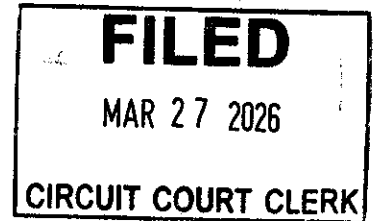


IN THE CIRCUIT COURT FOR BLOUNT COUNTY, TENNESSEE

STATE OF TENNESSEE)
v.)
EDWARD SOLOE)
Defendant)

Case Number: C-29867



NOTICE OF JUDICIAL NOTICE OF BINDING PRECEDENTS AND STATUTORY CONSTRUCTION

COMES NOW, the Defendant, Edward Soloe, *Pro Se*, and respectfully requests this Honorable Court to take **Judicial Notice** pursuant to **Tennessee Rule of Evidence 201** of the following settled definitions, binding precedents, and federal adoptions. These principles constitute the "Law of the Case" and must govern the interpretation of all statutes and evidence presented herein.

I. THE PUBLIC PURPOSE AND ORDINARY USE OF THE HIGHWAY

The Court is requested to notice the fundamental legal nature of the public highway as an agent for the people.

1. **The Equal Right of Use:** Pursuant to established common law principles adopted in Tennessee (and as cited in *24 Ky. L.J. 476*), the state acts as an agent for the people, "**each and all of whom... have an equal right in the ordinary use and enjoyment of the highway.**"
2. **Ordinary vs. Extraordinary Use:** The Court must distinguish between the "ordinary" use of the highway (Private Travel by Common Right) and "extraordinary" use (Commercial Carriage for Profit).
3. **The Public Trust:** The highway is held in trust for the public. The State may regulate the *extraordinary* commercial use, but it cannot convert the *ordinary* use into a taxable privilege.

II. THE DEFINITION OF "PRIVILEGE" AS A BUSINESS CALLING

Pursuant to *Schlier v. State, 85 Tenn. 281 (1887)*, and *Jack Cole Co. v. MacFarland, 337 S.W.2d 453 (Tenn. 1960)*:

1. A "privilege" is strictly defined as a "**business, calling, or occupation.**"
2. The Legislature cannot name something to be a taxable privilege (such as a Wheel Tax or Registration) unless it is first a privilege in fact.

III. THE CONSTITUTIONAL RIGHT TO TRAVEL AND "INTENT"

Pursuant to *State v. Booher*, 978 S.W.2d 953, 956 (Tenn. Crim. App. 1997):

1. **"Whether a specific type of travel is protected by one's constitutional right to travel depends upon the intent which motivates the movement."**
2. Travel motivated by a **"Private Purpose"** (as recognized in T.C.A. Title 54) is the "ordinary use" of the highway and remains unimpeded by administrative licensing.

IV. THE FEDERAL ADOPTION AND DEFINITION OF "DRIVER"

The Court is requested to notice the adoption of the **Federal Motor Carrier Safety Regulations (FMCSR)** under T.C.A. § 65-15-113.

1. Under 49 C.F.R. § 390.5, a "Driver" is a person who operates a **"commercial motor vehicle."**
2. **Statutory Exclusion:** Per T.C.A. § 55-50-102(13)(B)(v), travel for **"nonbusiness purposes"** (transporting personal possessions or family) is explicitly **excluded** from the commercial regulatory scheme.

V. THE LEGAL DEFINITION OF "PASSENGER"

Pursuant to *Richards v. Parks*, 19 Tenn. App. 615, 93 S.W.2d 639 (1935):

1. **"A 'passenger' is one who travels in a public conveyance by virtue of a contract... as to the payment of fare."**
2. Private travel with guests does not constitute the "Carriage of Passengers" under Tennessee law.

VI. JURISDICTIONAL TERMINATION BY EXPIRATION

Pursuant to T.C.A. § 55-50-337:

1. Upon the expiration of Defendant's license circa 1998, all "consent to be regulated" as a licensee terminated.
2. The Department of Safety lacks authority to "suspend" a nullity 30 years post-termination.

WHEREFORE, Defendant requests the Court apply these authorities to all findings of fact and law.

Respectfully submitted this ____ day of _____, 2026.

Edward Soloe, Defendant Pro Se

I, Edward Soloe, hereby certify that a true and correct copy of the foregoing **NOTICE OF JUDICIAL NOTICE OF BINDING PRECEDENTS AND STATUTORY CONSTRUCTION** has been served upon the Office of the District Attorney General for the Fifth Judicial District, addressed to:

Thomas L. Small
Assistant District Attorney General
942 E. Lamar Alexander Pkwy
Maryville, TN 37804

By the following method (Check one):
 HAND DELIVERY
 U.S. MAIL
 CERTIFIED MAIL (No: _____)

On this ____ day of _____, 2026.

Edward Soloe, Defendant Pro Se