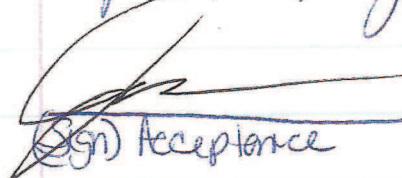


Certificate of Service  
Affidavit of Fact

On October 16, 2012 I Olivia Loomis-El hand delivered a Habeas Corpus Ad Subjecedum on behalf of Askep Herser Neteral to the Baltimore Department of Corrections located at 720 Foster Avenue, Towson MD to the attention of James P. O'Neil.

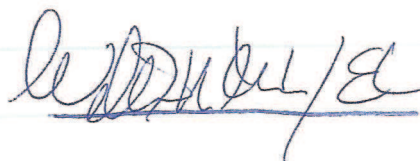
Please sign below acceptance of the Habeas Corpus Ad Subjecedum.

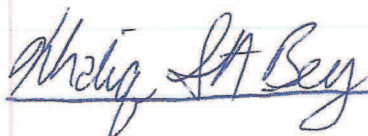
 10-16-12  
\_\_\_\_\_  
(Sign) Acceptance

J. Campbell 10-16-12  
\_\_\_\_\_  
(Print)

Witness's

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_



FILED  
 U.S. DISTRICT COURT  
 DISTRICT OF MARYLAND  
 2012 OCT 15 P 3:54  
 CLERK'S OFFICE  
 AT GREENBELT



**Moorish National Republic Federal Government**  
 Northwest Amexem / Northwest Africa / North America / 'The North Gate'  
 Societas Republicae Ea Al Maurikanos  
 The True and De jure Al Moroccans (Americans)  
 The Aboriginal / Indigenous Natural People of the Land

BALTIMORE COUNTY CIRCUIT COURT;  
 IN BALTIMORE COUNTY, MARYLAND DISTRICT  
 Circuit Court Hon. John Grason Turnbull II

MJG 12 CV 3052

**Writ of Habeas Corpus Ad Subjiciendum**

USC Title 28 § 2242, USC Title 28 § 1351(1)(2)

WARRANT NUMBER  
 CASE NUMBERS: 000000BP43695

Petitioner, Anaid El and Olivia Evans-El  
 Permanent Representative of:

MOORISH DIVINE, NATIONAL MOVEMENT;

PURSUANT TO USC Title 28 § 2242; ON BEHALF OF  
Ashep Herser Neter El, In Propria Persona Sui Heredes  
 Being detained as the Ex Relatione [PIERRE ANDRE HALL]

vs.

BALTIMORE COUNTY DEPARTMENT OF CORRECTION  
 Baltimore County Circuit Court John Grason Turnbull II  
 James W. Johnson, Chief of Police

Lawfully Assigned Judicial Officer

EMERGENCY PETITION  
 FOR CONSTITUTIONAL  
 WRIT OF HABEAS CORPUS  
 AFFIDAVIT IN SUPPORT AND  
 DEMAND FOR DUE PROCESS OF LAW  
 Protected by the 4<sup>th</sup> amendment

Petitioners' Correspondence  
 MOORISH SCIENCE TEMPLE OF  
 AMERICA, INC.  
 c/o General Delivery  
 2833 Alabama Avenue, SE - Suite 31309  
 Near Maryland State Republic  
 [20020] (DMM A010 1.2.e2) As Amended  
 Non-Domestic

TO THE BALTIMORE COUNTY DEPARTMENT OF CORRECTIONS DIRECTOR  
 JAMES P. O'NEIL; or Lawfully Assigned Judicial Officer, et al.

TO BALTIMORE COUNTY CIRCUIT COURT MAGISTRATE COX, or her Lawfully  
 Assigned Judicial Officer, et al. AND R. JAY FISHER BALTIMORE COUNTY  
 ELECTED SHERIFF

"Associate Justice WILLIAM O. DOUGLAS once wrote, "[W]here police take matters in their own hands, seize victims, beat and pound them until they confess, there cannot be the slightest doubt that the police have deprived the victim of a right under the Constitution. It is the right of the accused to be tried by a legally constituted court, not by a kangaroo court" (*Williams v. United States*, 341 U.S. 97, 71 S. Ct. 576, 95 L. Ed. 774 [1951]).



## VERIFICATION / DECLARATION

Petitioners, Anaid El and Olivia Evans-El, Permanent Representative of MOORISH DIVINE, NATIONAL MOVEMENT, in association with Ashep Herser Neter El, being competent to make this affidavit in our own writing, state and declare the following facts to be true, correct, certain, complete, not misleading, and not intended for any improper purpose to wit as an Authorized Representative under the laws of the Moorish Holy Temple of Science of the World/ Moorish Science Temple of America Divine Constitution and By-Laws and Council by virtue of the Charter Dispensation of the Moorish Science Temple of America not being repugnant to Article 1 Section 10 of the United States Constitution Republic, with Ashep Herser Neter El.

Petitioner, Anaid El and Olivia Evans-El, in full life, a Natural person and Aboriginal Autonomous Autochthon Indigenous inhabitant of North America/Morocco, not in the CORPORATE STATE OF MARYLAND Jurisdiction, and several States of America Declares and Affirm under the de jure Laws of the Constitution for the United States of America Republic, The Moorish Holy Temple of Science / Moorish Science Temple of America Divine Constitution and By-Laws, and Zodiac Constitution (Nature's Law), The Treaty of Peace and Friendship of 1787/1836 Between United States and Morocco Treaty Number 244-1. Petitioner is competent to be a witness, and that the facts contained herein are true, correct, complete, and not misleading, to the best of Petitioner/Declarants first hand knowledge and belief. See attached affidavit in support

## JURISDICTION

Ashep Herser Neter EL possesses Freehold by Inheritance status; stands squarely affirmed and bound to The Moorish Holy Temple of Science / Moorish Science Temple of America Divine Constitution and By-Laws, and Zodiac Constitution (Nature's Law) with all due respect and honors given to the Constitution for the United States Republic of North America (Amexem). Being a direct descendant of the Moroccans and born in America, the Ancient Moabites from the Land of Moab, who received permission from the Pharaohs of Egypt to settle and inhabit North West Africa (Amexem/America) North Gate. The Moabites / Moors are the founders and are the true possessors of the present Moroccan Empire; with our Canaanite, Hittite and Amorite brethren, who sojourned from the land of Canaan, seeking new homes. Our Dominion and Inhabitation extended from Northeast and southwest Africa, across the Great Atlantis, even unto the present North, South and Central America and the Adjoining Islands; bound squarely affirmed to the Treaty of Peace and Friendship of Seventeen Hundred and Eighty-Seven (1787) A.D., superceded by the Treaty of Peace and Friendship of Eighteen Hundred and Thirty-Six (1836) A.D., In Force; the same as displayed under Treaty Law, Obligation, Authority as expressed in Article VI Moroccan [Americas by custom and by culture] and as registered with the Library of Congress and Department of Justice, Washington, District of Columbia – Truth A1, AA222141 Federal Citizens Foreign Relations and Intercourse. U.S.C. 22 and pursuant to Title 8 USC § 1401(b) – Citizenship.

### Article III. Section 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 claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.”

“In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.”



Petitioner, Anaid El and Olivia Evans-El is a Lawfully Assigned Judicial Officer (Public Minister) of the Moorish Divine and National Movement and *are* granted the proper jurisdiction in Law Pursuant to Federal Rules of Civil Procedure 301, 9(b), Titles 22 USC chap2 §141-145, 28 USC § 1330(a)(b)(c), 28 USC § 1331, 28USC §1333(1)(2), 28 USC §1343(a)(1)(2)(3), 28 USC § 1351(1)(2) and the Constitution for The several States of America and the Union created by said Constitution of 1789 A.D. as amended in 1791 A.D., guaranteeing to each state a republican form of government.

#### VENUE

The Venue is proper in that Ashep Herser Neter El, is an Aboriginal, Indigenous Moor inhabitant of Northwest Amexem near Maryland, A Republic created by the Constitution for the Several Sates of America.

Article IV, Section 4: "The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence."

#### CAUSE OF ACTION

- EXAMPLE -

It has come to our attention that on 12 October 2012 our Moorish American National Ashep Herser Neter El was kidnapped (unlawfully arrested) and is being held hostage for profit by the public servants of THE STATE OF MARYLAND. Ashep Herser Neter El made a special appearance before Magistrate Cox exercising his "Right to Travel" for case #03K12003596 on an unlawful arrest that took place by private contractor/employee of the DEPARTMENT OF MOTOR VEHICLE Slusar ID#1409 on March 9, 2012. While attending the hearing exercising his right to travel a wanton disregard of the Petitioner substantive rights protected by the United States Republic Constitution Article [Amendment] 4 of the Bill of Rights; with the lack of a lawful United States Republic Constitution 4<sup>th</sup> Article [Amendment] of the Bill of Rights warrant or an indictment under the appellation Ashep Herser Neter El was violated. Magistrate Cox ordered that he be detained at the BALTIMORE COUNTY DEPARTMENT OF CORRECTIONS. We have further been notified that our Moorish American National will be held hostage without any due process of law, in violation of his right to face his accuser, absent of a lawful sworn affidavit from an injured party. Further, foreign persons are being paid to evaluate our Moorish American National in a fraudulent 730 examination to determine mental competency. The one arresting has "a duty to immediately seek a magistrate," and failure to do so "makes a case of false imprisonment." Health v. Boyd, 175 S.W. 2d. 217 (1943). "To detain the person arrested in custody for any purpose other than that of taking him before a magistrate is illegal." Kominsky v. Durand, 12 Atl. 2d. 654 (1940)

Respondent, BALTIMORE COUNTY POLICE DEPARTMENT, after having Knowledge of the International Jurisdiction of the Petitioner, conspired with BALTIMORE COUNTY CIRCUIT COURT by accepting "Prima Facie Evidence" and Notwithstanding Warrant for an false Arrest issued by BALTIMORE COUNTY CIRCUIT COURT MAGISTRATE COX. In addition of a lack of a United States Republic Consitution Article [Amendment] 4<sup>th</sup> of the Bill of Rights warrant without an Indictment or Delegation of Authority to hinder the Substantive Rights of the Natural People to Due Process of Law and BALTIMORE COUNTY POLICE DEPARTMENT for the deprivation of Right to Travel upon the public highways without a License Excise Tax. "Any arrest made without a warrant, if challenged by the defendant, is presumptively invalid...the burden is upon the state" to justify it as authorized by statute, and as not violative of constitutional provisions. State v. Mastrian, 171 N. W. 2d 695 (1969); Butler v. State, 212 So. 2d 577 (Miss 1968).



BALTIMORE COUNTY POLICE DEPARTMENT has violated the Inalienable Rights of Petitioner by enforcing private foreign for profit DEPARTMENT OF MOTOR Corporate policies which are not threats to the public safety or arrestable, prosecutable offenses as argued in Christy v. Elliot, 216 I 131, 74 HE 1035, LRA NS 1905-1910. The Usurpation of Governmental seats resulted constituted kidnapping (False Arrest) and notwithstanding administration, in which Moorish American National is being held for a ransom. Alleged Crimes was not Sworn by an affidavit by a De Jure Lawful public servant/officer. BALTIMORE COUNTY POLICE DEPARTMENT, BALTIMORE COUNTY DEPARTMENT OF CORRECTIONS, PRINCE GEORGE'S COUNTY DISTRICT COURT and BALTIMORE COUNTY CIRCUIT COURT are in violation of the following:

AMENDMENT IV OF THE CONSTITUTION FOR THE UNITED STATES REPUBLIC  
The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue except upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the papers and things to be seized.

Section 8: IN HARMONY WITH AMENDMENT V OF THE CONSTITUTION FOR THE UNITED STATES REPUBLIC...No person shall be held to answer for a criminal offense, unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases now prosecuted without indictment, or arising in the army or navy or in the militia, when in actual service in time of war or public danger.

Section 9: The right of trial by jury shall remain inviolate; but the Legislature may authorize the trial of civil causes by a jury of six persons. The Legislature may provide that in any civil cause a verdict may be rendered by not less than five-sixth of the jury. The Legislature may authorize the trial of the issue of mental in competency without a jury.

#### INDICTMENT (As Defined By Blacks Law Dictionary Fourth Edition)

Crim. Law, practice.

1. A written accusation of one or more persons of a crime or misdemeanor, presented to, and preferred upon oath or affirmation, by a grand jury legally convoked. 4 Bl. Com. 299; Co. Litt. 126; 2 Hale, 152; Bac. Ab. H. t.; Com. Dig. H. t. A; 1 Chit. Cr. L. 168.
2. This word, indictment, is said to be derived from the old French word inditer, which dignifies to indicate; to show, or point out. Its object is to indicate the offence charged against the accused. Rey, des Inst. 1'Angl. Tome 2, p. 347.

#### Section 2249. Certified copies of indictment, plea and judgment; duty of respondent

On application for a writ of habeas corpus to inquire into the detention of any person pursuant to a judgment of a court of the United States, the respondent shall promptly file with the court certified copies of the indictment, plea of petitioner and the judgment, or such of them as may be material to the questions raised, if the petitioner fails to attach them to his petition, and same shall be attached to the return to the writ, or to the answer to the order to show cause.

The offence ought be properly described. This is done by stating the substantial circumstances necessary to show the nature of the crime and, next, the formal allegations and terms of art required by law. 1. As to the substantial circumstances. The whole of the facts of the case necessary to make it appear judicially to the court that the indicators have gone upon sufficient premises, should be set forth; but there should be no unnecessary matter or any thing which on its face makes the indictment repugnant, inconsistent, or absurd. Hale, 183; Hawk. B. 2, c. 25, s. 57; Ab. H. t. G 1; Com. Dig. H. t. G 3; 2 Leach, 660; 2 Str. 1226. All indictments ought to charge a man with a particular offence, and not with being an offender in general: to this rule there are some exceptions, as indictments against a common barrater, a common scold, and the keeper of a common bawdy house; such persons may be indicted by these general words. 1 Chit. Cr. Law, 230, and the authorities there cited.



The offence must not be stated in the disjunctive, so as to leave it uncertain on what it is intended to rely as an accusation; as, that the defendant erected or caused to be. Erected a nuisance. 2 Str. 900; 1 Chit. Cr. Law, 236.

By Amendment 5 to the Constitution of the United States Republic, "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war, or public danger."

Where provisions are not made to address Foreign Relations and Intercourse in a Consular Court, Titles 22 USC chap2 §141-145, USC Title 28 § 1351(1)(2) as prescribed by law, then no jurisdiction exists! A Court of General Sessions, Congressionally sanctioned, in accord with the National Constitutions and Treaties, with Consulars and officials representing both nations/nationals, present and In Propria Persona would be proper jurisdiction. All parties would operate by De Jure Constitutional and Treaty law.

If there is no proper jurisdiction or venue, then no lawful or legal trial can be held, therefore, all rights revert back to the People (Self-government with Sovereign Authority). This is where Certificate AA 222141 clearly proves its purpose. When government officials supersede their jurisdiction, or deny lawful due process, redress, recourse and remedy, "At Law", then they are criminals, and are traitors to the Constitution and Treaty to which they are bound by law and from whence they derive any Authority at all! This is where the Supreme Law of the Land comes into effect.

#### United Nations DECLARATION on the RIGHTS of INDIGENOUS PEOPLES

##### *Article 37*

"Indigenous peoples have the right to the recognition, observance and enforcement of Treaties, Agreements and other constructive Arrangements concluded with states or their successors, according to their original spirit and intent, and to have states honor and respect such Treaties, Agreements and other constructive arrangements, conflicts and disputes which cannot otherwise be settled should be submitted to competent International bodies agreed to by all Parties concerned."

##### *Article 40*

"Indigenous peoples have the right to have access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with states, as well as to effective remedies for all infringements of their individual and collective Rights. Such a decision shall give due consideration the customs, traditions, rules and legal System of the Indigenous peoples concerned and international human rights"

#### DUE PROCESS OF LAW

(As Defined By Blacks Law Dictionary Fourth Edition)

"Due process of law in each particular case means such an exercise of the powers of the government as the settled maxims of law permit and sanction, and under such safe guards for the protection of individual rights as those maxims prescribe for the class of cases to which the one in question belongs."

"They then mean a course of legal proceedings according to those rules and principles which have been established in our systems of jurisprudence for the enforcement and protection of private rights. To give such proceedings any validity, there must be a tribunal competent by its constitution – that is, by the law of its creation-to pass upon the subject-matter of the suit; and, if that involves merely a determination of the personal liability of the defendant, he must be brought within its jurisdiction by service of process within that state, or his voluntary appearance."

"Due process of law implies the right of the person affected thereby to be present before the tribunal which pronounces judgment upon the question of life, liberty, or property, in its most comprehensive sense; to be heard, by testimony or other wise, and to have the right of controverting, by proof, every material fact which bears on the question of right in the matter involved. If any question of fact or liability be conclusively presumed against him, this is not due process of law."



**“The Essential elements of “due process of law” are notice and opportunity to be heard and to defend in orderly proceeding adapted to nature of case, and the guarantee of due process requires that every man have protection of day in court and benefit of general law.”**

**“A law which hears before it condemns, which proceeds on inquiry and renders judgment only after trial.”**

#### **LAW FORM**

**The substantive system of the Supreme Law of the Land, invoked by Petitioner Anaid El and Olivia Evans-El for this hearing, is an Inalienable Right, as guaranteed to be Secured by the Constitution for the United States, and the Constitution for the several States of the United States America of 1789 A.D.: and Amended in 1791 A.D. Ashep Herser Neter El does not consent to any laws of any State to the Contrary notwithstanding, pursuant to Article VI of the Constitution for the United States of America, Republic, even though such a Make-Up of Rules and Laws may have been presumed in the past. Nor does he wave or abandon any of his Rights.**

Jurat.

Maghrib' al' Aqca.  
Northwest Amexem.

Duly Subscribed and Affirmed on this 14 day of October One Thousand Four Hundred Thirty-Two M.C. [2012 C.C.Y.] before me, the undersigned, a Wazi [Notary Public] for the Moorish National Republic Federal Government, appeared Anaid El De Jure, by special visitation, known to me upon the basis of satisfactory National Standing to be the one whose appellation [Name] and Autograph/Seal/Mark is subscribed hereto, and voluntarily executed the same without threat or force of arms.

Witness my hand and official Seal:

/s/ [Signature]  
Wazi [Notary Public].

Olivia Evans-El  
Printed Appellation [Name].



FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
2012 OCT 15 P 3:54  
CLERK'S OFFICE  
AT GREENBELT  
DEPT. Y

