

IN THE ARDMORE MUNICIPAL COURT
LIMESTONE COUNTY, ARDMORE, ALABAMA

MUNICIPALITY OF ARDMORE,
Plaintiff,
v.
Arthur Hirsch,
Accused.

Case Number: MC09-71

**NOTICE AND REQUEST FOR CONTINUANCE
FOR GOOD CAUSE SHOWN**

I, Arthur Hirsch, accused, give notice and request this court for a continuance of the trial date in this case from January 27, 2010 to April 28, 2010 at 8:30 a.m. for good cause shown as follows:

1. THAT *this case is not ripe for trial* because many vital pre-trial issues exist and have not been addressed and resolved by this court including, but not limited to, the following:

(A) Subject matter jurisdiction has been challenged numerous times but it has never been proven by the prosecutor at hearing with admissible evidence on the record to date, and until it is, this lower court is presumed to have NO JURISDICTION and operating under COLOR OF LAW.

(B) All pre-trial motions have been ignored and not heard by this court to date.

(C) Joinder in this case has been challenged by motion to withdraw judge-entered plea for cause but has been ignored by this court, which goes again to whether this court has jurisdiction or not.

(D) Discovery rules have not been followed by the prosecutor and this court has refused to hear my motion to compel production of documents.

NOTICE

2. THAT I am presently filing a civil action for deprivation of civil rights in U.S. District Court styled, Arthur Hirsch (in the role of private attorney general), *ex rel* UNITED STATE OF AMERICA, Plaintiff, under 18 U.S.C. § 242, § 1964(a), (c); 28 U.S.C. § 1367; and, 42 U.S.C. §

1983, § 1988, alleging that this court and associated officers and town officials have denied me my constitutionally secured right (a) to have compulsory process to obtain witnesses and evidence for my defense, (b) to have substantive and procedural due process, (c) to have equal protection of the laws, (d) to have a speedy trial, (e) to have a trial by jury, (f) to have a fair and impartial judge and hearings / trial, (g) to be able to initiate a civil action in this court, (h) to speak in my own defense and be fully heard, (i) to have impartial justice administered without sale, denial, or delay, (j) to have no excessive bail required upon my release, (k) to have open and free access to the court. I am sure that the federal discovery process will help resolve some of the outstanding issues mentioned above and may well obviate the need to continue with further proceedings in this court since injunctive relief will be sought. Summonses will be served on the defendant parties soon. (See ATTACHMENT A - for brevity only opening pages from federal complaint are shown)

3. THAT I am preparing to file a criminal Federal R.I.C.O. (Racketeer Influenced and Corrupt Organizations) law suit also in U.S. District Court under 18 U.S.C. § 1961, *et. seq., ex rel* UNITED STATES OF AMERICA, Plaintiff, which will examine closely all the actions and/or omissions of the parties involved in the proceedings of this court relative to my case. The outcome of this R.I.C.O. action might end further proceedings in this court, since it is my understanding that injunctive relief is an integral component of the remedy.

4. THAT I believe there have been a number of common law offenses committed in my case and I have not ruled out the possibility of filing a state tort action pending the outcome of the above federal cases.

5. THAT I intend to petition the Ardmore Town Council for redress of grievance in the near future with respect to the handling of my case.

6. THAT I intend to file this NOTICE AND REQUEST FOR CONTINUANCE FOR GOOD CAUSE SHOWN with the aforesaid R.I.C.O. complaint evidence exhibits.

DUE TO THE SHORTNESS OF TIME, I WILL CONSIDER THIS REQUEST GRANTED, UNLESS I HEAR FROM THIS COURT TO THE CONTRARY BY 5:00 P.M. FRIDAY, JANUARY 22, 2010, AND WILL PROMPTLY NOTIFY MY COURT REPORTER, ALEISHA SMITH, TO RESCHEDULE FOR APRIL 28, 2010 AT 8:30 A.M.

Dated: _____

By: _____

Arthur Hirsch
3121 Buffalo Road
Lawrenceburg, Tennessee 38464
(931) 762-6999

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing NOTICE AND REQUEST FOR CONTINUANCE FOR GOOD CAUSE SHOWN was mailed pre-paid, this 20th day of January, 2010 to the following:

Ardmore Municipal Court USPS Certified Mail #7008 0150 0001 7526 1928
Attn: Sandra Tucker, Clerk
26494 1st Street
Ardmore, AL 35739

Chad Wise USPS Certified Mail #7008 0150 0001 7526 1706
Attorney, Town of Ardmore
317 W. Market St.
Athens, AL 35612

William G. Mathews, Judge USPS Certified Mail #7008 0150 0001 7526 1713
117 South Marion St.
Athens, AL 35611

Ricky Mitchell, Mayor,
26641 2nd St., Ardmore, AL 35739

Billy Ray Hall, Councilman
26204 7th St., Ardmore, AL 35739

Billy Shannon, Councilman
29537 Gatlin Rd., Ardmore, AL 35739

Melody Duffey, Councilwoman
29210 1st Ave., W., Ardmore, AL 35739

Mary Hobbs, Councilwoman
29120 1st Ave., W., Ardmore, AL 35739

George King, Councilman
c/o Town of Ardmore, 26494 1st St.
Ardmore, AL 35739