IN THE CIRCUIT COURT FOR
LAWRENCE COUNTY, TENNESSEE

STATE OF TENNESSEE,	)	
	)	
Plaintiff,	)	
	)	
	)	Case #36138
v.	)	
	)	JUDGE CHRISTOPHER SOCKWELL
Arthur Jay Hirsch,	)	
	)	
Accused.	)	
_____/		

MOTION TO DISMISS FOR FRAUD

Accused, Arthur Jay Hirsch, moves this Court to enter an order dismissing this case for lack of subject matter jurisdiction,[1] because the indictment was obtained by fraud.[2] District attorney general, BRENT COOPER (COOPER), knowingly, intentionally and in bad faith concealed verified exculpatory evidence from the grand jury in order to get an indictment in retaliation for being sued by Accused in federal court in 2014.[3] COOPER has been provided numerous documents[4]

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Jurisdiction is not to be presumed in this or any criminal case.
Peopel v. Carmen, 43 Cal.2d 342, 358 (1954) 273 P.2d 521
In *United States* v. *Rogers,* 23 F. 658, it was held that **the matter of jurisdiction in a criminal proceeding is never presumed**; **that it must always be proved** and is never waived as a defense. It was further held that the question of jurisdiction can be raised at any stage of the proceeding. (See also *United States* v. *Anderson,* 60 F. Supp. 649, 650, holding that if the court is without jurisdiction of the subject matter, its proceeding is a nullity.) (Emphasis added)

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"Out of fraud no action arises; A right of action cannot arise out of fraud." (Phelps vs. Decker, 10 Mass. 276; Broom, Legal Maxims 349)

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Hirsch v. McGuire, Case No. 1:14-cv-00106, Chief Judge William J. Haynes, Jr. (U.S. District Court, Nashville, 2014)

4

Documents of record that COOPER has received containing the truth, but which he fraudulently concealed from the grand jury in bad faith include, but are not limited to, the following:
- NOTICE OF FRAUD AND CRIMINAL COMPLAINT (11/12/19)
- VERIFIED CRIMINAL COMPLAINT [COPY TO FBI] (11/12/19)
- REQUEST(S) FOR MANDATORY JUDICIAL NOTICE (11/15/19; 01/26/20; 02/07/20)
- MOTION TO DISMISS FOR SPEEDY TRIAL VIOLATION (11/18/19)
- MOTION TO DISMISS (11/19/19; 12/09/19)

containing true facts and law in favor of the accused, but deceitfully misapplied the law and misrepresented and/or suppressed said facts from the grand jury, thereby maliciously and fraudulently abusing process. Accused states the following in support of this motion.

Facts well known to COOPER from documents mentioned in footnote 2, and from facts he knew or should have known from his own investigation that were intentionally concealed from the grand jury to perpetuate the fraud and to secure an indictment include, but are not limited to items below::

1. **FACT: COMMERCE ACTIVITY**. Interstate and intrastate activity in commerce on the public highways (i.e., "*channels of commerce*") transporting people or goods for hire by commercial motor carrier/motor vehicle (i.e., *"self-propelled instrumentalities of commerce*") are under the complete dominate power of congress to regulate and control pursuant to the Commerce Clause, Art. 1, Sec. 8, Cl 3, of the U.S. Constitution.

- "The [commerce] power vested in Congress . . . is the power to prescribe the rule by which that commerce is to be governed. . ." *Gibbons v.Ogden,* 22 U.S. 1, Wheat. 1, p. 301-302 (1824); *Brown v. Maryland*, 12 Wheat. 419) *Leisy v.Hardin,* 135 U.S. 100, 108

- *United States v. Lopez*, 514 U.S. 549 (1995) "The commerce power "is the power to **regulate**; that is, to **prescribe the rule by which commerce is to be governed**. This power, like all others vested in congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations, other than are prescribed in the constitution." (Quoting from *Gibbons* v. *Ogden* , 9 Wheat. 1, 189-190, 196 (1824) (Emphasis added)

- *United States v. Darby,* 312 U. S. 100, 118 (1941)
"The power of Congress over interstate commerce is not confined to the regulation of commerce among the states. It extends to those activities **intrastate** which so affect interstate commerce or the exercise of the power of Congress over it as to make regulation of them appropriate means to the attainment of a legitimate end, the

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- VERIFIED NOTICE OF PERJURY AND FRAUD (12/20/19)
- REQUEST FOR EVIDENTIARY FACTS (03/04/20) **Note**: COOPER has refused to answer this request for evidentiary facts.

- *Brady* v. *Maryland*, 373 U.S. 83, 87 (1963), Held that "the suppression by the prosecution of **evidence** favorable to an accused **upon request violates due process** where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution." (Emphasis added)
- *United States v. Prudden*, 424 F.2d 1021, 1032 (5th Cir. 1970)
"**Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading**." *Also see United States v. Sclafani*,
- The court held that the prosecution may not present false testimony, or allow false testimony to go uncorrected. *Mooney v. Hollohan*, 294 U.S. 103 (1935) ; *Napue v. Illinois*, 360 U.S. 264 (1959)
- See ABA MODEL RULES OF PROFESSIONAL CONDUCT, Rule 3.3(a)

exercise of the granted power of Congress to regulate interstate commerce." (Emphasis added)

2. **FACT. TCA TITLE 55 IS UNDER FEDERAL CONTROL.** The scope of TCA Title 55 is solely commerce in nature, and is therefore subject to and must be in compliance with all federal commercial motor carrier/motor vehicle ("*instrumentalities of commerce*") regulations, including licensing matters, etc. Examples -

- **TCA 55-50-504.** Driving while license cancelled, suspended or revoked — Minors — Forfeiture —Notice. ". . . **the department shall abide by all federal rules and regulations relative to the issuance, suspension, and revocation of driver licenses and qualification of drivers**." (Emphasis added)

- **49 CFR Subpart B -** Minimum Standards for Substantial Compliance by States
The rules in this part apply to **all States**.
§ 384.301 Substantial compliance-general requirements.
(a) To be in substantial compliance with 49 U.S.C. 31311(a), a State must meet each and every standard of subpart B of this part by means of the demonstrable combined effect of its statutes, regulations, administrative procedures and practices, organizational structures, internal control mechanisms, resource assignments (facilities, equipment, and personnel), and enforcement practices.

- "…. commerce, in the constitutional sense,... embraces shipment...and...to carriers engaged in interstate commerce, certainly insofar as so engaged, and **the instrumentalities by which such commerce is carried on** -- …..which has been apparent ever since the decision in *Gibbons v. Ogden*, 22 U.S. 1, 9 Wheat. 1 (Emphasis added)

3. **FACT. TRAVEL vs. TRANSPORTATION PRIVILEGE**. COOPER knew but did not disclose to the grand jury that both state and federal supreme courts have recognized two separate and distinct classes of users of the public highways, namely, those exercising a free unregulated right to travel, and those operating by taxable, state granted permissive privilege for which a license, registration and insurance is required, *to wit*

(1) Class One (primary users)- those traveling freely unregulated by common law right in the ordinary course of life, business and pleasure in the usual and ordinary conveyance of the day; and

(2) Class Two (secondary users) - drivers, operators and chauffeurs engaged in regulated interstate commerce activity under taxable permissive privilege statutes (*e.g.* TCA Titles 55 & 65), transporting people or goods for hire on the roadways by means of a "self-propelled instrumentality of commerce" (i.e., commercial motor carrier/motor vehicle).

- "When the **privilege ends**, the power of **regulation ceases**." *Munn v.Illinois*, 94 U.S. 113, 147 (1876) (Emphasis added)

● A **public highway** is such a passageway as any and **all members of the public** have an **absolute right** to use as distinguished from a **permissive privilege** of using same. *Standard Life Ins. Co. v. Hughes*, 203 Tenn. 636, 315 S.W.2d 239, 243, 1958 Tenn. LEXIS 229 (1958). (Emphasis added)

● "The business of using the public highways for profit, earned by transporting persons and property for hire, has been definitely **excluded from the category of private or personal rights** . . . . .that **the primary use of the state highways is the use for private purposes**." *State v. Harris*, 76 S.W.2d 324, 168 Tenn. 159 (1934) (Emphasis added)

● "The **right of the Citizen to travel upon the highway** and to transport his property thereon in the ordinary course of life and business, **differs radically** and obviously from that of one who makes the highway his place of business and uses it for **private gain** in the running of a stagecoach or omnibus. The former is the **usual and ordinary right of the Citizen, a right common to all, while the latter is special, unusual, and extraordinary**." *Ex Parte Dickey*, (*Dickey vs. Davis*), 85 SE 781. (Also see *Hoover Motor Express Co. v. Fort*, 167 Tenn. 628 *; 72 S.W.2d 1052 **; 1933 Tenn. LEXIS 71; *Thompson v. Smith*, 155 Va. 367, 377 (1930)) (Emphasis added)

● The streets belong to the public, and are **primarily** for the use of the public in the **ordinary way**. *Packard v. Banton*, 264 U.S. 140, 144 (1924) No. 126 (Emphasis added)

● "The **right to travel** is an "**unconditional personal right**," a right whose exercise may not be conditioned." *Shapiro v. Thompson*, 394 U.S. 618, 643; *Dunn V. Blumstein,* 405 U.S. 330, 342 (1972) No. 70-13; *State v. Stroud*, 52 S.W. 697, 698 (Emphasis added)

● "The **right to travel** is a part of the "**liberty**" of which the citizen cannot be deprived without due process of law under the Fifth Amendment." *Kent v. Dulles*, 357 U.S. 116 (1958) No. 481. (Emphasis added)

4**. FACT. PRIVILEGE TAXATION**. COOPER knew but did not disclose to the grand jury that only those in Class Two above (i.e., drivers, operators and chauffeurs) engaged in commerce activity on the "channels of commerce" (i.e., public highways) transporting people or property for hire, using "self-propelled instrumentalities of commerce" (i.e., commercial motor carrier/motor vehicle), are required by TCA Title 55 to pay a privilege tax to obtain the state granted privilege to do so, by (1) applying for and obtaining a Tennessee driver license and paying a license fee/tax, (2) registering their self-propelled instrumentality of commerce (comprehensively defined as "motor vehicle") and paying a registration privilege tax, and (3) purchasing insurance.

● "The use of public highways by private intrastate and interstate carriers of goods by **motor vehicle** may be conditioned by the state upon the carrier's obtaining a **license,** complying with reasonable **regulations**, paying a reasonable **license fee and a tax**, for expenses of highway administration and maintenance and reconstruction of the highways covered by the license, and upon the filing of an **insurance policy** as security against injuries from the carrier's negligent operations to persons and property other than the passengers and property he carries." *Continental Baking Co. v. Woodring*, 286 U.S. 352, 365 (1932) (Emphasis added)

● "The use of public highways by private intrastate and interstate carriers of goods by **motor vehicle** may be conditioned by the state upon the carrier's obtaining a **license,** complying with reasonable **regulations**, paying a reasonable **license fee and a tax**, for expenses of highway administration and maintenance and reconstruction of the highways covered by the license, and upon the filing of an **insurance policy** as security against injuries

from the carrier's negligent operations to persons and property other than the passengers and property he carries." *Continental Baking Co. v. Woodring*, 286 U.S. 352, 365 (1932) (Emphasis added)

● *Privilege tax*. A tax on the privilege of carrying on a business or occupatin for which a license or franchise is required. *Gulf & Ship Island R. Co., v. Hewes*, 183 U.S. 66. Black's Law Dictionary, 6th Ed., p. 1198

● License. *Streets and Highways*. A permit to use street is a mere license revocable at pleasure. *Lanham v. Forney*, 196 Wash. 62, 81 P.2d. 777, 779. The privilege of using the streets and highways by the operation thereon of motor carriers for hire can be acquired only by permission or license from the state or its political subdivisions. Black's Law Dictionary, 6th Ed., p. 920

● "The power to regulate commerce presupposes the existence of commercial activity to be regulated. The language of the Constitution reflects the natural understanding that the power to regulate assumes there is already something to be regulated……. As expansive as our cases construing the scope of the commerce power have been, they all have one thing in common: **They uniformly describe the power as reaching "activity**."" *National Federation Of Independent Business, et al., Petitioners* (No. 11-393) *v. Kathleen Sebelius, Secretary Of Health And Human Services*, 132 S. Ct. 2566 (Emphasis added)

● "But we have never permitted Congress to anticipate that activity itself in order to regulate individuals not currently engaged in commerce…...,] commerce…..**prosecution of those…... not currently engaged in any commercial activity……. is fatal to the Government's effort to "regulate...**" *National Federation Of Independent Business, et al., Petitioners (No. 11-393) v. Kathleen Sebelius, Secretary Of Health And Human Services,* 132 S. Ct. 2566 (Emphasis added)

● "The granting of a license therefore must be regarded as nothing more than a mere form of imposing a tax, and of implying nothing except that the licensee shall be subject to no penalties under [….] law if he pays it. They were regarded merely as a convenient mode of imposing taxes on several descriptions of business and of ascertaining the parties from whom such taxes were to be collected.…Page 72 U. S. 472...But as we have already said, **these licenses give no authority. They are mere receipts for taxes**…"
License Tax Cases, 72 U.S. 5 Wall. 462 (1866). (Emphasis added)

● *Royall v. Virginia*, 116 U.S. 572, 579: "The payment required as a preliminary to the license is in the nature and form of a tax. . ."

● 'Privileges are special rights, belonging to the individual or class, and not to the mass; properly, an exemption from some general burden, obligation or duty; a right peculiar to some individual or body.' *Lonas v. State*, 50 Tenn. 287, 307. 06/06/60 *Jack Cole Company v. Alfred T. MacFarland*, 337 S.W.2d 453, 206 Tenn. 694

● **TCA 6-55-501**. Privilege tax on vehicles prohibited.
The licensing as a privilege of the driving of any motor driven vehicle upon the roads, streets or other highways of the state is declared an exclusive state privilege and no tax for such privilege under any guise or shape shall hereafter be assessed, levied or collected by any municipality of the state.

● **TCA 55-4-101 (a)(1)(2)**
(1) As a condition precedent to the operation of any motor vehicle upon the streets or highways of this state, the motor vehicle shall be registered as provided in this chapter.
(2) **The registration and the fees provided for registration shall constitute a privilege tax upon the operation of motor vehicles**.

● **TCA 67-4-101**. Privileges taxable -- License required.
The occupations, businesses and business transactions deemed privileges are to be taxed, and not pursued without license.

● "No state may convert a secured liberty into a privilege, and issue a license and fee for it.″

Murdock v. Pennsylvania, 319 U.S. 105

● "**When the privilege ends, the power of regulation ceases**." *Munn v.Illinois*, 94 U.S. 113, 147 (1876) (Emphasis added)

● Any occupation, business, employment or the like, affecting the public, may be classed and **taxed as a privilege**. *K. & O. Railroad v. Harris*, 99 Tennessee, 684. (Emphasis added).

● In Tennessee, from the beginning, **privilege is a calling or trade**, as laid forth in the 1870 case *Phillips v. Lewis*.

● **PRIVILEGE.** A particular and peculiar benefit or advantage enjoyed by a person, company, or class, beyond the common advantages of other citizens. An exceptional or extraordinary power or exemption. A right, power, franchise, or immunity held by a person or class, against or beyond the course of the law. *Waterloo Water Co. v. Village of Waterloo*, 193 N.Y.S. 360, 362, 200 App.Div. 718; *Colonial Motor Coach Corporation v. City of Oswego*, 215 N.Y.S. 159, 163, 126 Misc. 829; *Cope v. Flanery*, 234 P. 845, 849, 70 Cal.App. 738; *Bank of Commerce & Trust Co. v. Senter*, 260 S.W. 144, 147, 149 Tenn. 569; *State v. Betts*, 24 N.J.L. 557.

5. **FACT. PRIVILEGE TAX RECEIPTS**. COOPER apparently did not explain to the grand jury that a driver license is a tax receipt to engage in the business or occupation designated, and a license plate/tag is also a tax receipt showing the payment of a privilege tax and permission to conduct a business or occupation in commerce affecting a public interest on the channels of commerce (i.e., public highways) using a self-propelled instrumentality of commerce (i.e., commercial motor carrier/motor vehicle).

● "But as we have already said, these licenses give no authority. **They are mere receipts for taxes**…" *License Tax Cases*, 72 U.S. 5 Wall. 462 (1866). (Emphasis added)

6. **FACT. NO ELEMENTS OF STANDING**. The indictment shows that COOPER proceeded with prosecuting Accused without establishing the three requisite elements of standing in Tennessee which include (1) injury-in-fact, (2) causation, and (3) redressability, which are essential in both civil and criminal cases per *Chattanooga v. Davis*, 54 S.W.3d 248, 280 (Tenn. 2001) [this is a criminal case]. Further, 7 Am.Jur.2d *Attorney General* § 14 states that "**A breach of a public right or duty is essential to the right of the attorney general to sue**."

● "To establish one's standing to bring an action, "a party must demonstrate **(1) that it has sustained a distinct and palpable injury, (2) that the injury was caused by the challenged conduct, and (3) that the injury is** apt to be redressed by a remedy the court is prepared to **give."** *City of Chattanooga v. Davis*, 54 S.W.3d 248 280 (Tenn. 2001); *Allen v. Wright,* 468 U.S. 737, 752, 104 S.Ct. 3315, 3325, 82 L.Ed.2d 556 (1984); *Morristown Emergency & Rescue Squad, Inc. v. Volunteer Dev. Co.,* 793 S.W.2d 262, 263 (Tenn. Ct. App. 1990) ("Standing requires not only a distinct and palpable injury but also a causal connection between the claimed injury and the challenged conduct.") (Emphasis added)

● "In order to establish standing, a party must demonstrate **three essential elements**. *Metropolitan Air Research Testing Auth. Inc., v. Metropolitan Gov't of Nashville and Durston County*, 842 S.W.2d 611, 615…**First**, the party must demonstrate that it has suffered an injury which is 'distinct and palpable,'…and not conjectural or hypothetical… **Second**, the party must establish a causal connection between the injury and the conduct of which he complains…**Third**, it must be likely that a favorable decision will redress the injury…**These elements are indispensable to the plaintiff's case, and must be supported by the same degree of evidence at each stage of litigation as other matters on which plaintiff bears the burden of proof**. . *Lujan* v. *Defenders of Wildlife*, 504 U.S. 555, 560, 561," *Petty v. Daimler/Chrysler Corp*., 91 S.W.3d 765. (Emphasis added)

● "Standing is a threshold jurisdictional question which must be addressed prior to and independent of the merits of a party's claims." *Bochese v. Town of Ponce Inlet*, 405 F.3d 964, 974 (11th Cir. 2005)

● "Standing represents a jurisdictional requirement which remains open to review at all stages of the litigation." *Bender v. Williamsport Area School Dist.*, 475 U.S. 534, 546-547 (1986). (Emphasis added)

● The requirement of standing, however, has a core component derived directly from the Constitution. A plaintiff must allege personal injury fairly traceable to the defendant's allegedly unlawful conduct and likely to be redressed by the requested relief. *United for Separation of Church and State, Inc.*, 454 U.S. 464, 471-476 See *Allen v. Wright*, 468 U.S. 737, 751 (1984)

7. **FACT. NO CAUSATION/CONNECTION TO CHARGING STATUTES**. Accuse's verified declarations of record and three judicial notices informed COOPER that the TCA title 55 charging statutes did NOT apply to him since he was traveling privately by right and not by permissive privilege in commerce. Yet, COOPER continued in bad faith to prosecute Accused and lied to the grand jury. He dishonestly concealed the fact **that there were no evidentiary facts of record proving that Accused was engaged in a privileged interstate or intrastate commerce activity transporting people or goods for hire on the public highways by motor carrier/motor vehicle on July 29, 2017, which required him to pay a privilege tax and obtain a driver license, register his pickup truck, or purchase insurance.**[5] Had he done so, there would be no case or

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● " ... the universal rule on this subject is that **all the material facts and circumstances embraced in the definition of the offense must be stated, or the indictment will be defective. . . "No essential element of the crime can be omitted without destroying the whole pleading**. The omission cannot be supplied by intendment, or implication, and the charge must be made directly and not inferentially, or by way of recital." *United States v. Hess*, 124 U.S. 483, 486 8 S. Ct. 571 (Emphasis added)

● " A citation "is not sufficient to set forth the offence in the words of the statute, unless those words of themselves fully, directly, and expressly, without any uncertainty or ambiguity, set forth **all the elements necessary to constitute the offence intended to be punished** . . . " *United States v. Carll*, 105 U.S. 611, 612. (Emphasis added)

indictment.

8. **FACT. FRAUDULENT FICTITIOUS LICENSE**. COOPER knew from documents listed in footnote 2 (e.g. verified FBI criminal complaint) that Accused's alleged "suspended driver license" was fabricated fraudulently out of thin air by the department of safety and homeland security. A copy of the letter from the division of financial responsibility to Accused, received on 07/15/19, admitted that Accused had never applied for or obtained a Tennessee driver license; but nevertheless, the DHS had created a fictitious driver license out of thin air, given it a number and suspended it, making it a class B misdemeanor offense. Obviously, the grand jury never knew this material fact, and the false presumption that Accused was legally liable for a "suspended driver license"was fraudulently promoted.

9. **FACT. NO INJURY – NO CAUSATION**.. The indictment fails to allege facts to the first essential element of standing, i.e., injury-in-fact, indicating that COOPER failed to provide facts to the grand jury that demonstrated the state had suffered an injury-in-fact which was "'distinct and palpable,'…and not conjectural or hypothetical."[6] Further, COOPER pushed for an indictment without identifying and proving to the grand jury that the state had a specific legal right, nor showing a corresponding duty on the part of the Accused, nor giving evidence of an attendant breach of that duty by Accused with resultant injury to plaintiff state. In other words, no causal relationship

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● "**It is elementary that every ingredient of the crime must be charged in the bill, a general reference to the provisions of the statute being insufficient**. *The Schooner Hoppet & Cargo v. United States*, 7 Cranch, 389, 3 L.Ed. 380*; Pettibone v. United States*, 148 U.S. 197, 13 S.Ct. 542, 37 L.Ed. 419; *United States v. Standard Brewery*, 251 U. S. 210, 40 S.Ct. 139, 64 L.Ed. 229. . Offences created by statute, as well as offences at common law, must be accurately and clearly described in an indictment, and if they cannot be, in any case, without an allegation that the accused is not within an exception contained in the statute defining the offence, it is clear that no indictment founded upon the statute can be a good one which does not contain such an allegation, **as it is universally true that no indictment is sufficient if it does not accurately and clearly allege all the ingredients of which the offence is composed**. *Hale v. United States*, 89 F.2d 578, 579, 580 (1937) (Emphasis added)

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● "The Supreme Court has defined the **first element of standing - an "injury in fact" - as "an invasion of a legally protected interest which is (a) concrete and particularized and (b) actual or imminent, not conjectural or hypothetical**." " *Lujan v. Defenders of Wildlife,* 504 U.S. 555, 560, 112 S.Ct. 2130, 119 L.Ed.2d 351 (1992) (Emphasis added)

● *Actio non datur non damnificato*. (Jenk.Cent. 69.) An action is not given to him who is not injured. (Maxim of law)

● See *Metropolitan Air Research Testing Auth. Inc., v. Metropolitan Gov't of Nashville and Durston County*, 842 S.W.2d 611, 615

between an injury-in-fact and an act by the Accused was established.

WHEREAS, BRENT COOPER knowingly, intentionally and fraudulently concealed numerous material facts from the grand jury in bad faith that were beneficial to the Accused's defense and would have resulted in no indictment had they been revealed, thus breaching his oath of office sworn[7] before God as his witness,[8] violating Accused's constitutionally secured right of due process, and disregarding high court decisions,[9] as well as ABA MODEL RULES OF PROFESSIONAL CONDUCT, Rule 3.3(a), and

WHEREAS, concerning fraud, settled maxims of law state "Fraud vitiates everything it touches." "Out of fraud no action arises; A right of action cannot arise out of fraud." *Phelps v. Decker*, 10 Mass. 276. Broom, *Max*. 349; "Once a fraud, always a fraud." 13 *Vin. Abr*. 539;

THEREFORE, for the above reasons and examples of fraud, bad faith and misrepresentations, purposely perpetrated on the grand jury by BRENT COOPER in order to obtain an unjust indictment, I, Arthur Jay Hirsch, Accused, hereby move this Court to (a) enter an order dismissing this case, and (b) consider imposing sanctions on Mr. COOPER *sua sponte* as the Court may deem appropriate to hopefully preclude similar future unjust practices by the prosecutor.

Date: May 14, 2020

By:_____
Arthur Jay Hirsch
1029 W. Gaines St.
Lawrenceburg, TN 38464

Certificate of service

I hereby certify that a copy of the above document was hand delivered on May 14, 2020 to Brent Cooper, district attorney, P.O. Box 459, Lawrenceburg, TN 38464

_____
Arthur Jay Hirsch

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- *"And ye shall not swear by my name falsely, neither shalt thou profane the name of thy God; I am the Lord."* Leviticus 19:12

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- *"Thou shalt not bear false witness against thy neighbour."* Exodus 20:16

- *"That no man go beyond and defraud his brother in any matter: because that the Lord is the avenger of all such, as we also have forewarned you and testified."* 1 Thessalonians 4:6 (see Mark 10:19)

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- The court held that the prosecution may not present false testimony, or allow false testimony to go uncorrected. *Mooney v. Hollohan*, 294 U.S. 103 (1935) ; *Napue v. Illinois*, 360 U.S. 264 (1959)