

IN THE ARDMORE MUNICIPAL COURT
LIMESTONE COUNTY, ARDMORE, ALABAMA

MUNICIPALITY OF ARDMORE (AL), : Criminal Case Number: MC09-71
:
Plaintiff, :
:
vs. :
:
Arthur Hirsch, :
:
Unalienable Rights Claimant. :
:
:

Arthur Hirsch, : Case Number: _____
:
Third-Party Complaint Plaintiff, :
:
vs. : THIRD-PARTY COMPLAINT
:
:

WILLIAM G. MATHEWS, in his official :
and private capacity, :

CHAD WISE, in his official and private :
capacity, :
:
:

ALABAMA STATE BAR ASSOCIATION – MEMBERS OF THE BOARD OF BAR
COMMISSIONERS, named as follows in their official and private capacities: Ronnie E. Keahey,
Cleveland Poole, Christina D. Crow, Jan G. Thompson, Randall S. Haynes, Walter E. McGowan, Roland C. Shattuck,
Robert H. Webb, John M. Gruenewald, Phillip D. Mitchell, Winfred N. Watson, Leslie R. Barineau, Stanley G. Burge,
Augusta S. Dowd, Joseph A. Fawal, Julia C. Kimbrough, Phillip W. McCallum, Robert E. Moorner, George M. Neal,
Maibeth J. Porter, James R. Pratt, William A. Short, Albert J. Trousdale, Richard W. Whittaker, Mary M. Bailey, Billy
C. Bedsole, Henry A. Callaway, Walter H. Honeycutt, Juan C. Ortega, James R. Beaird, Lee H. Copeland, Armstead L.
Hayes, Donald R. Jones, James A. McLain, Edward M. Patterson, Simeon F. Penton, Robert L. Pittman, Jon C. Portis,
Furman M. Haney, Kevin S. Stapp, Ramona J. Morrison, Brian D. Mann, Mark H. Baxley, John L. Jernigan, John M.
Peek, Claude E. Hundley, Richard J. R. Raleigh, Lawrence T. Ryan, Holman H. Stephens, Jerry D. Lawrence, Ralph W.
Howell, Kenneth E. White, Jerry W. Baker, Allan R. Chason, Marion E. Wynne, Robert L. Rumsey, Elizabeth S.
Parsons, John M. Kennemer, Jason P. Knight, Henry F. Lee, Kenneth E. Beason, John M. Coxwell, Christopher E.
Malcom, Robert T. Meadows, Robert D. Word, Jere C. Trent, David F. Law, Alexander M. Smith, Alicia F. Bennett,
La Barron N. Boone, David K. Howard, Kesa M. Johnston, Kelly T. Lee, Merceria L. Ludgood, and Deborah B. Walker,
:
:

Third-Party Complaint Defendants. :

1 I, Arthur Hirsch, *sui juris*, third-party complaint plaintiff, of my own right; possess full God-
2 given, unalienable rights and waive none; am not under any legal disability, or the power of another,
3 have the capacity to manage my own affairs, but am untrained in law and unrepresented by counsel,
4 and do hereby bring this third-party complaint in the above referenced case against the above listed
5 third-party complaint defendants and state as follows:

6 1. THAT on August 26, 2009 at 8:30 a.m. I attended a scheduled arraignment (turned-
7 surprise-trial) as alleged defendant in the above-referenced case in the Ardmore Municipal Court
8 ("AMC"), Ardmore, Alabama, and experienced numerous rights violations and abuses as mentioned
9 below;

10 2. THAT the MUNICIPALITY OF ARDMORE ("Ardmore") had hired WILLAM G.
11 MATHEWS as judge for the AMC and had him on its payroll as of the above court date;

12 3. THAT Ardmore had hired CHAD WISE as town attorney and prosecutor for the AMC and
13 had him on its payroll as of the above court date;

14 4. THAT Ardmore had hired W. M. OLIVER as police chief and TRACY LUNA and
15 TERRY JOHNSON as police officers who arrested me on July 25-26, 2009, and had them on its
16 payroll on 07/26/09, continuing through 08/26/09;

17 5. THAT CHAD WISE is not only Ardmore's hired attorney, but additionally has the dual
18 role of being both an officer of the court (judicial branch role) and the AMC prosecutor (executive
19 branch role) as well, which nullifies the separation of powers principle within American
20 Jurisprudence;

21 6. THAT both WILLIAM G. MATHEWS and CHAD WISE are purportedly licensed
22 attorneys and swore upon oath to support the U.S. Constitution and Alabama Constitution upon

"We Dare Defend Our Rights" – Alabama State Motto

1 being admitted to the practice of law by the ALABAMA STATE BAR ASSOCIATION ("ASBA");

2 7. THAT the ASBA publicly states that it has regulatory jurisdiction over the conduct of all
3 ASBA licensed attorneys which includes licensees WILLIAM G. MATHEWS and CHAD WISE;

4 8. THAT the ASBA is controlled by the Board of Bar Commissioners who have assumed the
5 liability for the conduct of the ASBA licensed and regulated members, since it has incrementally
6 gained private monopolistic control of the entire state judicial branch of government;

7 9. THAT all of said Bar Commissioners have sworn upon oath, with God as their witness,
8 to support the U.S. Constitution and Alabama Constitution;

9 10. THAT the ASBA's value statement is "Trust, Integrity, Service;"

10 11. THAT WILLIAM G. MATHEWS and CHAD WISE have trespassed and damaged my
11 constitutionally guaranteed right to due process under the common law, violated statutory rules of
12 criminal procedure, and other abuses mentioned below as follows:

13 (A) They did commit fiduciary fraud against me by concealing the material fact that they were both
14 on Ardmore's payroll, which is a non-disclosed fact of conflict of interest, since they have a direct,
15 personal, monetary interest in the outcome of my trial; i.e., a judgment penalty against me would
16 fund their paychecks;

17 (B) They did commit felony breach of oath (ASBA oath), felony breach of oath of office
18 (constitutional oath which is mandatory but cannot be found on file in the public record), and felony
19 breach of fiduciary duty (constitutional fiduciary duty to protect as guardian my unalienable rights
20 which is the sole purpose of government) by being accomplices with police chief W. M. OLIVER's
21 S.W.A.T. Team's obstruction of justice on 08/26/09, using force of arms, including an M-16 fully
22 automatic assault weapon, and threat of violence to prevent the exercise of my right to due process

1 at hearing;

2 (C) They did participate as accomplices with their fellow Ardmore employees/contractors in the
3 police department by discriminating against me and denying me equal treatment under the law when
4 they openly ignored another court attendee's ordinance violation of carrying a concealed weapon in
5 her purse (knife) and looked the other way (selective prosecution, respect of persons, partiality, and
6 favoritism);

7 (D) They did participate in *ex parte* communications following the aforesaid hearing with police
8 chief W. M. OLIVER sharing his "learning and wisdom" on the supposed superiority of municipal
9 ordinances over the enumerated and unenumerated (retained) rights secured by the Alabama
10 Constitution;

11 (E) They did engage in cajolery at said hearing by deliberately attempting to persuade and deceive
12 me, the accused, with false promises, inducements and information into relinquishing my right to
13 notice of trial, to a procedurally proper arraignment, and to assistance of counsel;

14 (F) They did engage in corrupt extortion under the common law in an effort to rush to judgment
15 without due process so they could fund their paychecks with a penalty fine from me;

16 (G) They are continuing to engage in the unlawful enforcement, by armed threat of fines and jail
17 time, of a constitutionally forbidden Bill of Attainder / Bill of Pains and Penalties;

18 (H) They did knowingly and willfully commit fraud on the court and abuse of process by refusing
19 to prove subject matter jurisdiction with admissible evidence when I challenged it by written notice
20 and orally at hearing;

21 (I) They did knowingly and willfully refuse to comply with statutory requirements that are mandatory
22 in nature that are prerequisite to the court's rightful exercise of jurisdiction;

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1 (J) They did knowingly and willfully engage in subversive acts of wanton disregard for my
2 unalienable rights which undermines the authority of the U.S. Constitution's Bill of Rights and the
3 Alabama Constitution's Declaration of Rights.

4 12. THAT purported prosecutor CHAD WISE fraudulently urged purported judge WILLIAM
5 G. MATHEWS to continue with the sham court proceedings when he knew the complaint was void
6 on its face, that due process had been denied me, and that I had requested assistance of counsel
7 before continuing with the proceedings;

8 13. THAT the members of the ASBA BOARD OF BAR COMMISSIONERS are responsible
9 and liable for the trespasses, malfeasance, nonfeasance, fraud, misconduct, breaches of oaths, lawless
10 behavior and the constitutional unalienable rights violations of ASBA licensed attorneys, WILLIAM
11 G. MATHEWS and CHAD WISE, mentioned above. They have been negligent in testing them to
12 be sure they are educated and trained to recognize and protect the peoples' unalienable rights as
13 understood in common law—which are excepted from the general powers of the government in the
14 U.S. and Alabama Constitutions—and to which they swore upon oath to support. With the special
15 privilege of operating a tightly controlled private monopoly like the ASBA has over Alabama's
16 entire judiciary comes the corresponding responsibility of the members of the BOARD OF BAR
17 COMMISSIONERS to bear the liability for their licensees' unlawful conduct in my case, and for
18 their violations of my constitutionally protected rights as comprehended under the common law;

19 14. THAT I have been damaged by the intentional infliction of emotional distress, loss of
20 time in preparation for my defense and travel, expense of office supplies, telephone calls, postage,
21 food and travel, loss of peaceful enjoyment of my family and my property, deprivation of my
22 constitutionally guaranteed right to due process, to equality before the law, to be informed of the

1 charges against me, to freedom of movement / travel, to a fair and impartial hearing, to peaceful
2 access to the court and legal process without fear, intimidation, harassment, and the threat of
3 violence.

4 **RELIEF SOUGHT**

5 14. THAT for the above damages I incurred from the aforementioned trespasses, misconduct,
6 malfeasance, nonfeasance, negligence, fraud, and numerous unalienable rights violations and
7 breaches of oath by the third-party complaint defendants, individually and collectively, in their
8 official and private capacities, I move this court to awarded me damages against each of the above
9 named third-party complaint defendants separately in the amount of Ten Thousand (\$10,000.00)
10 each, and request additional punitive damages to be awarded in an amount decided by a jury of my
11 peers, and any other judgment award deemed appropriate by the jury and/or the court.

By: _____, Third-Party Plaintiff
Arthur Hirsch, *sui juris*
3121 Buffalo Road
Lawrenceburg, Tennessee

Date: _____

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