

ORIGINAL

District Court of the United States  
For North Texas

FILED  
U.S. DISTRICT COURT  
NORTHERN DIST. OF TX  
FT. WORTH DIVISION

2014 NOV 17 PM 2:18

Glenn Winningham; house of Fearn

Demandant

v

WELLS FARGO, INC., et al,

Respondents

CLERK OF COURT

Case Number

4-14-CV-853-A

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DEMAND FOR RECUSAL

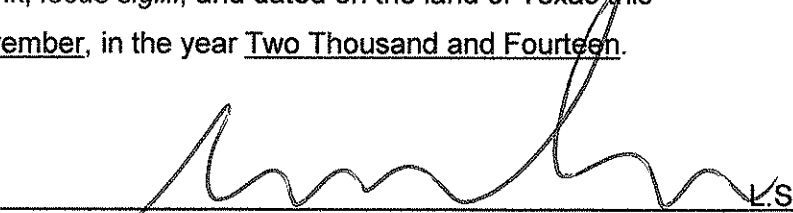
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Pursuant to your Rule 201 of your Federal Rules of Evidence, I, Me, My, or Myself, also known as Glenn Winningham; house of Fearn, a sovereign living soul, a holder of the office of "the people", and an inhabitant of the land of Texas, hereby DEMAND that McBryde Recuse himself for reasons as found in the Demand for Recusal by Declaration, which is attached hereto, all of which is incorporated herein by reference in its entirety.

All of the above is submitted "UNDER PENALTIES with PERJURY" (28 USC § 1746(1), without the UNITED STATES, under the laws of the United States of America.

Signed, and Sealed, in red ink, *locus sigilli*, and dated on the land of Texas this

Seventeenth day of November, in the year Two Thousand and Fourteen.

  
\_\_\_\_\_  
Glenn Winningham; house of Fearn, sui juris, Demandant  
sovereign living soul, holder of the office of "the People"  
Inhabitant of the land known as Texas  
With full responsibility for my actions  
under the Laws of YHWH as found in the Holy Bible  
with a proper Postal address (18 USC § 1342) of;

Non-Domestic Mail  
C/O 6340 Lake Worth Blvd., #437  
Fort Worth, Texas  
ZIP CODE EXEMPT  
18 USC § 1342, DMM 602.1.3.e.2

### Demand for Recusal by Declaration

Pursuant to your Rule 201 of your Rules of Evidence, COMES NOW, I, Me, My, or Myself, also known as Glenn Winningham; house of Fearn, a sovereign living soul, a holder of the office of "the people", and an inhabitant of the land of Texas, with this Declaration to the court for the Clerk McBryde who is masquerading as a Judge, to Recuse himself for the following reasons, and I do affirm, and depose, and being cognizant of the penalties for bearing false witness, do say;

- One. All the Facts stated herein are true, correct, complete, are not hearsay, are not misleading, but are admissible as evidence, if not rebutted and proven inaccurate, and if called to testify, I shall so State, and further,
- Two. I have standing capacity to act as to the lawful matters herein, and further,
- Three. I have personal, firsthand knowledge, executive and documented knowledge of the facts stated herein, and further,
- Four. I am currently an inhabitant of the land sometimes known as "Texas", on Turtle island, and I have no firsthand knowledge of My date or place of birth. Any evidence anywhere about My birth is hearsay evidence and inadmissible evidence in any court because both of My parents, and the attending physician involved in My entry into this world, are now dead and I have not had an opportunity to cross examine them in court to determine the veracity of any evidence they may have been able to give. Having said that, I do remember that I finished high school in the year one thousand nine hundred and seventy five, and further,
- Five. I am a Sovereign Living Soul, and a Holder of the Office of "the People", and further,
- Six. I am not in the military, and further,
- Seven. I have many good and honorable Servants that work for governments on Turtle Island, (North America) at various levels, and I have no idea what they get paid, but in My opinion, it is not enough, because we need People to hunt down thieves and murderers, and I am cognizant of My duty to come to their aid when needed, but when they perjure their oaths and engage in criminal activity, it is My duty, obligation and responsibility to bring transgressors of the Law to light, and to do everything I can to bring them to justice, according to the Law as set out in the; *lex scripta* (Decalogue) and the *lex non-scripta* (those Laws set out in the *Pentateuch*) but excluding the *Decalogue*; and further,
- Eight. The use of any statutes, codes, rules, regulations, or court citations, within any document created by Me, at any time, is only to notice that which is applicable to government officials, and is not intended, nor shall it be construed, to mean that I have conferred, submitted to, or entered into any jurisdiction alluded to thereby, and further,
- Nine. Equality under the Law is paramount and mandatory by Law, and further,
- Ten. No man or woman, nor any person, is competent in dealing with any of My affairs, and further,
- Eleven. I am competent for dealing in all of My affairs, and further,

Twelve. The Declaration is sealed pursuant to locus sigilli

**"locus sigilli - The place of the seal. Today this phrase is almost always abbreviated "L.S." "** Black's Law Dictionary 9th Edition, page 1026, and further,

Thirteen. The first thing McBryde does is ORDER Me to file a Long Form Application to Proceed Informa Pauperis, which is governed by a statute, and at common law a pauper has no rights, and further,

Fourteen. McBryde has ceased to be a Judge and became a Clerk masquerading as a Judge, and who is working for Wells Fargo Bank

**""When acting to enforce a statute and its subsequent amendments to the present date, the judge of the municipal court is acting as an administrative officer and not in a judicial capacity; courts administering or enforcing statutes do not act judicially, but merely ministerially....but merely act as an extension as an agent for the involved agency -- but only in a "ministerial" and not a "discretionary capacity..."** Thompson v. Smith, 154 S.E. 579, 583; Keller v. P.E., 261 US 428; F.R.C. v. G.E., 281, U.S. 464.

**"...judges who become involved in enforcement of mere statutes (civil or criminal in nature and otherwise), act as mere "clerks" of the involved agency..."** K.C. Davis, ADMIN. LAW, Ch. 1 (CTP. West's 1965 Ed.)

**"It is the accepted rule, not only in state courts, but, of the federal courts as well, that when a judge is enforcing administrative law they are described as mere 'extensions of the administrative agency for superior reviewing purposes' as a ministerial clerk for an agency..."** 30 Cal 596; 167 Cal 762, and further,

Fifteen. McBryde is incompetent to be a Judge, and I DEMANDED a Judge in the Claim for Relief by Declaration, and since he has walked away from being a Judge, to be a Clerk masquerading as a Judge, he is totally incompetent to do anything judicially, and anything he does while masquerading as a Judge, is a nullity

**"Ministerial officers are incompetent to receive grants of judicial power from the legislature, their acts in attempting to exercise such powers are necessarily nullities"** Burns v. Sup., Ct., SF, 140 Cal. 1, and further,

Sixteen. Clerks masquerading as Judges have no immunity and are fully liable, in their personal capacity for their actions

**"Officers of the court have no immunity, when violating a constitutional right, for they are deemed to know the law."** Owens v Independence 100 S.C.T. 1398 (Ezra 7:23-26)

**"...where any state proceeds against a private individual in a judicial forum it is well settled that the state, county, municipality, etc. waives any immunity to counters, cross claims and complaints, by direct or collateral means regarding the matters involved."** Luckenback v. The Thekla, 295 F 1020, 226 Us 328; Lyders v. Lund, 32 F2d 308;

**"When enforcing mere statutes, judges of all courts do not act judicially" (and thus are not protected by "qualified" or "limited immunity," - SEE: Owen v. City, 445 U.S. 662; Bothke v. Terry, 713 F2d 1404) - - "but merely act as an extension as an agent for the involved agency -- but only in a "ministerial" and not a "discretionary capacity..."** Thompson v. Smith, 154 S.E. 579, 583; Keller v. P.E., 261 US 428; F.R.C. v. G.E., 281, U.S. 464. **Immunity for judges does not extend to acts which are clearly outside of their jurisdiction.** Bauers v. Heisel, C.A. N.J. 1966, 361 F.2d 581, Cert. Den. 87 S.Ct. 1367, 386

U.S. 1021, 18 L.Ed. 2d 457 (see also *Muller v. Wachtel*, D.C.N.Y. 1972, 345 F.Supp. 160; *Rhodes v. Houston*, D.C. Nebr. 1962, 202 F.Supp. 624 affirmed 309 F.2d 959, Cert. den 83 St. 724, 372 U.S. 909, 9 L.Ed. 719, Cert. Den 83 S.Ct. 1282, 383 U.S. 971, 16 L.Ed. 2nd 311, Motion denied 285 F.Supp. 546).

**"An officer who acts in violation of the Constitution ceases to represent the government".** *Brookfield Const. Co. v. Stewart*, 284 F. Supp. 94.

**"Ignorance of the law does not excuse misconduct in anyone, least of all in a sworn officer of the law."** *In re McCowan* (1917), 177 C. 93, 170 P. 1100.

**"In arriving at our decision in this matter we do not depart in any way from our holding in *Huendling v. Jensen* [\*300] that the doctrine of judicial immunity extends to courts of limited jurisdiction. But, when a minor magistrate acts wholly without jurisdiction, civil liability attaches for his malicious and corrupt abuse of process and his willful and malicious oppression of any person under the pretense of acting in his official capacity. See *Huendling v. Jensen*, 168 N.W.2d at 749 and authorities cited." 188 N.W.2d 294; 1971 Iowa Sup. LEXIS 863; 64 A.L.R.3d 1242, and further,**

Seventeen. The Constitution for the United States of America requires that I be provided with lawful Article III Judges;

**"ART. III. § 1. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behaviour; and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.**

**§ 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party;- to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof and foreign States, citizens or subjects." 1 Stat. 17-18, and further,**

Eighteen. In the Claim for Relief by Declaration, I **DEMANDED** a lawful judge under The Constitution for the United States of America, Article III, and common law, as contemplated by the founding fathers, and anything else is a violation of My rights;

**"It is a fundamental right of a party to have a neutral and detached judge preside over the judicial proceedings."** *Ward v Village of Monroeville*, 409 U.S. 57, 61-62, 93 S.Ct 80, 83, 34 L.Ed. 2d 267 (1972); *Tumey v Ohio*, 273 U.S. 510, 5209, 47 S. Ct. 437, 440, 71 L.Ed. 749 (1927), and further,

Nineteen. McBryde is impersonating a Judge, which is a felony under Texas statutes

**"(a) A person commits an offense if he:**

**(1) impersonates a public servant with intent to induce another to submit to his pretended official authority or to rely on his pretended official acts; or**

**(2) knowingly purports to exercise any function of a public servant or of a public office, including that of a judge and court, and the position or office through which he purports to exercise a function of a public servant or public office has no lawful existence under the constitution or laws of this state or of the United States.**

**(b) An offense under this section is a felony of the third degree.”** Texas Penal Code, Section 37.11. IMPERSONATING PUBLIC SERVANT, [emphasis added], and further,

Twenty. McBryde was already NOTICED that if he was going to be a Clerk masquerading as a Judge, that can put his equity and his statutes up his rectal orifice, and I am having difficulty comprehending what part of that is so difficult to understand, and further,

Twenty-one. According to the Legal Information Institute;  
**“Judges recuse themselves when they take no part in deciding cases that they would otherwise help decide. The Due Process clauses of the United States Constitution requires judges to recuse themselves from cases in two situations: 1. Where the judge has a financial interest in the case's outcome. 2. Where there is otherwise a strong possibility that the judge's decision will be biased. In either case, it does not matter whether or not the judge is actually biased. What matters is that even if the judge is not biased, the high probability of bias still damages the integrity of the judicial system. Any party in a lawsuit may request that a judge recuse him or herself. The Supreme Court addressed recusal in the 2009 case Caperton v. A. T. Massey Coal Co. (08-22). In that case, one party requested that a judge recuse himself because the other party's CEO spent over \$3 million getting the judge elected. Even though the Supreme Court found that there was no evidence that the judge was biased, it still held that he had to recuse himself.”**, and further,

Twenty-two. McBryde has already demonstrated that he is biased, or at a minimum, has the appearance of being biased, and further,

Twenty-three. All Clerks masquerading as Judges are using their unconstitutional Uniform Commercial Code which is controlled and regulated by their unconstitutional UNIDROIT treaty, under the International Institute for the Unification of Private Law which the United States has been a signatory to for over 30 years,  
**“but Madison insisted that just “because this power is given to Congress,” it did not follow that the Treaty Power was “absolute and unlimited.” The President and the Senate lacked the power “to dismember the empire,” for example, because “[t]he exercise of the power must be consistent with the object of the delegation.” “The object of treaties,” in Madison’s oft-repeated formulation, “is the regulation of intercourse with foreign nations, and is external.”** Bond v United States 572 US \_\_\_\_ (2014) case number 12-158 [emphasis added]

**“Today, it is enough to highlight some of the structural and historical evidence suggesting that the Treaty Power can be used to arrange intercourse with other nations, but not to regulate purely domestic affairs.”** Bond v United States 572 US \_\_\_\_ (2014) case number 12-158 [emphasis added]

with an unconstitutional delegation of authority

**“The government of the United States . . . is one of limited powers. It can exercise authority over no subjects, except those which have been delegated to it. Congress cannot, by legislation, enlarge the federal jurisdiction, nor can it be enlarged under the treaty-making power”** Mayor of New Orleans v. United States, 10 Pet. 662, 736 [emphasis added]

and all Clerks masquerading as Judges know that they have no obligation of obey an unconstitutional law

**"No one is bound to obey an unconstitutional law and no courts are bound to enforce it."**  
16th American Jurisprudence 2d, Section 177 late 2nd, Section 256

therefore they are knowingly, willing, intentionally, deliberately, calculatedly, and maliciously engaging in a seditious conspiracy, since the Demandant is the lawful government in America **"If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined under this title or imprisoned not more than twenty years, or both."** 18 USC § 2384, and further,

Twenty-four. These banksters UNIDROIT website even says that it covers, contracts, banking law, negotiable instruments (Federal Reserve Notes, checks, money orders), civil procedure, contracts, insurance and much more, and it even says that the edicts passed down by the United Nations under their International Institute for the Unification of Private Law, are automatically implemented by the member states, and their website shows that the United States has been a member, but it says nothing about Texas, which means that the Texas Business and Commerce Code applies ONLY in federal areas of Texas, as confirmed by the Texas Tax Code **"In this state"** means within the exterior limits of Texas and includes all territory within these limits ceded to or owned by the United States." Texas Tax Code Section 151.004 'In This State',

and McBryde's Clerk buddy will ONLY accept Federal Reserve Notes -a negotiable instrument, or their equivalent in the form of a money order, or a check (all negotiable instruments), (regulated by UNIDROIT), which are all negotiated under their banking laws, (regulated by UNIDROIT), and part of the excise tax/filing fee pays for McBryde's errors and omissions insurance (regulated by UNIDROIT), under their rules of Civil Procedure (regulated by UNIDROIT), so they can convert a court case into a commercial transaction (regulated by UNIDROIT), and further,

Twenty-five. McBryde has already demonstrated that he is a Clerk, working for Wells Fargo, therefore he will collect a royalty, which gives him a financial incentive to help out his bankster buddies, and further,

Twenty-six. The Demandant filed a lawsuit against McBryde, and others, and it was given case number 236-261874-12, and McBryde's buddy Tom Lowe, the Clerk masquerading as a Judge in the 236th District Court of Texas demanded the excise tax/filing fee before he would allow it to proceed, under their Federal corporation called STATE OF TEXAS, INC, statutes, **"There has been created a fictional federal State (of) xxxxxx within a state. See Howard v. Sinking Fund of Louisville, 344 U.S. 624, 73 S.Ct. 465, 476, 97 L.Ed. 617 (1953)";** Schwarts v. O'Hara TP School District, 100 A 2d. 621, 625, 375, Pa. 440, and further,

and then McBryde's buddy Tom Lowe ultimately dismissed the case for lack of prosecution, and further,

Twenty-seven. For all of the foregoing reasons, I, Me, My, or Myself, also known as Glenn Winningham; house of Fearn hereby DEMAND that McBryde recuse himself immediately, and order the Clerk to assign a real Judge, and further,

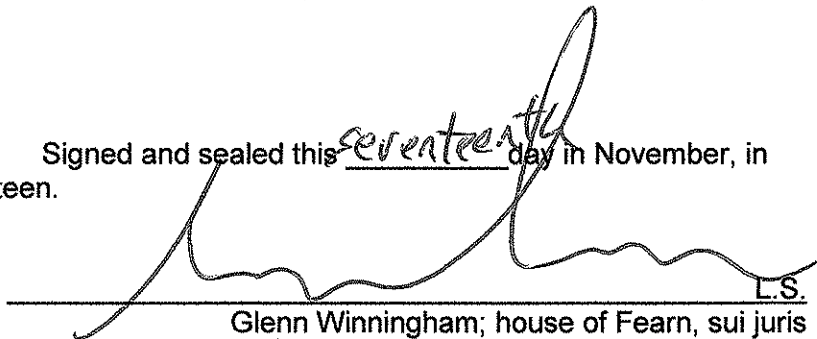
The Undersigned, I, Me, My, or Myself, also known as Glenn Winningham; house of Fearn, of Original Jurisdiction, and Judicial Power Citizen, by right of blood, do herewith declare, state and say; I issue this Declaration with sincere intent in truth, that I am competent to state the matters set forth herein, and shall so testify in a lawful court, that the contents are true, correct, complete, certain, admissible as evidence, and reasonable and just, by Me, undersigned addressee, one of "We the People", and not a corporation or a fiction of any type, and further,

Pursuant to your Rule 201 of your Rules of Evidence, and locus sigilli, this Demand for Recusal is signed and sealed in red ink on the land of Texas, under penalties with perjury, (28 USC § 1746 (1)), under the laws of the United States of America, and without the United States, and further,

Further Affiant sayeth not,

It has been said, so it is done.  
the year, two Thousand and Fourteen.

Signed and sealed this seventeenth day in November, in

A handwritten signature in black ink, appearing to read 'Glenn Winningham', is written over a horizontal line. The signature is stylized with a large loop at the end.

Glenn Winningham; house of Fearn, sui juris  
sovereign living soul, holder of the office of "the People"

Inhabitant of the land known as Texas

With full responsibility for my actions  
under the Laws of YHWH as found in the Holy Bible

with a Postal address of;

Non-Domestic Mail

C/O 6340 Lake Worth Blvd., #437

Fort Worth, Texas

ZIP CODE EXEMPT

18 USC § 1342, DMM 602.1.3.e.2