

Via email to attorney general Lauren.Rota@ag.tn.gov or delivered in person

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Soddy-Daisy, Tenn. 27279  
July 31, 2023

Jonathan Skremetti  
Attorney general  
P.O. Box 20207  
Nashville, TN 37202

RECEIVED

JUL 31 2023  
ATTORNEY GENERAL'S  
OFFICE

Dear Mr. Skremetti, I ask your help in an investigation regarding oppression and maladministration by two executive departments, starting with department of revenue.

David Gerregano, revenue commissioner, has revoked the registration on my car, a Honda Odyssey minivan I use for two purposes. I use the car for private travel and private communication, outside of any privilege, as a nontaxpayer, apart from the public interest and commerce as driver or operator. I use the car also in transportation, as a motor carrier, as it is registered with the department via his local agent, Hamilton County clerk Bill Knowles, as an instrumentality in commerce, a motor vehicle. As you well know, a man, woman or person converts a car into a motor vehicle to use it as an instrumentality in commerce, or at least have it available for carrying goods or people for hire and private gain.

Cmsr. Gerregano pretends that Tenn. Code Ann. § Title 55, chapter 12, the Tennessee financial responsibility act of 1977, requires me and all members of the traveling public to have “proof of insurance” in their use of cars or motor vehicles or be punished with revocation of registration and eventual criminal charge at the hands of agents, cops, deputies or troopers.

I have put Mr. Gerregano on administrative notice indicating that the law requires nothing of the kind. Tennessee is an after-accident state, as described in *Burress v. Sanders*, 31 S.W.3d 259, 263 (Tenn. Ct. App. 2000), *Erwin v. State Farm Mut. Auto. Ins. Co.*, 232 F. Supp. 530, 533 (E.D. Tenn. 1964).

In the past five years, the state itself under direction of Messrs. Gerregano and safety Cmsr. Jeff Long has prosecuted 408,821 Tennesseans criminally and obtained a conviction for their not having “proof of insurance,” though no accident is alleged.

These people are the poor, the African-American, the disenfranchised, the orphan and the widow, the alien and stranger who under no wise may be harassed, oppressed, injured or threatened. See Exodus 22:21 (“You shall neither mistreat a stranger nor oppress him, for you were strangers in the land of Egypt. You shall not afflict any widow or fatherless child”)

I am reporting the above abuse as a scandal and an oppression from the highest offices in state government, starting at the head, Gov. Bill Lee, and working its way down through at least two of his agencies. In this matter I am your relator, informing you of the problem that will be prosecuted in the name of the state — preferably by you. The harms and fraud are not subject to *qui tam*, as the inurements in the hundreds of millions of dollars of ill-gotten gain by private companies are not by chiseling on contracts or failing to deliver. The fraud by which they gain is honestly gotten, if you will, because Gerregano is guaranteeing them “by law” a F\$2.677 billion income stream in 2022. There’s a lot to be gained in state prestige by Gerregano’s lording it over the people and soaking them via third parties, with 2½ percent coming to the state by law.

At the street level, this enrichment scheme favors 250 state insurance partners happy to share their databases with the state. It favors police and sheriff officers who under effective titles of nobility swoop in on people like me with warrantless police powers. It boosts cities and counties who reap fines, fees and court costs under what Cmsr. Gerregano *et al* make a bill of attainder (a bill of pains and penalties) on entire classes of people.

The *de facto* bill of attainder by Messrs. Gerregano, Long and others is (1) not passed by the general assembly, and (2) absolutely prohibited to it. It is a dragnet for motor carriers in privilege like me without insurance, and for people exercising the underlying travel right on the roads for private purposes and for private business, *sans* registration, tag, license or insurance, not applying to be motor carriers, such as Arthur Jay Hirsch of Lawrence County.

The problem I identify in the public interest is the result of regulatory capture. The people of America, and the people of Tennessee are increasingly aware of these kinds of harms brought against them by pretended parties in pretended government, serving for-profit corporations fighting for cash flow and market share. Will you assist me in prosecuting these harms by Messrs. Gerregano, Long and others?

My work as member of the press is to ensure that general laws of local application enacted by the general assembly and of administrative rules or regulations of this state be upheld as against improper actions and unauthorized purposes by directors or officers. As the matters appear more than a civil breach or harmless error, my intention is to supply you with working material sufficient to constitute probable cause to investigate whether an official may have violated state criminal law.

To assist those seeking to uphold constitutional government and properly applied statutes in Tennessee, I extend to you herein administrative notices to put you on awares about aspects of the breach against the law working against me right now by Cmsr. Gerregano and hundreds of other people in Tennessee.

1. **Tennessee transportation administrative notice.** This administrative notice about the disabilities of Tenn. Code Ann. §§ Title 55 and 65 and their applicability upon the commercial sector of travel. This notice was filed with the governor's office March 5, 2018, by registered letter, as well as the commissioner of safety and homeland security, among others. The notice that remains unrebutted indicates the continuing authority of the Tennessee constitution and proper construction of the shipping statutes as a source of relief for Tennessee citizens suffering imposition *ultra vires* of titles 55 and 65, and hence official oppression and official misconduct.

That group of people, shall we say, are Gran'ma, your church pastor and the soccer mom next door taking children to swim lessons and ball practice. In decades of deceit and fraud, state of Tennessee has pretended this trio cannot exercise the right of communication and travel apart from the ritual of becoming motor carriers, by registering their cars as motor vehicles under the department of revenue, and obtaining Class D driver licenses to become motor carriers under the department of safety.

2. **Administrative notice regarding Tenn. Code Ann. § Title 55, chapter 12,** the financial responsibility law. This notice puts you on awares as to the nature of the jurisprudence surrounding the administrative and enforcement activity of Gerregano et al.
3. **Administrative notice regarding Tenn. Code Ann. § 40-7-103.** I herein put you and your office on awares of the duty of LEOs to arrest people under warrant who are being accused of misdemeanors that are not public offenses,

pursuant to Tenn. Code Ann. § 40-7-103. People charged criminally under financial responsibility law are invariably arrested without a warrant, though the constitution and law require that warrant issue. "Driving without insurance" is not a public offense under the two-part officer test for warrantless arrest under this exceptions law. This abuse, by God's grace, we can end by external force in federal court if not from honesty and integrity internal to state of Tennessee and its public servants such as the attorney general's office.

Gran'ma, the pastor and the soccer mom are under the fraud by the state and its agents who make them believe they must, under threat of arrest, be involved in the trucking business. I am a journalist, and am not intending to enter the profession, vocation, calling or business of being an operator or driver in the motor carrier, hauling, trucking or shipping line of service. If the state is not involved in this fraud under policy, then the conduct of agencies is pursuant to personal opinion, fiat, caprice, arbitrary acts or malevolent intent.

On July 3, 2020, I sent Cmsr. Long a letter and a check for F\$50. Mr. Long has not responded to the letter, and it should be concerning to you, Mr. Attorney General. He has not responded to my good-faith effort to come into compliance with Titles 55 and 65 as a motor carrier, as defined by those titles. (1) He has not returned the check, with an explanation as to why I am not liable to have the carrier permit. (2) Nor has he cashed the check and sent me the carrier permit, or put me in contact with an official who might assist me in coming into compliance with state law and avoid arrest.

Could you please advise me about what to do with Cmsr. Long? Shall I send him a second check, under certified or registered U.S. mail, and ask him about my coming into compliance with the law, since Gerregano and Long enforce these titles as if Gran'ma, your pastor, the soccer mom and I are motor carriers, all liable to pay this tax? Is Mr. Long collecting this tax due, Mr. Skrmetti? Does he have authority to not collect my F\$50, sent him in good faith?

Sir, the fraud that is coming into view in Mr. Gerregano's hostile acts against me, with no due process, no hearing, is highly concerning to the people in Tennessee. I give Mr. Gerregano notice demanding a contested case hearing over his pretended enforcement of § 55-12. I have little doubt his hearing officer will follow policy, as likely will chancery in judicial review.

I use my minivan on the road daily. Revocation of the registration means I face arrest, immediately if not in days. This illegal act, pursuant to a violation of state law by Cmsr. Gerregano, subjects me to arrest in every jurisdiction through which I pass. Red Bank. East Ridge. Collegedale. Hamilton County. Soddy-Daisy. Maybe you can appreciate the officer, with help of a swarm of armed men dressed like him, dragging me from behind my steering wheel and carrying me, arms and legs bobbing haplessly, to their cruiser cage. To the jail I go. If it's a weekend and no magistrate is available, in the cell I will sit three days, a member of the press, seized for exercise of my right of communication, travel.

Is such a scene one you are willing to have play out? You lawyers have arranged it so that all travel is commercial, even though it is evident in the courts, despite judicial trickery and attempts to establish otherwise, that we have a right of travel and movement. The department of safety is created, no less to "protect the welfare and safety of the traveling and shipping public," § 65-15-101(3). In my van I have vested federally recognized property rights interests as member in each public — traveling and shipping. I also intend to continue being able to choose to be a driver and operator as necessary. I have the license and the plate to be commerce ready, as needed.

Mr. Skrmetti, I doubt God requires state of Tennessee to remit golden emerods and golden rats to make atonement for these sins in its name. But the corporation must take notice of my grievance and halt the harms to which I bring your attention as its top legal adviser. You succeeded in defending Covid policy in the public interest (sending 110,400 souls to the throne of judgment), with a sea of witnesses among 1.3795 million job injured people in Tennessee based on reports to FDA at VAERS. Just as the state defends **policy death** by the tens of thousands, my contested case in revenue challenges the coming half a million policy arrests in the next five years — arrests outside of law. In the past five years, Cmsr. Gerregano and his combination ordained criminal prosecution of 408,821 Tennesseans under a law that doesn't apply to them. Does this report shock your conscience?

I am willing to suspend for now the belief that state of Tennessee (as operating under the GAAP accounting standards) is knowingly and intentionally involved in misuse of Title 55, chapter 12. I am willing to believe that the administration of this law and its misuse against me is merely a project of men under mere color of law, and not of law. I am willing to believe that Mr. Gerregano appears to act in personal capacity, by personal opinion, under usage and abuse, under organizational policy, under interest

serving his personal estate — not as a representative of state government, whose officials are bound by oath to uphold the constitution and obey state law.

If they Gerregano *et al* are acting personally, as men, in *persona propria*, your job, I suggest, is to shoo them back into their offices, and advise them and their agents to strictly obey the law drafted by the people meeting in general assembly and interpreted by the courts. I ask you, Mr. Skrmetti, to handle this prosecution. You are trained in the law and would do a much better job of it than me.

Respectfully yours,

A handwritten signature in cursive script that reads "David Jonathan Tulis".

David Jonathan Tulis

Enclosures

1. Administrative notice on the Tennessee financial responsibility act of 1977, 10pp
2. Tennessee transportation administrative notice, 21pp
3. Administrative notice on warrantless arrest
4. Filing from contested case in department of revenue, Tulis v. Gerregano