

Arthur Jay Hirsch  
1029 W. Gaines Street  
Lawrenceburg, TN 38464

March 5, 2021

Judge J. Russell Parkes  
20 Public Square  
Columbia, TN 38401

Dear Judge Parkes,

Today I received a notice from the clerk's office stating that I have been scheduled for a hearing on March 15<sup>th</sup> at 8:30 a.m. for my case #36138. I was surprised at this notice, because, at my fall hearing you granted my motion for a continuance until March 18, 2021, since I had requested said hearing to be conducted at a time when the court was operating in a constitutional manner, and the China-flu (Covid 19) face covering rule was ended. Neither has occurred, so hearing is inappropriate.

As you may recall at said fall hearing, I strongly objected to wearing a face covering in court for conscientious religious reasons, claiming and exercising my constitutionally secured right under Article 1, § 3, to wit,

Tennessee Declaration of Rights  
Article I, § 3

"That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. . . **that no human authority can, in any case whatever, control or interfere with the rights of conscience.** . ." (Emphasis added)

All of the so-called pandemic rules, guidelines, mandates, etc. are directly contrary, in every respect, to the eternal Word of God, i.e. the Holy Scriptures. They are historically satanic occult initiation rituals (*e.g.* see Encyclopedia Britannica under the word "Mask"). Also, face coverings were often used on African slaves to make them submissive (photos on internet).

Did not each of the five Tennessee Supreme Court justices breach their solemn oaths of office to uphold the constitution by ignoring the clear and unambiguous language of Article XI, § 16, and by issuing their orders violating rights and radically changing the operation of the Peoples' court? Yes. The Tennessee Supreme Court's rules requiring face coverings, social distancing, etc. in the courthouse are indeed blatantly unconstitutional. They knowingly and intentionally ignored the prohibition of Article 11, § 16, forbidding any violation of enumerated rights "***on any PRETENSE whatever***" [*e.g.* China-flu scamdemic]. Having thus breached their oath of office, the Justices have forfeited all legitimate judicial authority and are acting under color of law.

Tennessee Constitution (1796) [original intent of the framers]  
Article 10<sup>th</sup>

Sect. 4th The Declaration of Rights hereto annexed is declared to be a part of the Constitution of this State and **Shall never be violated on any pretence whatever.** And to Guard against transgressions of the high Powers which we have delegated, we declare that everything in the Bill of Rights contained and every other right not hereby delegated is **excepted out of the General Powers of Government and shall for ever [i.e. forever]**

**remain inviolate.** (Emphasis added)

(Note: This same article is restated in the 1870 Tennessee Constitution at Article XI, Section 16.)

Further, the Justices' rules have abrogated the Peoples' constitutionally protected rights to religious freedom of conscience, open courts, speedy trial, peaceable assembly, due process, proper trials by jury (to name a few), contrary to SCOTUS's *Miranda* decision, to wit

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." *Miranda v. Arizona.*, 384 U.S. 436, 491, 86 S. Ct. 1602, 1636

Judge Parkes, I believe you certainly must recognize by now that America is a fallen state. It is no longer a constitutional republic, but a socialist banana republic. The U.S. Supreme Court has recently shown that there is no obedience to the federal constitution any longer. Oaths mean nothing. The Rule of Law is ended. The judicial system and the courts are broken beyond repair and are unrecognizable as institutions of justice. Arbitrary Rule by Force/"might-makes-right" is now the norm. The political psychopaths are telling us that mandatory face coverings, etc. will never go away and that all individuals are expected to give up their person civil liberties for the good of society, i.e. the "New Normal."

Now, Judge Parkes, considering the above, and in light of the contents of my previous letter in defense of my religious beliefs (copy attached), and the documents attached hereto, what can I expect in my case? Will my constitutional rights and liberty be recognized and protected, or will I be subjected to tyrannical oppression and abuse?

Please note:

- > This case has dragged on for nearly 4 years. Is it not time to do righteously and dismiss it *sua sponte* for obvious speedy trial and due process violation?
- > The scandemic with its draconian rules are predicted to continue for many years, thus, the tyranny in Tennessee courts will therefore never end, denying me due process forever.
- > I will not compromise my religious beliefs or my constitutionally protected rights so as to comply with unlawful, void rules/orders. Will I be arrested for resisting? If so, on what grounds, and by what authority?
- > I stand firm on the Word of God, the state and federal constitutions, and the founding organic document, The Declaration of Independence. What grounds do the Tennessee Supreme Court justices stand on?

I'm looking to you, Judge Parkes, to "*do justly, and to love mercy*"<sup>1</sup> in the fear of Almighty God the Father and His Son, Jesus Christ, before whom we all must stand some day in judgment and give account of ourselves.

Sincerely,  
Arthur Jay Hirsch

(Copy of first letter)

Arthur Jay Hirsch  
1029 W. Gaines Street  
Lawrenceburg, TN 38464

September 20, 2020

Judge J. Russell Parkes  
20 Public Square  
Columbia, TN 38401

Dear Judge Parkes,

I'm writing you this letter on the Lord's Day in defense of my God-given and constitutionally protected right to conscience and religious freedom which has been challenged by Mr. Howell as to my refusal to wear a face diaper in the court room per the Tennessee Supreme Court's order . Please consider the following laws which all lawyers are supposed to know and abide by, but have been ignored:

- Tennessee Constitution (1796) [original intent of the framers]  
Article 10<sup>th</sup>

Sect. 4th The Declaration of Rights hereto annexed is declared to be a part of the Constitution of this State and **Shall never be violated on any pretence whatever**. And to Guard against transgressions of the high Powers which we have delegated, we declare that everything in the Bill of Rights contained and every other right not hereby delegated is excepted out of the General Powers of Government and **shall for ever [i.e. forever] remain inviolate**. (Emphasis added)

(Note: This same article is restated in the 1870 Tennessee Constitution at Article XI, Section 16.)

- Tennessee Constitution  
Tennessee Declaration of Rights  
Article I, § 3

“That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. . . **that no human authority can, in any case whatever, control or interfere with the rights of conscience**. . .” (Emphasis added)

- “Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.” *Miranda v. Arizona*., 384 U.S. 436, 491, 86 S. Ct. 1602, 1636

Please be advised that I will not violate my conscience and go against my sincerely held religious beliefs and wear a COVID-19 face diaper/mask/face covering as unconstitutionally ordered by the Tennessee Supreme Court justices in breach of their oaths. “*We ought to obey God rather than men.*”( Acts 5:29 KJV). Research has shown that mask wearing is an evil, demonic occult initiation

ritual hundreds of years old.<sup>2</sup> and is completely contrary in every respect to the truth of God's word and the principles and practice of righteousness and godliness required of the children of God. God expects me to serve Him with an "**open face**," (2 Corinthians 3:18, KJV). My face is my personal identity and is essential to the performance of my duty to my God and Saviour, Jesus Christ.

There is an abundance of evidence now available that the COVID-19 so-called "pandemic" was pre-planned by eugenicists (Soros, Gates, Fauci, Bloomberg, *et al*), beginning in the 1980's, and is a massive, unprecedented global hoax and fraud based on lies from the "father of lies."<sup>3</sup> The Word of God tells us in Exodus 23: 1, 2, 7 "*Thou shalt not raise a false report: put not thine hand with the wicked to be an unrighteous witness. . . **Thou shalt not follow a multitude to do evil; neither shalt thou speak in a cause to decline after many to wrest judgment. . . **Keep thee far from a false matter**; and the innocent and righteous slay thou not: for I will not justify the wicked.***" (KJV); and, 1 Thessalonians 5:22 "**Abstain from all appearances of evil.**" (KJV)

In 2007 I was called of the Lord to begin weekly ministering to the spiritual needs of the sick and dying patients in three local nursing homes through gospel music, visitation, prayer, and Bible distribution, in obedience to Matthew 25. Later, I added the hospital and jail to my weekly ministry visits. By God's grace I played my violin every Sunday (and on select holidays) for the dear souls and was able to lead some to Christ on their death beds. The evil fear-mongers have used the coronavirus "scamdemic" as a pretense to shut down churches and violate the right of free exercise of religion for believers nationwide. Indeed, without question, the fear-based corona narrative is a blatant attack against both our Faith and our Freedom.

I have personally been irreparably injured in my rights<sup>4</sup> because of coronavirus rules/guidelines, i.e.,

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<https://haveyenetread.com/occult-ritual-transformation-and-coronavirus/>

●Occult Ritual Transformation and Coronavirus: How Mask Wearing, Hand Washing, "Social Separation" and Lockdowns Are Age-Old Occult Rituals Being Used to Initiate People Into a New Global Order

● Long ago, Arabs discovered that forcing people to cover their noses and mouths broke their wills and individuality, and depersonalized them. It made them submissive. Modern psychology explains it: without a face we don't exist as independent beings. The mask is the beginning of deleting individuality.

3

● What a scam! The MSM continues instilling fear in ignorant Americans by propagandizing their lies daily. Never mind that fewer than 10,000 Americans have died exclusively from corona; never mind that 95% of those who have succumbed to the virus have been people (mostly elderly) who were already suffering from serious comorbidities; never mind that more than half of all corona IFRs are in nursing homes; never mind that the PCR test itself routinely registers false positives—by perhaps as much as 80%; never mind that over 80% of people who contracted the virus have very mild symptoms or even no symptoms at all; never mind that the coronavirus has a 99.74% survival rate; never mind that hydrochloroquine is 100% effective as a preventative or a cure for coronavirus but is suppressed by Big Pharma.

Most of us have a greater statistical chance of dying in an automobile accident than from corona, and school-age children have a greater statistical chance of dying from a lightning strike than from corona. And never mind that hospitals, health care workers, State and local governments, churches, corporations and government bureaucrats are being bribed with billions of taxpayer dollars to promote the fearmongering agenda of the virus—without which you and I would be completely oblivious that the virus even existed.

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● "It has long been established that the loss of constitutional freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." *Elrod v. Burns*, 427 U.S. 347, 373 (1976)

because of the unbiblical, unconstitutional and demonic COVID-19 mask-wearing and other mandates forced on the public without valid clinical or epidemiological evidence. I have been stopped from continuing my regular Sunday God-ordained religious ministry, to the sick and elderly, which, heretofore, seemed to be appreciated by patients, administrators and doctors, alike. (See attached poem I received from a lady I played for.)

Mask wearing is harmful to my health<sup>5</sup> for which I am responsible to maintain as unto Jesus, my Creator and Saviour (my body is the temple of God) No tribunal can rightfully impose on me occult practices/religion under the pretense of virus protection and threaten me in court if I don't comply, i.e., no one can lawfully force occult religious practices on me while a court attendee, as a condition to participating in a judicial proceeding. This face-diaper-wearing order is evil, demonic, unbiblical and unconstitutional.

Mask wearing is identity theft. Theft is sin. My face is my personal identity and is essential to the performance of my duty to my God and Saviour, Jesus Christ, to do good works, care for my family, visit the sick and those in prison, be hospitable, and to share with others the gospel of salvation through repentance of sins, and belief in the atoning blood of Christ on the cross to cleanse us from all sin and to give us eternal life.

The Bible condemns evil laws and oppression:

- Isaiah 5:20 *“Woe unto them that call evil good, and good evil; that put darkness for light, and light for darkness; that put bitter for sweet, and sweet for bitter!”* (KJV)
- Isaiah 10:1 *“Woe unto them that decree unrighteous decrees, and that write grievousness which they have prescribed;”* (KJV)
- Micah 2:1 *“Woe to them that devise iniquity, and work evil upon their beds! when the morning is light, they practise it, because it is in the power of their hand.”* (KJV)
- Micah 3:1-3 *“Is it not for you to know judgment? Who hate the good, and love the evil; who pluck off their skin from off them, and their flesh from off their bones;  
Who also eat the flesh of my people, and flay their skin from off them; and they break their bones, and chop them in pieces, as for the pot, and as flesh within the caldron.”* (KJV)
- Isaiah 3:15 *“What mean ye that ye beat my people to pieces, and grind the faces of the poor? saith the Lord God of hosts.”* (KJV)

Therefore, for conscientious religious reasons, I refuse to wear a COVID-19 mask in court at my motions hearing on September 24, 2020. *“We ought to obey God rather than men.”* Acts 5:29

Judge Parkes, I believe you are a man of faith, and can readily see with spiritual discernment that America is a fallen state. We are morally collapsed as a nation and are beginning to see the righteous judgments of God against our country for our wickedness. What's apparent here is that evil forces who hate humanity are at war with America. They are releasing biological weapons, setting fire to Western states, rigging elections, censoring patriots on Big Tech platforms, legalizing child rape in California, legalizing infanticide in New York, faking the news to keep people brainwashed, and running well-funded, coordinated and highly trained terrorist organizations whose goal is the complete takedown of America. Unfortunately, I can see that there is no longer the 'rule of law.' Truth has fallen in the streets. Members of the Tennessee judiciary and district attorney offices from top to bottom routinely breach their duty to honor their solemn oaths of office (sworn before God as their witness) to support the constitution and protect individual rights as the only legitimate reason for their existence. Canons of Judicial Conduct and Model Rules of Professional Conduct are shown to be in fact meaningless and are intended to fool the public into having confidence in the legal system. Judicial disciplinary committees are a joke. The only appeal left is to heaven above.

- "Individual rights protection is the **only legitimate reason for government to exist** . . . the **duty** of this court, as of every judicial tribunal, is limited to determining rights of persons or of property. . ." *Tyler v. Judges of Court of Registration*, 179 U.S. 405, 409 (1900) (emphasis added)
- "It is the **duty** of courts to be watchful for the constitutional rights of the citizen, and guard against any stealthy encroachments thereon. Their motto should be *obsta principiis*." *Williams v. State*, 506 S.W.2d 193 (Tenn.Crim.App. 1973) (emphasis added)

My case comes before you on the September 24<sup>th</sup> . What can I expect? considering

- Judge Sockwell made a judicial determination that I was "not guilty" but the proceedings to on
- the DA has delayed prosecuting this case going on **four (4) years!** (what happened to my right to a speedy trial and due process?)
  - The fundamental requirement of due process is the opportunity to be heard "at a meaningful time and in a meaningful manner." *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965). See *Grannis v. Ordean*, 234 U.S. 385, 394 (1914)."
  - "It has long been established that the loss of constitutional freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." *Elrod v. Burns*, 427 U.S. 347, 373 (1976) (plurality opinion) (citing *New York Times Co. v. United States*, 403 U.S. 713 (1971)). *Caneisha Mills, et al., v. District of Columbia* No. 08-7127, U.S. Court of Appeals for the District of Columbia, July 10, 2009
  - "The remedy for the denial of a speedy trial is dismissal of the charges." *Strunk v. United States*, 412 U.S. 434, 439, 93 S. Ct. 2260, 2269 (1973)
- the General Sessions court refused to apply *Barker v. Wingo*, 407 U.S. 514, 530 533, 92 S. Ct. 2182, 2192 (1972), to my speedy trial denial.

- *Barker*, 407 U.S. at 530 “Delays of one year or longer are usually enough to trigger the Barker inquiry.” See *Doggett v. United States*, 505 U.S. 647, 652 n.1, 112 S. Ct. 2686, 2691 n.1 (1992); see also *State v. Turnbill*, 640 S.W.2d 40, 42 (Tenn. Crim. App. 1982)

- the DA gave no evidence to the Elements of Standing
- charging instrument is facially factually insufficient

No Facts to the Requisite Elements of the Terms of the Charges

- **“ 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, 8 S. Ct. 571 (Emphasis added)

- cop admitted he lied/perjured himself on the record in open court and DA still took the case to the grand jury; the judge refused to dismiss but bound over to the grand jury
- magistrate lied on the complaint – never swore the cop on oath, but said he did
- no evidentiary facts to the elements of the terms of the charging statutes
- misapplication of the statutes
- DA refused to comply with two *Brady v. Maryland* requests

- *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)

- DA practicing psychiatry without a license by stating to a journalist on the record that Jay Hirsch is “mentally ill” during an interview
- Prosecution Fraudulently Consealed Evidence Favorable to the Accused from the grand jury

- *BMW OF NORTH AMERICA, INC. v. GORE*, 517 U.S. 559, 588-589 (1996)“**An intentional misrepresentation, made through a statement or silence, can easily amount to "fraud" sufficient to warrant punitive damages.** See § 6-11-20(b)(1) ("Fraud" includes "**intentional . . . concealment of a material fact** the concealing party had a duty to disclose, which was gross, *oppressive, or malicious* and committed with the intention . . . of thereby depriving a person or entity of property") (emphasis added); § 6-11-20(b)(2) ("Malice" includes *any "wrongful act without* just cause or *excuse . . . [w]ith an intent to injure the . . . property of another*") (emphasis added); § 6-11-20(b)(5) ("Oppression" includes "[s]ubjecting a person to . . . unjust hardship in conscious disregard of that person's rights").” (Emphasis added.)

- DA falsely signed indictment yet admitted to journalist that he didn’t even know that he was prosecuting Mr. Hirsch
- grand jury Foreman’s Flawed Judicial Appointment Method Corrupted Grand Jury Proceedings.
- District Attorney Failed to Correct False and Misleading Information and Testimony
- DA violated ABA MODEL RULES OF PROFESSIONAL CONDUCT, Rule 3.3(a)

– DA violated Rule 11.03 and Rule 11.02 for (1) knowingly and intentionally signing the indictment falsely in bad faith;<sup>6</sup> (2) malfeasance; (3) intentional fraud; (4) misrepresentation and concealment of known material facts from the grand jury's knowledge; (5) express malice; (6) willful ignorance of facts and law contained in three mandatory judicial notices and other verified documents of record; and (7) malicious prosecution to harass in retaliation for him being sued by the Accused (Jay Hirsch) in 2014.

– etc. etc. etc.

**HOW AM I TO BELIEVE THAT THE RULE OF LAW EXISTS WHEN I HAVE BEEN OPPRESSED BY THE CORRUPT LEGAL SYSTEM FOR OVER THREE YEARS? I'VE LOST CONSIDERABLE TIME AWAY FROM MY BIBLE STUDY, MINISTRY, WORK, FAMILY, MOMENTS OF PEACE AND PLEASURE, AS A RESULT OF THE ABUSE BY SO-CALLED "GUARDIANS" OF THE PEOPLES' RIGHTS. I'VE LOST A LOT OF MONEY, AND MY HEALTH ALSO HAS SUFFERED. I WILL SEE HOW THINGS GO ON THE 24<sup>TH</sup>.**

I'm praying you will judge righteously in the fear of the Lord.

Sincerely,

Arthur Jay Hirsch

- Art. 1, § 8. Deprivation of life, liberty or property under law; due process

That no man shall be taken or imprisoned, or disseized of his freehold, liberties or privileges, or outlawed, or exiled, **or in any manner destroyed or deprived of his life, liberty or property, but by the judgment of his peers or the law of the land.**

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● "A signature signifies to the Court that the signer has read the pleading, motion, or other paper, has conducted a **reasonable inquiry into the facts and the law**, and is satisfied that the document is well-grounded in both, and is **acting without any improper motive**. *Business Guides v. Chromatic Communications Ent.*, 498 U.S. 533, 111 S.Ct. 922, 929, 112 L. Ed. 2d 1140 (1991) *Cooter & Gell v. Hartmarx Corp.*, 496 U.S. 384, 110 S.Ct. 2447, 2454, 110 L. Ed. 2d 359 (1990). "The essence of Rule 11 is that **signing is no longer a meaningless act; it denotes merit**. A signature sends a message to the [trial Judge] that this document is to be taken seriously." *Business Guides*, 111 S.Ct. at 930. The purpose of Rule 11 as a whole is to bring home to the individual signer his **personal, nondelegable responsibility**. "The message thereby conveyed to the attorney, is that this is not a team effort but in the last analysis, yours alone, precisely the point of Rule 11." *Pavelic & LeFlore v. Marvel Entertainment Group*, 493 U.S. 120, 110 S.Ct. 456, 460, 107 L. Ed. 2d 438 (1989). **An attorney who signs a paper without the required substantiated belief "shall" be penalized by "an appropriate sanction."** This sanction may, but need not, include payment of the other party's expenses. Although the rule must be read in light of concerns that it will spawn satellite litigation and chill vigorous advocacy, see Advisory Committee notes, any interpretation must give effect to the rule's central **goal of deterrence**. *Cooter & Gell*, 110 S.Ct. at 2454. See also, Note, "The Immediate Appealability of Rule 11 Sanctions," 59 Geo.Wash.L.Rev. 683 (1991) (**purpose of Rule 11 is to prevent abusive and dilatory tactics by litigants**). (Emphasis added)

*STATE OF TENNESSEE EX REL. TOM P. THOMPSON, JR., DISTRICT ATTORNEY GENERAL, PLAINTIFF-APPELLEE, v. JOSEPH G. WALKER, WILSON COUNTY SCHOOL BOARD MEMBER, LALETA SHIPPER, WILSON COUNTY SCHOOL BOARD MEMBER, ALLEN BARRY, WILSON COUNTY SCHOOL BOARD MEMBER, DEFENDANTS-APPELLANTS.*

COURT OF APPEALS OF TENNESSEE, WESTERN SECTION, AT NASHVILLE 812 S.W.2d at 287-88

1994.TN.18316 <<http://www.versuslaw.com>>