

ATTN: RISK MANAGEMENT
5/23/14 CLAIM:
**NOTICE TO CURE/
NOTICE OF INTENT TO SUE**
AS PRESENTED BY AFFIDAVIT OF
Robert James Fox

STATE OF TEXAS
HARRIS COUNTY

CMRRR #7012 1640 0001 7266 7646

I, Robert James Fox, a sui juris Spiritual Being created in the image of, and by the Great Creator, upon the land. I am a follower of Yahshua the Messiah in the laws of the Almighty Supreme Creator, Yahvah, first and foremost and the laws of man when they are not in conflict (Leviticus 18:3-4). Pursuant to Matthew 5:33-37 and James 5:12 let my yea be yea and my nay be nay, as supported by your Federal Public Law 97-280, 96 Stat. 1211. I have personal knowledge of the matters stated herein, am over the age of majority, and hereby asseverate understanding the liabilities presented in your Briscoe v. Lahue, 460 U.S. 325.

PREFACE

“The United States Attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor - indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one.”

Berger v. U.S., 295 U.S. 78, 88 (1935)

FACTS

1. This **GOOD FAITH** claim upon **STATE OF TEXAS** is based upon the events wherein I, Robert James Fox, have suffered damages due to the December 20, 2012 wrongful conviction (**NOW AN ACQUITTAL**), as a part of, or culmination of the seven year persecution under color of law executed by officers of the STATE OF TEXAS courts as a matter of **SEVEN YEARS CONTINUOUS RELIGIOUS PERSECUTION, RETALIATION, DISCRIMINATION, AND LEGAL ABUSE SYNDROME**, wherein the evidence goes to show that the so-called Jacksonville Police Department, **with the willing co-operation of the STATE OF TEXAS, persecuted me under color of law, while breaking the law by specific intent, in order to STEAL our 35,000 square foot church building,** or in other words FRAUD, as per statements published or shown on television by specific intent, without correction, and obviously further evidenced by the fact **I PREVAILED IN ALL NINE CASES.**

SUPER LIAR Reece Daniel THE GRAND INCOMPETENT
SUPER LIAR Reece Daniel THE GRAND INCOMPETENT, so-called Chief of Police, of the PRETEND POLICE DEPARTMENT in Jacksonville, Texas, made public declarations wherein he clearly verified that he was engaged in a **RELIGIOUS PERSECUTION WITH A GOAL OF DEPORTATION** as to which the newspaper article verified that **BY USING A PACK OF LIES** Reece Daniel managed to cunningly coerce the Department of Homeland Security (DHS) to join his criminal conspiracy as per his “imploring” letter to Janet Napolitano. First the goofy twit sought to use fraudulent misdemeanor charges to deport me, and when DHS informed him that a Felony was required, secondly SUPER LIAR Reece Daniel THE GRAND INCOMPETENT and defective detective Jason Price, acting as clowns pretending they can read English (as in read and understand the statute), even though they were apparently incapable of comprehending the statute they relied upon, so they brought a fraudulent Felony charge which was such garbage that Cherokee County District Attorney Elmer Beckworth (despite his personal animus against me for exposing his criminal acts) could not even prosecute the ridiculous nonsense. Thirdly SUPER LIAR Reece Daniel THE GRAND INCOMPETENT had me charged with another outrageous and bogus Felony to obtain the Felony Conviction he NEEDED for deportation purposes, and for which I was picked up from State Jail AFTER serving the entire one year Texas State Jail sentence as to which I was **FRAMED**, nevertheless the best efforts of the evil miscreants failed to overcome the United States Supreme Court;

Miranda v. Arizona, 384 U.S. 436 Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate or abolish them.

Miller v. Milwaukee, 272 U.S. 713, 715 If a statute is part of an unlawful scheme to reach a prohibited result, the statute must fail.

Miller v. U.S., 230 F2d 486, 489 The claim and exercise of a Constitutional right cannot be converted to a crime nor civilly unacceptable act.

On December 4, 2013, the Sixth Court of Appeals Reversed the preposterous conviction, and entered a proper judgment of Acquittal, as per published case:

Fox v. State, 418 S.W.3d 365, 2013 WL 6244662 (Tex. Ct. App. Dec. 4, 2013)

2. Absent Fifth Amendment just compensation, in the nature of defamation of character, I was INTENTIONALLY FRAMED FOR NINE CRIMES I DID NOT COMMIT, ALL NINE CHARGES WERE FABRICATED AS A MATTER OF RETALIATION, DISCRIMINATION, AND RELIGIOUS PERSECUTION, as per Texas Civil Practice and Remedy Code, Chapter 106.001.

3. I, Robert James Fox, suffered injury due to the fact that Jacksonville's Pretend Police Department, with the willing co-operation of Cherokee County, utilizing unbridled STATE OF TEXAS 'authority' and color of law thereof, DENIED DUE PROCESS notice and opportunity, and absent proper verification OF THE LAW, I was summarily subjected to defamation of character AND INCARCERATIONS by specific intent.

4. Absent lawful process, with UNCLEAN HANDS, utilizing the "fruit of the poisonous tree", DENYING THE PRESUMPTION OF INNOCENCE, and proceeding in the nature of TERRORISM, the Jacksonville Pretend Police Department, with the willing co-operation of Cherokee County, utilizing unbridled STATE OF TEXAS 'authority' and color of law thereof, has publicly vilified me by bearing FALSE WITNESS AGAINST ME and jeopardized my very life by having me FALSELY INCARCERATED by specific intent, causing extreme emotional distress.

5. Outline of elements regarding CONSPIRACY:

- A. 2 or more persons acted together,
- B. they acted to accomplish an object,

- C. they had a meeting of the minds on the object or course of action;
 - D. they committed one or more unlawful, overt acts; and
 - E. the plaintiff suffered injury as a proximate result.
- (under conspiracy, joint and several liability is extended not only to the wrongdoer, but also to those who have agreed to assist the wrongdoer.)

I suffered THREE SWAT ATTACKS IN LESS THAN A MONTH, ALL OF WHICH WERE SIGNED FOR BY SO-CALLED JUDGE CRAIG FLETCHER WHO IS ALLEGED TO BE SHIELED FROM PROSECUTION BY NONE OTHER THAN TEXAS ATTORNEY GENERAL GREG ABBOTT!!! On the third Search and Seizure SUPER LIAR Reece Daniel THE GRAND INCOMPETENT loaded up a 16 foot trailer of private property, which he called 'evidence', however since SEVEN YEARS OF PERSECUTION HAS YIELDED ZERO CONVICTIONS, IT IS OBVIOUS THAT THE PROPERTY (WHICH HAS NEVERR BEEN RETURNED) IS IN FACT EVIDENCE OF INLAND PIRACY BY THE ARMED AND DANGEROUS THIEVES WHO ARE SHIELDED FROM PROSECUTION!!! It is plain and clear that the unlawful egregious conduct creating the damages that I have suffered is the result of city, county, and State employees conspiring against me, in open defiance of God's law, as well as State and Federal law, including but not limited to Texas Civil Practice and Remedy Code, Chapter 106.001, AND MUCH MORE.

6. All of the above matters caused me extreme emotional distress which was inflicted intentionally in the nature of **TORTURE, causing multiple heart attacks and shortening my life expectancy, in the nature of attempted murder.**

Considering the fact SUPER LIAR Reece Daniel THE GRAND INCOMPETENT and his gangsters, acting with the willing co-operation of Cherokee County, and STATE OF TEXAS gave me multiple heart attacks with their SWAT ATTACKS and stacked up charges, so that I now have congestive heart failure, whereby I can expect to die prematurely (although the medical and legal records will remain as to the outrageous abuse I suffered causing my death), the following is worthy of mention to you and your co-conspirators at the Texas Municipal League:

The November 15, 2001 issue of the Dallas Morning News reported that David Gunby, shot in 1966 from the University of Texas tower, died prematurely because of the wound he suffered, wherefore the death was designated the 17th homicide as a result of the sniper's rampage.

18 USC 241/242 provides the death penalty for what has been done to me if I die prematurely, and I have already been taken to the emergency admitting at the hospital at least seven times since your SWAT attacks and religious persecution gave me multiple heart attacks, so the clock is ticking, with every day of additional incarceration being extra liability as well!!

7. All of the above matters caused me extreme emotional distress, while my numerous attempts to invoke supervisory authority, even by writing Certified Mail to Governor Rick Perry, Attorney General Greg Abbott, Public Integrity (Austin), and Administrative Judge John Ovard, even Habeas Corpus, plus FBI, DOJ, etc. all failed miserably.

8. All of the above matters caused me extreme emotional distress, while my numerous (at least five times) attempts along with others (Deuteronomy 19:15 witnesses) to invoke Grand Jury authority by means of criminal complaints failed as STATE OF TEXAS District Attorney Elmer Beckworth Jr. deliberately misinformed the Grand Jury in order to have them breach their oath as per Texas Code of Criminal Procedure, Article 20.09, indeed, when I would attempt to show the Grand Jury Foreman the actual law wherein his **Article 20.09 oath requires him to, "...inquire into all offenses liable to indictment..."** presented by **"...any other credible person."**, I encountered District Attorney Elmer Beckworth Jr.'s 'investigator' and was attacked by force of arms, wherein all of the violations of law in the course of seven years of persecution were actually being supported by the **STATE OF TEXAS GUNS!!!!!!!!!!!!!!!!!!!!!!!!!!!!**

9. All of the above matters caused me extreme emotional distress, furthermore it is quite disconcerting that the above stated matters went beyond mere negligence, as it is glaringly obvious that STATE OF TEXAS Governor Rick Perry, Attorney General Greg Abbott, Public Integrity (Austin), Administrative Judge John Ovard, multiple Grand Juries, and District Attorney Elmer Beckworth Jr. plus his armed gangster all knew or should have known that they were **acting in violation of Texas Penal Code 38.05, HINDERING APPREHENSION OR PROSECUTION,** for Witness Tampering, Armed Robbery, Torture, and a multitude of other felonies for such criminal conduct as I and others of our church group have experienced, something which may not play well with the general public OR in future election campaigns.

CAVEAT

This is notice to officers of the court, pursuant to Article 2.03(b), Texas Code of Criminal Procedure, regarding the DUTY to initiate criminal proceedings as to Texas Penal Code Outlawry etc. and pursuant to Texas Civil Practice and Remedy Code, Chapter 106.001, as to the religious discrimination, furthermore there is no immunity for criminal acts, nor criminal conspiracy.

A simple role reversal reveals just how serious these matters are: as in what would be the level of offense if SUPER LIAR Reece Daniel ~~THE GRAND INCOMPETENT~~ kidnapped and TORTURED Governor Rick Perry, Attorney General Greg Abbott, Public Integrity (Austin), Administrative Judge John Ovard, multiple Grand Juries, and District Attorney Elmer Beckworth Jr.

The Declaration of Independence provides that all men are created equal and that men created government to secure the rights of men. It is plain and clear that the First Amendment provides "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...". Federal Public Law 97-280, 96 Stat. 1211, the only such law ever created by unanimous passage in Congress, provides that the Bible is the Word of God and plainly declares that we should apply its teaching in our lives, and based upon my observations that is the good faith intent of the majority of the people who have created and maintain this great nation, wherefore there is a conflict of law already determined in my favor as per the UNANIMOUS decision as to Federal Public Law 97-280, 96 Stat. 1211.

Judge Edith Jones of the U.S. Court of Appeals for the Fifth Circuit, told the Federalist Society of the Harvard Law School on February 28, 2003 "The first 100 years of American lawyers were trained on Blackstone, who wrote that: "The law of nature dictated by God himself ... Is binding ... in all counties and at all times; no human laws are of any validity if contrary to this; and such of them as are valid derive all force and all their authority ... from this original."

"One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth: at the mouth of two or more witnesses, or at the mouth of three witnesses, shall the matter be established. If a false witness

rise up against any man to testify against him that which is wrong; Then both the men, between whom the controversy is, shall stand before the Lord, before the priests and judges, which shall be in those days; And the judges shall make diligent inquisition: and, behold, if the witness be a false witness, and hath testified falsely against his brother; Then shall ye do unto him as he had thought to have done unto his brother: so shalt thou put the evil away from among you. And those which remain shall hear, and fear, and shall henceforth commit no more any such evil among you. And thine eye shall not pity; but life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot.”
Deuteronomy 19:15-21

Governing itself accordingly the **STATE OF TEXAS**, by and through its employees and agents, has executed the unlawful bearing of false witness.

NOTICE TO CURE

The above facts give **STATE OF TEXAS** good faith NOTICE AND OPPORTUNITY to cure. The **STATE OF TEXAS** and its agents are liable for the above stated issues and may be sued pursuant to the Texas Tort Claims Act, Deceptive Trade Practices Act (Commercial Venture), 42 USC §1983, 18 USC §1962 RICO.

It appears that the **STATE OF TEXAS** has a double standard in violation of the July 4, 1776 Declaration of Independence, and the Constitution which requires equality under the law. The double standard is evidenced by the murder of Tim Cole, who was innocent like me, as well as the 'law of the parties' as applied to the seven TDCJ escapees who were sentenced to death, versus shielding Systemites from prosecution, even though that in itself is a criminal act!! Indeed, Jacksonville's "exemplary officer" Larry Pugh was able to rape some thirty women while wearing the Jacksonville Police uniform, badge, and gun, being shielded from prosecution, as is to be expected in a system that has a Public Integrity unit that refuses to act. Even the goofy twit, so-called Chief of Police Reece Daniel, know as a SUPER LIAR, was able to utilize taxpayer funding to hush up and financially settle his **SEXUAL HARRASSMENT** issue with Victoria Tullis. Furthermore, no criminal prosecution was ever commenced against the evil miscreants involved with **KIDNAPPING AND TORTURE UNDER COLOR OF LAW IN MY CASE!!!** In a sense, I have already been **MURDERED**,

and I feel like I am in an ambulance rushing to the hospital, although the paramedics have already determined that I will most likely be 'Dead On Arrival', so I am informed that there are funeral homes near the hospital for me to choose, and the paramedics are willing to pass a message to my family!!! Every minute of the SEVEN YEARS OF LEGAL ABUSE SYNDROME represented an opportunity for repentance, nevertheless the City of Jacksonville, Cherokee County, and the **STATE OF TEXAS DISREGARDED MY PLEAS AND IGNORED OVER 3.5 MILLION OPPORTUNITIES IN ORDER TO MAINTAIN A SEVEN YEAR CRIME SPREE FOR FUN AND PROFIT, SO NOW IT IS TIME TO PAY THE BILL!!!** See attached article regarding claims in Chicago regarding TORTURE by so-called police. My good faith CLAIM is discounted to the amount of \$150,000,000 U.S. IF paid within thirty days of this notice. Forgiveness is available where there is sincere repentance, so I will be available to negotiate, and even prepared to negotiate down to ZERO DOLLARS under certain conditions.

NOTICE OF INTENT TO SUE

STATE OF TEXAS is hereby and herein given due process notice and opportunity to pay the CLAIM within thirty days of receipt of this notice as to damages inflicted OR **STATE OF TEXAS** will force me to pursue other legal avenues.

I am not an expert in the law however I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts I will sincerely make every effort to amend my ways. I hereby and herein reserve the right to amend and make amendment to this document as necessary in order that the truth may be ascertained and proceedings justly determined. If the parties given notice by means of this document have information that would controvert and overcome this Affidavit, please advise me IN WRITTEN AFFIDAVIT FORM within thirty (30) days from receipt hereof providing me with your counteraffidavit, proving with particularity by stating all requisite actual evidentiary fact and all requisite actual law, and not merely the ultimate facts or conclusions of law, that this Affidavit Statement is substantially and materially false sufficiently to change materially my status and factual declarations. Your silence stands as consent to, and tacit approval of, the factual declarations herein being established as fact as a matter of law. May the will of our Heavenly Father

Yahvah, through the power and authority of the blood of his son Yahshua be done on Earth as it is in Heaven.

Reserving ALL Natural God-Given Unalienable Birthrights, Waiving None, Ever,

28 USC §1746

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. 28 USC §1746

Signed on this the twenty-third day of the fifth month in the year of our Lord and Savior two thousand fourteen.



Robert James Fox
A91 619 283
c/o 15850 Export Plaza
Houston, Texas 77032



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Chicago Issues \$100 Million in Bonds to Settle Police Brutality Cases



by Warner Todd Huston 5 Feb 2014

On February 3, news emerged that the city of Chicago, now run by former Obama right-hand man Rahm Emanuel, is issuing \$900 million in bonds, \$100 million of which is going directly to pay off plaintiffs of lawsuits against the city.

The city is attempting to issue the \$900 million in bonds to lower some of its borrowing costs and to double its short-term credit line to \$1 billion. But fully \$100 million of that debt burden is going to pay off lawsuits, much of it to plaintiffs who won judgments against the city in police brutality cases.

As the *Chicago Tribune* reported, "the city would take on between \$90 million and \$100 million in debt to pay off legal settlements made last year. The bulk of those settlements were made in connection with police misconduct cases."

Only days ago, the Chicago police were embroiled in a controversy surrounding a released video that seemed to show officers strip-searching suspects right on the streets.

Several years ago, the CPD was rocked by a high profile case that eventually found Police Commander Jon Burge and his "Midnight Crew" of officers guilty of torture aimed at forcing suspects to confess to various crimes, whether they were guilty or not.

Mayor Emanuel has agreed to several multi-million dollar settlements over cases involving the Burge issue. By accepting the settlements, Emanuel helped shield former Chicago Mayor Richard Daley from being forced to testify of what details he knew--and when--about allegations of Burge's brutality.

Last October, Alderman Howard Brookins (21st Ward) introduced an ordinance to create a \$20 million fund to compensate victims of police abuse.

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