

Date: Nov. 3, 2003

Dear Stephen, Clerk of the Court of the Honorable A.Howard Matz,

Enclosed please find a copy of:

MOTION TO DISMISS COUNTS 1-9 FOR LACK OF JURISDICTION;  
MEMORANDUM OF LAW.

I am unable to enclose an envelope with return postage as my status is still currently that of an indigent, please make available copies for any party who wants one. I thank you in advance for your understanding, assistance and patience in this matter.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Steven-William Sutcliffe". The signature is written in dark ink and is positioned above the printed name.

Steven-William: Sutcliffe

## DECLARATION OF MAILING

I, Steven-William: Sutcliffe declare:

1. I am an adult over the age of 21 years.
2. On the date below, I did place the following:

MOTION TO DISMISS COUNTS 1-9 FOR LACK OF JURISDICTION;  
MEMORANDUM OF LAW

in an envelope affixed with first class postage and addressed to:

Elena J. Duarte, Esq  
Asst. U.S. Attorney  
1500 United States Courthouse  
312 North Spring Street  
Los Angeles, California 90012

Hon. A. Howard Matz, Judge  
Attn: Clerk of Court  
U.S. District Court  
312 North Spring Street G-8  
Los Angeles, California 90012-4793

Dated: Nov. 3, 2003

Signed under the pains and penalties of perjury:



Steven-William: Sutcliffe, Sui Juris  
Political-Prisoner: 02837-049

Steven-William: Sutcliffe  
02837-049  
Metropolitan Detention Center  
P.O. Box 1500  
Los Angeles, CA 90053-1500  
Forced In Pro Per

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

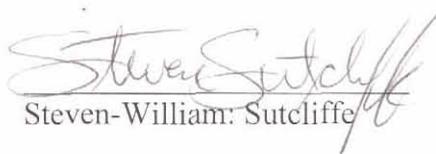
09 UNITED STATES OF AMERICA ) CASE NO.: CR-02-350(A)-AHM  
10 )  
11 Plaintiff, ) MOTION TO DISMISS COUNTS  
12 ) 1-9 FOR LACK OF JURISDICTION  
13 STEVEN WILLIAM SUTCLIFFE ) MEMORANDUM OF LAW.  
14 Defendant. )

DATE:  
TIME  
TRIAL-DATE: Nov. 12, 2003

16 TO THE HONORABLE COURT IN THE ABOVE-ENTITLED ACTION:  
17 PLEASE TAKE NOTICE that the defendant Steven-William: Sutcliffe, forced in Pro Per  
18 and proceeding Sui Juris, hereby moves the court pursuant to the authority of the  
19 Constitution of the United States, all laws pursuant thereof and under the authority of the  
20 Memorandum Of Law herein, for a hearing date, prior to trial to be set so that the accused  
21 can challenge the jurisdiction of the prosecution as the accused believes the government  
lacks personal and/or subject-matter jurisdiction. The accused requests and reserves the  
right to produce evidence, call witnesses and make oral arguments on the record in  
support of this motion.

22 I swear under penalty of perjury that the foregoing statement is true and correct to  
23 the best of my knowledge.

24 Dated: Nov. 3, 2003

25   
Steven-William: Sutcliffe

01 **FACUAL MATTERS**

02 The accused has been charged in the instant case with "transmitting" social  
03 security numbers and making threats over the internet. The government claims  
04 jurisdiction was established via this connection of the internet by the Interstate Commerce  
05 Clause. The accused disputes this claim as a matter of law.

06 **MEMORANDUM OF LAW**

07 This memorandum of law is made in support of the accused's motion to dismiss  
08 counts 1-9 of the instant Indictment. The accused makes a challenge to the governments  
09 claim to have jurisdiction over the accused in the instant case. The accused denies the  
10 governments claim of jurisdiction on all of the counts therein the Indictment collectively  
11 and separately subject to clear-proof. Further, the accused believes the court "lost"  
12 jurisdiction by its order that the accused had to "represent himself"(sic) on Aug. 27, 2003,  
13 which deprived the accused of his rights under the right to Liberty by reasonable bail  
14 under the Eighth Amendment; Assistance of Counsel under the Assistance of Counsel  
15 Clause, Speedy Trial under the Speedy Trial Clause, and Compusory Process under the  
16 Compusory Process Clause of the Sixth Amendment; as well as Due Process under the  
17 Due Process Clause of the Fifth Amendment.(See Johnson v. Zerbst, 304 U.S. 458 (1938))

18 The judge has a duty to continually inspect the record of the case, and if subject  
19 matter jurisdiction does not appear at anytime from the record of the case, then he has a  
20 duty to dismiss the case as lacking subject matter jurisdiction. **Should a judge act in any  
21 case in which he does not have subject matter jurisdiction, he is acting unlawfully. U.S. v.  
22 Will, 449 U.S 200; Cohens v. Virginia, 19 U.S (6 Wheat) 264 (1821)**

23 "Jurisdiction, once challenged, cannot be assumed and must be decided." Maine v.  
24 Thiboutot, 100 S.Ct. 250.

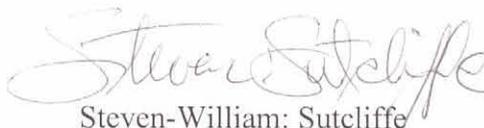
25 "If any tribunal finds absence of proof of jurisdiction over person & subject  
26 matter, the case must be dismissed." Louisville R.R. v. Mottley, 211 U.S. 149

27 **"It must be considered & decided, before any court can move one step further."**  
28 Rhode Island v. The State Of Massachusetts, 37 U.S. 709.

As such the accused demands and requests the court to dismiss the charges in the  
interest of justice and/or lack of jurisdiction or provide a hearing forthwith.

Respectfully yours,

DATED: Nov. 3, 2003



Steven-William: Sutcliffe  
Political-Prisoner# 02837-049