while denying Complainant Affiant due process of law and attempting to deprive Complainant Affiant of Complainant Affiant’s property, and 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”), Tyler Division Civil Action No. 6:14-cv-595 (the “Alleged Tyler Litigation”) and 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 devoid of response or other writing of any kind from any defendant since Complainant Affiant's September 14, 2015, filing,^[3] 107 days ago.

[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. 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.]

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] as of date of first respective appearance in the alleged record of the Alleged Tyler Litigation or Alleged Lufkin Litigation, defendants Michael H. Schneider, K. Nicole Mitchell, Ron Clark, and Keith F. Giblin conspired criminally in a sham (pretended) judicial proceeding and:

(a) 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) violated their oath of office^[5] by failing to discharge the duty of the office of United States District Judge or United States Magistrate Judge and bar or put an end to the Alleged Tyler Litigation or Alleged Lufkin Litigation or both^[6] for clear absence of all jurisdiction; and, in the case of defendant Ron Clark, also failing to discharge the duty of a

[*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).]

[⁵ 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.]

[⁶ *Judicis officium est opus diei in die suo perficere*. It is the duty if a judge to finish the work of each day within that day. BOUVIER'S, p. 2140.]

United States District Judge in a supervisory capacity as Chief District Judge, and *order* that the aforesaid litigation be put to an end^[7] for clear absence of all jurisdiction.

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 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 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 Lucrecia Fay Taylor
Date Witness: Lucrecia Fay Taylor

12-30-15 Cynthia Ann Jenkins
Date Witness: Cynthia Ann Jenkins

12.30.15 Shyla Rae Lee McComb
Date Witness: Shyla Rae Lee McComb

[⁷ *Boni iudicis est lites dirimere, ne lis ex lite oritur, et interest republicæ ut sint fines litium.* It is the duty of a good judge to prevent litigations, that suit may not grow out of suit, and it concerns the welfare of a state that an end be put to litigation. Id. at 2127.]