

Mitchell Vexler, President G.P.
MAVEX Shops of Flower Mound LP]
Complainant]

VS.

State of Texas,]
Denton Central Appraisal District,]
DENTON COUNTY School Districts,]
Associated Entities &]
Individuals.]
Defendants]

CRIMINAL COMPLAINT

In the Name and Under Authority of the State of Texas and the United States of America.

Mitchell Vexler, President G.P. Mavex Shops of Flower Mound, LP, the Complainant in this case, hereby states the following is true to the best of it’s knowledge and belief that the Defendants and co-conspirators including but not limited to those stated below have set out to defraud the American Public on a mass scale.

In order to show and prove a pattern and practice of intent to defraud on a mass scale; Denton Central Appraisal District (“DCAD”) and it’s co-conspirators including its Board of Directors comprised of Charles Stafford, Roy Attwood (also an attorney), Alex Buck, Chief Appraiser Don Spencer, X-Chief Appraiser Hope McClure, Deputy Chief Appraiser Chris Littrel, Chuck Saling Commercial Department DCAD, County Judge Andy Eads, Texas State Comptroller and BRB Board Member Glen Hegar, DCAD’s attorney Bradon Metcalf, DCAD Board of Directors, Texas Department of Licensing and Regulation, Texas Licensing and Certification Board, Lewisville Independent School District (its Board of Directors and Superintendent), Denton Independent School District (its Board of Directors and Superintendent), Colony Independent School District (its Board of Directors and Superintendent), along with every other school district and the School Districts Superintendents in the State of Texas (and throughout the United States) that will not provide proper notes to the balance sheet, sources and uses, bond schedule and adherence to GAAP, all of whom are in violation of multiple State and Federal Laws, Michell French (retired) Denton County Tax Assessor Collector, Dawn Waye current Denton County Tax Assessor Collector, Governor Abbott Chairman of the Bond Review Board, Dan Patrick member Bond Review Board and Rob Latsha

Executive Director Bond Review Board and the accounting firms and accountants for these organizations, Senator Paul Bettencourt and Ken Paxton State Attorney General (“Defendants”) while acting, or purporting to act, under the color of an official capacity, has exerted an authority beyond the scope of his / her / their office and or took positions that justify recusal, and in the process denied Complainant and others similarly situated in the full and free access to, and/or enjoyment of, rights secured by the Constitution and laws of both the State of Texas and the United States of America.

Michelle French and the new Denton County Tax Assessor Collector or any Tax Assessor Collector and the attorneys for DCAD or any Central Appraisal District is deemed to know the law. “Officers of the court have no immunity...when violating a constitution right for are deemed to know the law.” *Owens v Independence* 100 S.C.T. 1398 Officers of the Court know that properly applying the facts to the law is NOT discretionary. (*Walker v Packer*, 827 S.W.2d 833, 840 (Tex. 1992)) and misapplying the facts to the law in a matter is an abuse of discretion and constitutes Official Oppression.

A special category of investigation by the SEC is warranted with regard to any **Securities firm** who sold bonds without any due diligence and disclosure to the bond buyers. Did the Securities firms violate the cap limit on bonds found in the Texas Constitution?

Mavex Shops of Flower Mound, LP has reason to believe and does believe that the above-named Defendants as well as those in similar positions across the United States have committed various crimes against the laws of the State of Texas and throughout the United States, including but not limited to Official Misconduct, Official Oppression, Sedition of which facts and violations are listed herein as follows:

FACTUAL BACKGROUND

1. In April of 2023, DCAD sent out the 2023 Notice of Appraised Value to Denton County property owners regarding their Denton County properties. According to DCAD, those properties increased in market value by over \$30 billion dollars from 2022, representing more than a 20% increase in value. See exhibit, [Review of DCAD Certified Totals from 2017 to 2023](#). DCAD has been brazenly and recklessly increasing the value of Denton County properties for years, unchecked and without any accountability. According to DCAD’s own fraudulent valuations, DCAD is representing to the public that Denton County property values have more than doubled over the last 7 years, yet the parcel count of properties only increased by 5%. Id. In fact, DCAD’s valuations have quadrupled faster than the US inflation rate. Id.

Denton County property owners are facing the possible loss of their businesses, loss of their homes, and buyers are cancelling purchases because of this unprecedented and unconstitutional valuation upsurge. These numbers reflect a grim reality: DCAD does not follow the law or any recognizable appraisal methods when appraising Denton County properties, but, instead are artificially and arbitrarily increasing property values so that the various taxing entities/units (67 as of the date of this Complaint) can collect illegal and inflated property taxes.

Even worse, Denton County homeowners are being priced out of their homes as property taxes become unaffordable. See exhibit, [Denton County Home Affordability 2023](#). In 2023, \$189,500 was the household

income required to purchase an average market value home in Denton County. Id. However, almost 75% of the residents of Denton County made less than \$189,500 in household income for 2023. Id. This unwarranted increase in property valuations by DCAD put 38% of households at risk of losing their home, as DCAD's property valuations continue to skyrocket. Id.

2. Appraisal districts are required to certify their tax rolls to the Texas Comptroller's Office that the value for 95% of the respective district's tax base has been fully resolved by July 25. In 2021, DCAD, through its chief appraiser at the time, Hope McClure, and her deputy, Spencer, falsified the tax rolls to the Comptroller's Office. As early as February of 2021, McClure and Spencer were aware that the data DCAD was using to generate initial notice values resulted in grossly inflated values, which led to a surge of Denton County property owners protesting property values with the Appraisal Review Board. Instead of sending amended or updated property values, McClure, with the assistance of Spencer, chose to falsify the tax roll certification by moving the status of anywhere between 8,000 and 10,000 unresolved properties to be resolved. After certifying the tax rolls to the Comptroller's Office, McClure and Spencer then redesignated those properties as unresolved.

3. The certification issue perpetrated by McClure and Spencer was brought before a Denton County Commissioners Court meeting that occurred on August 31, 2021. At that meeting, Dr. Mark Vargas, the then mayor of Lakewood Village, who holds a PhD in accounting from the Wharton School of Business, shed light on this certification issue. Dr. Vargas explained that DCAD must put out two sets of numbers: what is certified or complete and final, and what is still under review. If a property is still under review, then DCAD is bound by law to use the prior year's valuation. As explained above, Dr. Vargas brought attention to the fact that DCAD certified property under appeal as certified and final. DCAD took this fraud a step further, according to Dr. Vargas, by determining the value of properties under protest that had not yet been resolved. These certification issues were brought to the attention of the Texas Department of Licensing and Regulation ("TDLR") in December of 2021 by, the X-Chairperson of the Denton County Appraisal Review Board ("ARB"). In a letter to the TDLR, the X-Chairperson expressed her concerns that DCAD had engaged in knowing and intentional fraud with respect to the certification of the tax roll. The X-Chairperson outlined that taxpayers whose properties were still under protest were told that their active protests had been finalized after DCAD closed their protests to certify the appraisal roll, only for these properties to later be reopened. (See exhibits, [Partial Transcript of DCCC Meeting 8/31/21](#) and [Complaint Filed with TDLR](#).)

4. DCAD's fraudulent property valuations costs the taxpayers money, time, and effort – as they must invest resources in fighting against DCAD's illegal taxation. Based on a sample of 140 commercial shopping center properties, 2020 Appraisal Notice Values increased by 77.05% compared to their 2019 values. Of these 140 properties, 131 of the properties protested the tax valuation, seeing an average reduction in market value of 33%. This trend continued in 2021, but became even more egregious in 2022, as the 2022 Appraisal Notice Values were 80.86% higher than the 2021 values. 128 of the properties in this sample protested and saw an average reduction of 31.54%. DCAD's game is simple: grossly inflate property values so that even the reduction by the ARB still yields an overvaluation. (See exhibit, [Summary Analysis of 140 Commercial Shopping Center Properties](#).)

5. On its face, DCAD's valuations are not uniform and equal as required by the Texas Constitution as such an increase far exceeds the present fair market cash value of those properties as a whole. This has been the case at DCAD for years, yet every chief appraiser has either, outright ignored this problem at best, or willingly violated the constitutional rights of property owners in Denton County at worst. Property owners are entitled to appraisals that comply with constitutional and statutory requirements.

6. DCAD, Spencer, and his predecessors have been fully aware of the myriad of problems within DCAD. In fact, at the end of 2023, Spencer reached out to the International Association of Assessing Officers (IAAO) to perform a Gap Analysis¹ on DCAD, as Spencer cited the need for a full review of DCAD to help identify areas for potential performance or operational improvement given DCAD's recent history and current challenges. The Professional Consulting Services of IAAO performed a detailed investigation, which included interviewing 50 DCAD staff members. The result of the IAAO's Gap Analysis reflects the deep seeded issues at the core of DCAD. The IAAO noted that DCAD faces significant management and staffing issues, including a lack of experienced staff, a general lack of staff, a lack of written policies and procedures manual, a lack of training and professional education opportunities, and an outdated computer-assisted mass appraisal system. In fact, DCAD's chronic understaffing has been ongoing for years. The staff interviewed by the IAAO acknowledged that they did not receive the needed training and education due to their high workloads and admitted that they lacked the technical skills needed to do their jobs to the best of their ability. The IAAO further observed that DCAD has seen a historic lack of professional development opportunities afforded to field and office staff. Further, DCAD lacks a Director of Compliance, whose job would be to ensure that DCAD is following Texas law – the very issue at the heart of this case. With that said, IAAO is a paid shill for DCAD and Mr. Spencer and the truth is that larger facilities and more staff have absolutely nothing to do with the issues created by fraud via ignoring the legal requirements of USPAP, Texas Property Tax Code and the Texas Constitution. (See [Copy of the IAAO Gap Analysis Report and Summary Notes.](#))

¹ A gap analysis is a method of assessing the performance of a business unit to determine whether business requirements or objectives are being met and, if not, what steps should be taken to meet those requirements or objectives. With regard to this specific gap analysis, the gap was between actual operations by DCAD and the best practices embodied in the IAAO Technical Standards.

7. Article 8, Section 1(a) of the Texas Constitution requires all taxable property to be taxed in an equal and uniform manner. Section 23.01(a) of the Texas Property Tax Code ("Tax Code") requires all taxable property be appraised at its market value as of January 1 of the tax year. Section 23.01(b) of the Tax Code requires "each property shall be appraised based upon the individual characteristics that affect the property's market value, and all available evidence that is specific to the value of the property shall be taken into account in determining the property's market value." Complainant contends that DCAD did not fulfill its mandatory obligation to base its appraisal upon the individual characteristics that affect the property's market value and take into account all available evidence that is specific to the value of the property in determining the property's market value.

8. Section 23.01(b) of the Tax Code requires that the "same or similar appraisal methods and techniques shall be used in appraising the same or similar kinds of property." DCAD's 2022 and 2023 appraisal records are replete with disparate valuations of similarly situated and comparable properties, which valuations could not have been derived by using similar appraisal methods and techniques. DCAD uses a computer mass appraisal system called PACS Appraisal. PACS Appraisal is the primary software used by DCAD to conduct property appraisals for Denton County. The PAC Appraisal has produced thousands of erroneous valuations, either through limitations in the software or manipulation by DCAD. As a matter of law, property tax on valuations that are greater than market value cannot be equal and uniform. Don Spencer had full knowledge of these systematic problems with the appraisal software, which he discussed at length in an October 12, 2023, DCAD board meeting. Indeed, Spencer admitted that DCAD has to work around and run valuation processes outside of the software, admitting that DCAD has to "pull data out of the system, manipulate the data, and then put it back into the system." According to Spencer, instead of contacting the PACS vendor, DCAD has instead chosen to run the valuation process outside of the PACS Appraisal software. In fact, a single DCAD employee is responsible for correcting over 60,000 properties outside of the PACS Appraisal software. This employee uses a Microsoft Excel spreadsheet too make these supposed corrections, and the

potential for any type of error exponentially explodes as a result, according to Tax Assessor Collector Michelle French. (See [partial transcript from 10/12/23 meeting.](#)) Further, the IAAO noted during its Gap Analysis that DCAD staff recognized the limitations of their current PACS Appraisal, noting issues related to valuation quality control.

9. Complainant anticipates other Denton County property owners will join this Complaint given the egregious conduct by DCAD. Denton County property owners fall into three categories (1) those who accepted DCAD's fraudulent appraisals; (2) those who protested DCAD's appraisals to the ARB like the Solinski's; and (3) those who have appealed the ARB's appraisal to a district court, like the Vexler's and Mavex (4) those who have lost property or forced to sell property to pay for real estate taxes based on the fraud committed by the Defendants. Complainant has received thousands of Petition signatures from across Texas and the United States.

10. The pattern and practice of the Denton Central Appraisal District, including delaying justice through the court system, which are owned by the Taxing Entities, which are regulated by TDLR, TALCB, and the Texas State Comptroller, none of which enforce the law, and all of which violate the Texas Constitution and the Constitution of the United States of America, is clear as is the continued intent of the State of Texas to violate its own laws and Constitution thus the necessity of prosecution by the Department of Justice, outside of the purview of the State of Texas. The pattern and practice is similar throughout the CADs in Texas and evidenced throughout the United States where USPAP is claimed to be used by the Central Appraisal District.

11. Although the evidence against the Defendants herein stated is clear ("they are truly masters at guessing", per [the partial transcript from February 15, 2024 board meeting](#)) it is important to recognize that the pattern and practice as a method to defraud is not limited to a single county in the State of Texas but is rampant across the State of Texas and the United States of America. It all emanates from one key fact and that is that no Central Appraisal District that we have seen yet, is adhering to Uniform Standards of Professional Appraisal Practice (USPAP) which is adopted and referenced in law, and which is intentionally ignored in favor of compounding the fraud in favor of a cash grab from the property owners across the United States of America. When complaints have been filed, the written response is "we don't have the authority to enforce" or "we don't know what to do with this" which in itself is a violation of multiple laws.

12. The pattern and practice of the Denton Central Appraisal District and many other Central Appraisal Districts in Texas which have created school district bond debts that in many cases exceed 50% of the fraudulently stated and claimed "market value" and its derivative the "assessed value" of the home which clearly violates dozens of State and Federal laws including but not limited to Texas Property Tax Code, USPAP, Texas Education Act, the Texas Constitution and the Constitution of the United States of America. Further the continuation of the scheme allowing annual perpetual bond debt is evidence of continued intent to defraud and evidence that the State of Texas is violating its own laws and Constitution thus the necessity of prosecution by the Department of Justice, outside of the purview of the State of Texas. The pattern and practice is similar throughout the CADs in Texas and evidenced throughout the United States where USPAP is claimed to be used by the Central Appraisal District.

ULTRA VIRES ACTS OF DON SPENCER

1. Each of the foregoing paragraphs are incorporated and reasserted herein by reference.

2. Appraisal districts are required to certify their tax rolls to the Texas Comptroller's Office that the value for 95% of the respective district's tax base has been fully resolved by July 25. In 2021, DCAD, through its chief appraiser at the time, Hope McClure, and her deputy, Spencer, falsified the tax rolls to the Comptroller's Office. As early as February of 2021, McClure and Spencer were aware that the data DCAD was using to generate initial notice values resulted in grossly inflated values, which led to a surge of Denton County property owners protesting property values with the Appraisal Review Board. Instead of sending amended or updated property values, McClure and Spencer chose to falsify the tax roll certification by moving the status of anywhere between 8,000 and 10,000 unresolved properties to resolved. After falsifying the tax rolls to the Comptroller's Office, McClure and Spencer then redesignated those properties as unresolved. In falsifying the tax roll certification, McClure and Spencer acted without legal authority. McClure and Spencer had no statutory authority or authority from any law that allowed them to falsify the tax roll certification by removing unresolved properties to resolved and then moving these same properties back to unresolved. Further, McClure and Spencer acted without legal authority by changing the status of the properties back to unresolved after having certified the tax roll. In the alternative, McClure and Spencer failed to perform a ministerial act, as the law requires them to certify that the value for 95% of the Denton County's tax base has been fully resolved by July 25. Further, Spencer has admitted that DCAD is working around the computerized mass appraisal software, which is a violation of appraisal standards and Texas law.

3. Complainant seeks prosecution of Mr. Don Spencer in that Spencer committed ultra vires acts in connection with the certification of the 2021 Denton County tax roll. Complainant further seeks a declaratory judgment that Spencer committed an ultra vires act by authorizing and continuing to authorize and condone appraisals to occur outside of the PACS software DCAD uses to conduct mass appraisals.

ULTRA VIRES ACTS OF DEFENDANTS

Complainant wishes to inform the DOJ via this Criminal Complaint about a pattern and practice by the Entities and Individuals being the Defendants listed in this Criminal Complaint to defraud the property owners of the State of Texas and in the United States of America and to request prosecution of those who have conspired to defraud the property taxpayers in the State of Texas and across the United States of America.

Complainant takes no pleasure from finding the necessity to inform and ask the Department of Justice to criminally prosecute the above named Entities and Individuals who are responsible for and actively participate in a closed loop economic system of deceit and fraud where the current net result are many homes with hidden school bond debt ranging from 10% to 50%+ of the current deemed fraudulently assessed value of the home. None of the deceit, fraud, or school bond debt to the point of bankrupting over 30%+ of the households across the United States was ever agreed to by a single property owner. The magnitude of this, immediately impacts over 3,000,00 homes in Texas and over 40,000,000 homes across the United States.

The law should not see faces and should look at activities and intent. These Individuals head the Entities and are well paid for the positions of legal responsibility they hold. Many of the individuals are officers of the Court. Claiming ignorance will not work. Claiming "we are just doing what we were taught" will not work. As seen throughout the pages of this complaint, under law, given the amount of violations, there is no defense. The facts are borne from Entities and Individuals actions, writings, audio, video, depositions, and computer logs. When carefully analyzed over time, very publicly on video and in written communications (emails and press), in full view of those same Individuals, they chose to protect the closed loop system of their creation over the economic survival of their constituents.

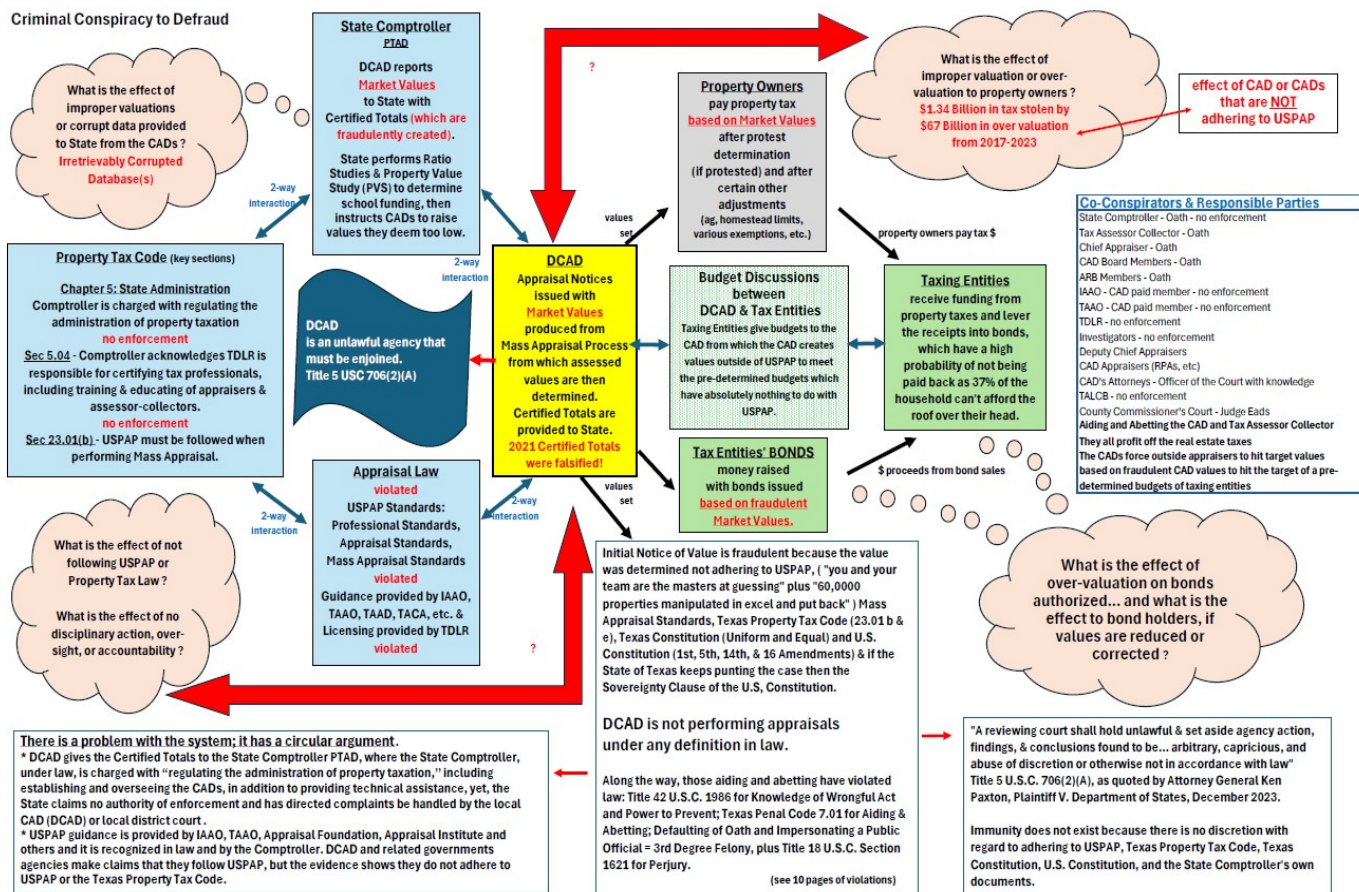
The most recent attempts by Mr. Mashburn in notifying the local Texas authorities were met with the similar stonewalling that I experienced leading to the description herein of closed loop economic fraudulent system and the necessity for this Criminal Complaint to the Federal Department of Justice Attorney General Pamela Bondi.

SUMMARY OF FACTUAL BACKGROUND

The actions of Defendant(s) and or their co-conspirators, by ignoring USPAP a requirement under the Texas Property Tax Code, have voided the existence of USPAP, Texas Property Tax Code and the Texas Constitution which requires USPAP adherence and Uniform and Equal. Thus Defendant(s) have participated, knowingly, and with intent to defraud the real estate taxpayers and property owners of Denton County and the State of Texas and stripped the Constitutional protections of those Citizens found under both the Texas Constitution and The Constitution to the United States of America.

The same math and pattern and practice applies to all Central Appraisal Districts across the United States that claim to be using USPAP. The ramifications of the bond fraud are stated herein.

Overview Graphic (link)



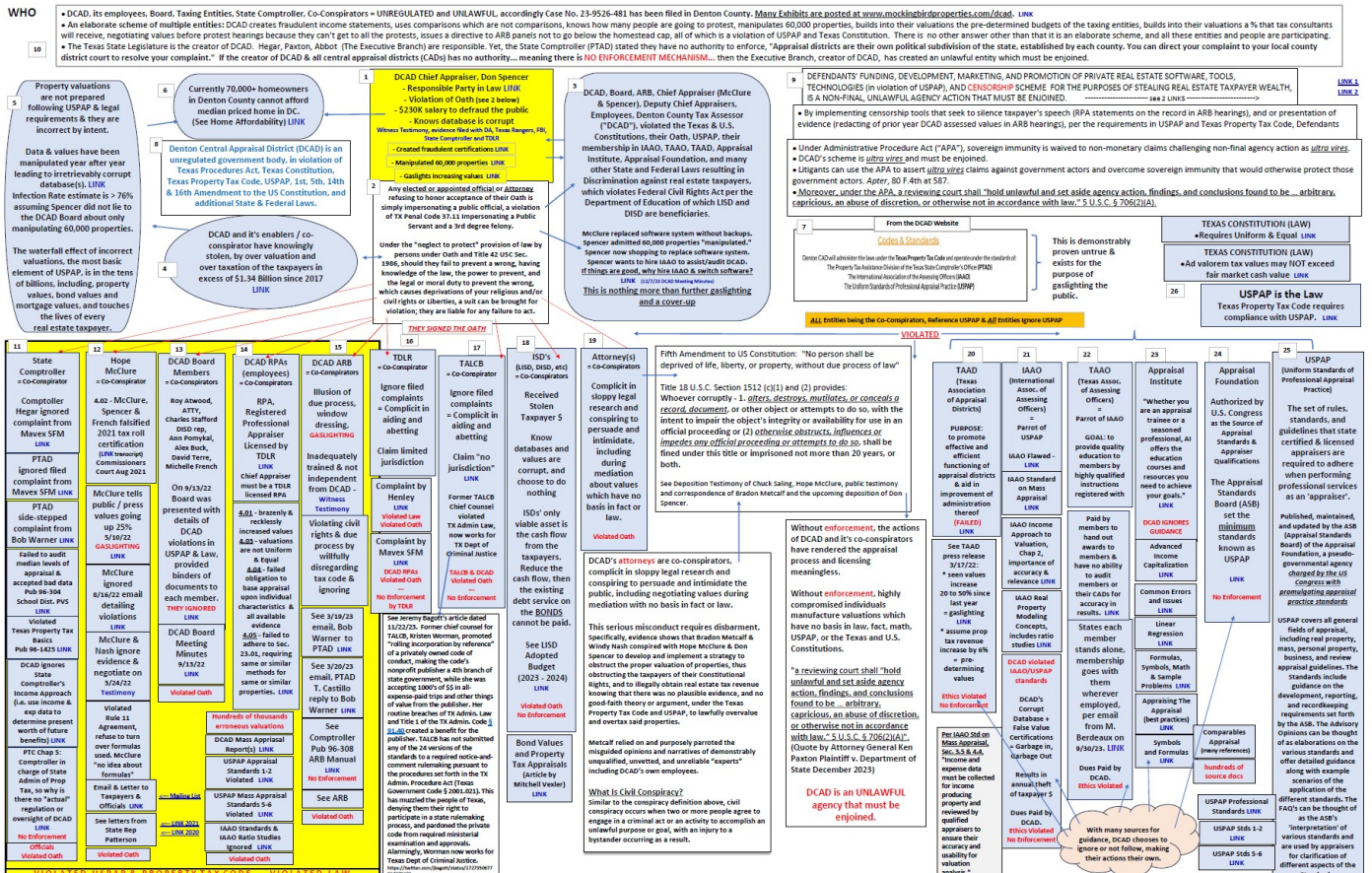
Overview: Flow of Intertwined organizations and resulting violations of law.

Taxation of unrealized gains (aka Market Value) in violation of the 16th amendment, considering government creep, literally and mathematically means that there would be no probable way for any property owner to make money on their assets in the short term or the long term because of the compound cumulative effect of the overvaluation and over taxation reduces the profit, if any.

What is lost in the depth of these issues, is that allowing Taxation of Unrealized Gains (Market Value) is cause and the exact definition of bankruptcy where the liabilities are greater than the assets. Further, the home income to debt ratio under the above scenario would breach 60% (Bureau of Labor Statistics, HUD, FHA, and Lenders utilize 28%) and this means that the average Denton County household could not afford a \$150,000 home let alone a \$350,000 home or as currently claimed by DCAD a \$514,000 median value of a home.

16th Amendment to the Constitution of the United States of America - In the years 2016, 2017, 2018, 2019...2023 and prior to the creation of The Constitution of the United States of America, there were and are no laws in the United States that allow Taxation of Unrealized Gains / Market Value. The government overreach as evidenced herein is trying to create Taxation of Unrealized Gains / Market Value, without understanding the ramifications of such action which bring us to where we are...the tipping point. The State of Texas Legislature which created the Taxing Entities which own the CADs and the State Comptroller which allegedly oversees DCAD and the CADs, and the Executive Branch, and the Executive Branch that at that time did a work around the U.S. Constitution and have violated the 16th Amendment which states "Congress to lay and collect taxes on incomes, from whatever source derived". This is why it says, "taxes on incomes". Then as now, income was understood to refer to gains realized by a taxpayer through payment, exchange, or the like, not merely increase in value of property. Appreciation in the value of a home or other asset is not income until it is sold, and the gain realized, and no property should be taxed on sale or based on market value. We would be remiss if we did not point out that the appreciation in value (inflation) is directly correlated to the decrease in purchasing power of the U.S. dollar which neither DCAD and its co-conspirators take into consideration which ends up being the equity stripping of Mom and Pop.

WHO is responsible: [click here](#) for to go to this document that is linked to the evidence.



Home Affordability

THE CURRENT POTENTIAL % OF HOUSEHOLDS AT RISK OF LOSING THEIR HOME AS A DIRECT IRREFUTABLE RESULT OF THE FRAUD IS 37.81% as seen in the Bankruptcy Probability.

Denton County Home Affordability Reviewed - 2023	Household Income Required to Purchase Average Market Value Home			Median Household Income cannot afford Average Market Value Home			Maximum Home Price a Median Household Income Can Afford		
assumptions made to keep it simple: ignored closing costs, PMI, MIP & HOA fees assumed 10% down payments used 1.8% combined property tax rate assumed mortgage interest rate of 7.50% estimated homeowner insurance at .097% <small>(policygenius.com avg rate for Texas)</small>	\$189,500 Annual Income Required to meet lender's housing-income ratio must be ≤ 28%			\$109,126 Median Household Income fails lender's housing-income ratio 48.62% is above 28%			\$296,000 is the maximum purchase price that meets lender's ratio test, housing cost to income must be ≤ 28%		
Home Market Value	514,082 <u>note 1</u>			514,082 <u>note 1</u>			296,000		
Down Payment 10.00%	(51,408)			(51,408)			(29,600)		
Mortgage Loan Amount	462,674			462,674			266,400		
Household Gross Income	<u>annual</u>	<u>monthly</u>	<u>% of income</u>	<u>annual</u>	<u>monthly</u>	<u>% of income</u>	<u>annual</u>	<u>monthly</u>	<u>% of income</u>
	189,500	15,792	100.00%	109,126	9,094	100.00%	109,126	9,094	100.00%
<u>Monthly Housing Payment</u> 2023 rates	<u>note 2</u>			<u>note 2</u>			<u>note 2</u>		
Mortgage Pmt (30 yr loan princ + int) 7.50%	3,235			3,235			1,863		
Property Tax 1.80%	9,253	771		9,253	771		5,328	444	
Homeowners Insurance 0.97%	4,987	416		4,987	416		2,871	239	
Housing Income Ratio	4,422 28.00%			4,422 48.62%			2,546 28.00%		
note 1:	Average Market Value of Single Family Residential Property (prop code A) for Denton County (code G01) per DCAD 2023 Certified Totals Report.								
note 2:	Census.gov, 2021 median household income for Denton County was \$96,265. BLS.gov, Denton County wage growth was 9% 2021-2022, and 4% 2022-2023. Estimate 2023 median household income as \$96,265 x 1.09 x 1.04, or \$109,126.								
side note:	Median Certified Market Value for Single Family Residential (prop code A) is \$450,832, per 8/3/23 data extract file downloaded from DCAD website with property value information.								
2021 Households by Income Bracket, Reviewed					2023 Households by Income Bracket, Estimated				
	<u>2021 Income Brackets</u>		<u>count</u>	<u>%</u>		<u>2023 Income Brackets</u>		<u>count</u>	<u>%</u>
	\$0	\$24,999	29,599	9.21%		\$0	\$28,339	34,684	9.21%
2021 Median Household Income \$96,265,	\$25,000	\$49,999	48,127	14.97%	2023 Median Household Income \$109,126	\$28,340	\$56,679	56,394	14.97%
in this bracket ----->	\$50,000	\$74,999	50,085	15.58%	in this bracket ----->	\$56,680	\$85,019	58,689	15.58%
	\$75,000	\$99,999	41,001	12.76%		\$85,020	\$113,359	48,044	12.76%
2021 Median Value Home \$321,000	\$100,000	\$124,999	37,071	11.53%		\$113,360	\$141,699	43,439	11.53%
	\$125,000	\$149,999	27,838	8.66%		\$141,700	\$170,039	32,620	8.66%
	\$150,000	\$199,999	39,204	12.20%	\$189,500 ----->	\$170,040	\$226,719	45,939	12.20%
	\$200,000	or more	48,522	15.09%	Income needed to buy Avg Mkt Value Home \$514,000	\$226,720	or more	56,857	15.09%
65.10% of households owned home in 2021	321,447			100.00%	buy Avg Mkt Value Home \$514,000	376,666		100.00%	
	2021 Total Population 943,857					1/1/2023 Total Population 1,006,942			
	65.10%			vs	27.29%	=	37.81%		
	the current potential % of households at risk of losing home/housing								

Specifically, what you see is the cumulative compounding fraud on the public via Market Value as solely determined by Denton Central Appraisal District (CAD) and applicable to any CAD in all 3,143 Counties across the United States, between 2021 and 2023, the net result for 2023 is that 72% of homeowners cannot afford the average market value of what DCAD claims is a \$514,000 home. 37% of all households are at risk of losing their home. The same mathematical formulas apply across the State of Texas and the United States of America.

You would logically then ask, how could that happen?

Example of two different single-family homes – Proving Fraudulent Hyper- Inflation

Home in Copper Canyon (Lewisville ISD)								Home in Krugerville (Aubrey ISD)							
Tax Year	Appr Notice Market Value	% Change	Final Market Value	% Change	Assessed Value	% Change	% chg. new vs py final	Tax Year	Appr Notice Market Value	% Change	Final Market Value	% Change	Assessed Value	% Change	
2016	1,090,030		1,006,000		827,506			2016	249,387		249,387		233,621		
2017	1,006,000	-7.71%	950,000	-5.57%	910,257	10.00%	0.00%	2017	271,661	8.93%	271,661	8.93%	256,983	10.00%	
2018	950,000	-5.57%	950,000	0.00%	950,000	4.37%	0.00%	2018	275,244	1.32%	275,244	1.32%	275,244	7.11%	
2019	1,302,425	37.10%	980,000	3.16%	980,000	3.16%	37.10%	2019	314,184	14.15%	314,184	14.15%	302,768	10.00%	
2020	1,305,277	0.22%	980,000	0.00%	980,000	0.00%	33.19%	2020	322,082	2.51%	322,082	2.51%	322,082	6.38%	
2021	1,314,733	0.72%	985,000	0.51%	985,000	0.51%	34.16%	2021	316,251	-1.81%	316,251	-1.81%	316,251	-1.81%	
2022	1,397,815	6.32%	1,149,000	16.65%	1,083,500	10.00%	41.91%	2022	408,421	29.14%	345,000	9.09%	345,000	9.09%	
2023	1,858,935	32.99%	1,500,000	30.55%	1,191,850	10.00%	61.79%	2023	511,272	25.18%	380,000	10.14%	379,500	10.00%	
Value Increase		64.07%	45.30%		38.03%		Violation of 23.01(e)	Value Increase		79.43%	44.34%		50.77%		
Inflation Increase		24.31%	24.31%		24.31%			Inflation Increase		24.31%	24.31%		24.31%		
		2.64	1.86		1.56					3.27	1.82		2.09		
Doesn't matter which value you review & compare, DCAD increased value much faster than inflation, 1.56 to 2.64 times faster.								Doesn't matter which value you review & compare, DCAD increased value much faster than inflation, 1.82 to 3.27 times faster.							

This graphic shows 2 different single-family residences in 2 different municipalities and then looks at the change in appraisal notice market value, final market value and assessed value for the years 2016-2023 and then looks at the inflation, as stated by the U.S. Treasury, during those years. You will see that regardless of which value percentage compared, being Notice Value, Final Market Value, or Assessed value, DCAD through its corrupt database and co-conspirators increased the values 156% to 327% faster than inflation. The same mathematical formulas apply across the State of Texas and the United States of America.

Example of an entire subdivision – Proving Fraudulent Hyper- Inflation

Example of a Single Family Home Community, with 27 homes (Estates of Copper Canyon)									
Review of Average Market Value per Square Foot from 2017 to 2023									
	2017	2018	2019	2020	2021	2022	2023		
Average Market Value/sq ft	148.83	153.23	156.00	153.23	156.00	176.91	232.90	**	Market Values increased over 2 times faster than inflation 49.85% = 2.05 24.31%
Percentage Change from Prior Year		2.96%	1.81%	-1.78%	1.81%	13.40%	31.65%		
Sum of % Change Since 2017		2.96%	4.76%	2.99%	4.80%	18.20%	49.85%	Market Value	
Inflation Rate/CPI		2.13%	2.44%	1.81%	1.23%	4.70%	8.00%	4.00%	
Sum of % Change Since 2017		2.13%	4.57%	6.38%	7.61%	12.31%	20.31%	24.31%	Inflation

An entire community in Copper Canyon Texas where the values increased 205% faster than inflation.

In Law under USPAP, and The Texas Property Tax Code, what “clear and convincing” evidence exists for a home to go up from \$1,149,000 market value to \$1,858,935 initial notice value, which is 62% higher than the prior year? The answer is none and this is just a snippet of the corruption of the database and those people deploying made up values (Taxation of Unrealized Gains / Market Value) against the real estate taxpayers. It also proves that DCAD, JCAD, HCAD etc. are incapable, by intent, of obtaining an Initial Notice of Market Value, which is a violation of USPAP, Texas Property Tax Code and the Texas Constitution and The Constitution of the United States of America. The law does not say “lets just make the values up to satisfy a pre-determined budget created by a Taxing Entity (i.e. school district)

Example of a Retail Shopping Center – Proving Fraudulent Hyper- Inflation along with fraudulent creation of income calculation worksheets = bank fraud.

This Commercial Shopping Center is in Flower Mound, Texas
Demonstrates Persistent Annual Violation of Property Tax Code Section 23.01(e) which states

... if property value was reduced by Subtitle F (protest, appeal, etc.), then “in the next tax year in which the property is appraised, the chief appraiser may not increase appraisal value of the property unless increase by the chief appraiser is reasonably supported by clear and convincing evidence when all of the reliable and probative evidence in the record is considered as a whole.”

Tax Year	Document Type	Date of Document	Market Value	(cy/pty)	% Leased Jan 1st	Avg Rent/sf of Leased	(per total sf 12455)	
				Compared to Prior Yr			Eff Rent Rate/sf	Collected Rent/sf
2015	Notice of Appraisal	04/30/15	2,587,200		72%	16.39	11.12	12.17
	Protest Reduction	06/26/15	1,066,000					
2016	Notice of Appraisal	04/29/16	3,053,871	286%	68%	22.18	15.06	15.08
	Protest Reduction	06/01/16	1,000,000		reduced			
2017	Notice of Appraisal	05/01/17	3,181,873	318%	68%	22.31	15.14	15.27
	Protest Reduction	06/15/17	2,350,000		unchanged	minimal change		
	Appeal Suit Order/Judgment	06/12/18	1,350,000					
2018	Notice of Appraisal	04/18/18	3,827,809	284%	68%	22.77	15.45	15.23
	Protest Reduction	06/07/18	2,522,000		stagnant	minimal change		reduced
	Appeal Suit Order/Judgment	06/12/18	1,350,000					
2019	Notice of Appraisal	04/17/19	3,894,467	288%	68%	22.15	15.03	11.83
	Protest Reduction	06/05/19	2,350,000		stagnant	reduced	reduced	reduced
	Appeal Suit Order/Judgment	08/04/21	925,000					
2020	Notice of Appraisal	06/05/20	3,880,472	420%	68%	19.59	13.30	10.87
	Negotiated Top-Line	02/12/21	2,100,000		stagnant	reduced	reduced	reduced
	Appeal Suit Order/Judgment	11/22/22	750,000					
2021	Notice of Appraisal	05/14/21	2,100,000	280%	68%	18.72	12.71	14.20
	Protest Reduction	07/20/21	1,600,000		stagnant	reduced	reduced	
	Appeal Suit Order/Judgment	11/22/22	750,000					
2022	Notice of Appraisal	04/18/22	2,724,929	363%	89%	18.64	16.55	16.58
	Protest Reduction	09/01/22	1,246,000			reduced		
	Appeal Suit Order/Judgment	11/22/22	750,000					
2023	Notice of Appraisal	04/17/23	2,888,557	385%	89%	18.88	16.76	TBD
	Protest Reduction	07/19/23	850,000			minimal change		

DCAD repeatedly ignored the historical occupancy and income based evidence of this shopping center, & did not have clear & convincing evidence to raise value 2 to 3 times higher than the prior reduced value.

Change in Market Value – Year over year in RED as high as 420%

The change in market value for this commercial property is equivalent to an 8 standard deviation move, when the norm under USPAP is .5 STDEV or + or – 5% to 10%. The odds of an 8 STDEV is 1 in 390,000,000,000 yet there are only approximately 511,000 tax accounts in Denton County. The same mathematical formulas apply across the State of Texas and the United States of America.

DCAD created class codes, beyond the purview of the public, without accuracy or uniformity in its application and in violation of USPAP and Mass Appraisal Standards and thus in violation of the Law.

This graphic shows DCAD’s (an most CADs across the U.S.) failings under the Mass Appraisal Standards:

Did DCAD factor in wage growth?	No
Did DCAD factor in cost of mortgage rates?	No
Did DCAD look at wage adjusted mortgage payments?	No
Did DCAD study mortgage application volume?	No
Did DCAD look at Consumer Price Inflation, month over month % change?	No
Did DCAD use proper comparisons as required under USPAP and Law?	No
Did DCAD conform to USPAP?	No
Did DCAD examine SF rental income as a method to value SF homes?	No
Did DCAD study standard deviation of price as a method to value property?	No
Does DCAD have a system of checks and balance to prohibit corrupt data?	No
Did DCAD use Standard Deviation to determine the expected move of price?	No
Did the DCAD Board hire a Chief Appraiser capable of doing the job?	No
Did the County Tax Assessor Collector knowingly accept corrupt data from DCAD?	YES
DID DCAD BREAK THE LAW, UPSAP, TEXAS CONSTITUTION, & US CONSTITUTION?	YES
Did CADs across Texas follow the same non-enforcement of Appraisal Laws as DCAD?	YES

In the mass appraisal process, DCAD has failed to consider “all available evidence” and “supply and demand” factors that affect property value.

The exact same method of criminality exists in the majority of CADs across the United States.

The net result of the root causes as outlined above is fraud on a mass scale.

2023 Notice Values in Denton County were over \$30 Billion higher than 2022, 20+% higher. DCAD brazenly & recklessly increased values of properties for years, unchecked & without accountability.

Result and effect of their deception & overvaluation in violation of The Texas Constitution in “affordability” analysis.

- 72% of Denton County homeowners cannot afford the average market value of a home.
- With average market value at \$514,082, only 27.29% can.
- In 2021, 65.10% of households owned a home.
- In 2023, 37.81% of households are at risk of losing their home (65.10%-27.29%).
- Households need annual gross income of \$189,500 to afford a \$514,082 home.
- With 2023 median household incomes of \$109,126 the lender’s housing-income ratio (48%>28%).
- 2023 median income household can only afford a home valued at \$296,000
- 72.72% of Denton County homeowners would fail loan approval on \$551,082 avg mkt home value.
- Certified average home values of \$514,082 are overvalued by 42% based on affordability.
- $(\$514,028 - \$296,000 = \$218,028. \quad \$218,028 / \$514,082 = 42\%)$
- Average home value in this dollar range (\$514,082) are obviously being valued as if NEW.

- DCAD is using new homes (bad comparisons) to value existing homes.
- New construction homes should not be used in comparison to older homes.

The summary of the above is:

A.) There is no clear and convincing evidence to justify 20% increases year over year yet alone 420%. Thus, an irrefutable violation of every appraisal method, requirement, and law ever written.

B.) Based on the 140-property sample, what clear and convincing evidence exists to increase commercial property values in bulk by 80% year over year when the cash flows are generally flat? The answer is none, meaning that the initial notice of values is determined by hand, outside the confines of USPAP and the Texas Property Tax Code and the Texas Constitution.

C.) What was the purpose to go from 6 class codes to 28 class codes, when there are no audits of data entry? DCAD thinks, let's just make it up...nobody will figure it out. "We are DCAD and the public has to trust us". The best descriptive words to describe this creation of categories is a scam, sham, and con and it gets worse in that even after the creation of these categories, DCAD simply increases the values to meet the pre-determined budgets of the Taxing Entities, all of which ends in a violation of the Texas Constitution.

D.) These class codes do not exist in many other Central Appraisal Districts and there is no uniformity of application.

It is the combination of the above facts created by government overreach and constitutional violations which are demonstrated in the graphics that define government creep, but the mathematical ramifications of violating the very existence of the Laws for the purpose of funding pre-determined budgets of the Taxing Entities (which in itself violates USPAP), shows the level of ignorance of the Central Appraisal Districts and lack of care or understanding for the very people and corporations that generate the revenue to begin with. What you see in the above graphics in Denton County alone is that over 100,000 homeowners today are severely impacted by what DCAD and its co-conspirators have done, which is irrefutably illegal, and criminal and this is occurring across the United States.

You can now see exactly how fraud is perpetrated by the intentional misapplication of Market Value (Taxation of Unrealized Gains). We cannot stress enough the economic damage that will occur across the State of Texas and the United States of America, to homeowners, commercial property owners and businesses, if this real estate tax is not repealed in favor of a Uniform States Sales Tax. We have the math that ties to the laws to show how bad this will be, and it shows that the risk greatly outweighs the rewards of owning real estate and will cause a dramatic domino effect of bankruptcies not just of homeowners and income property owners but to the mortgage holders, bond investors, which are pensions and 401Ks. Not repealing the real estate tax will have the effect of destroying the very fabric of everyday American life in that owning a home will be an impossibility for many people who strive to be owners and destroy any reason to own commercial property.

SAMPLE SCHOOL BOND DEBT PER HOUSEHOLD

Debt per Household for Current School Bonds , NOT including Interest Payments						
ISSUER	Population	Students	DEBT OUTSTANDING**	Cost/Student	House Holds*	Debt Per Household
Aledo ISD	31,966	9,598	\$367,459,021	\$38,285	1785	\$ 205,859.40
Allen ISD	111,348	29,999	\$589,855,811	\$19,663	33786	\$ 17,458.59
Alvarado ISD	21,101	5,241	\$181,965,000	\$34,720	1585	\$ 114,804.42
Argyle ISD	16,571	5,007	\$403,087,391	\$80,505	1710	\$ 235,723.62
Aubrey ISD	13,640	3,937	\$347,661,976	\$88,306	2183	\$ 159,258.81
Cleburne ISD	39,871	9,820	\$162,077,083	\$16,505	11258	\$ 14,396.61
Crowley ISD	107,143	28,106	\$1,164,843,722	\$41,445	6172	\$ 188,730.35
Denton ISD	217,427	49,880	\$2,104,582,488	\$42,193	52243	\$ 40,284.49
Forney ISD	55,884	17,630	\$1,126,842,730	\$63,916	8520	\$ 132,258.54
Frisco ISD	276,743	84,485	\$2,191,990,934	\$25,945	74,081	\$ 29,589.11
Godley ISD	10,032	2,886	\$225,490,000	\$78,132	2500	\$ 90,196.00
Itasca ISD	3,816	984	\$8,275,000	\$8,410	572	\$ 14,466.78
Keller ISD	184,550	50,705	\$751,034,989	\$14,812	16052	\$ 46,787.63
McKinney ISD	135,162	35,032	\$478,860,000	\$13,669	68224	\$ 7,018.94
Mesquite ISD	184,168	52,874	\$655,349,280	\$12,395	50391	\$ 13,005.28
Plano ISD	362,158	75,872	\$898,035,000	\$11,836	107,448	\$ 8,357.86
Prosper ISD	75,224	25,887	\$1,937,492,968	\$74,844	9071	\$ 213,591.99
Royse City ISD	32,903	9,932	\$608,231,064	\$61,240	4512	\$ 134,802.98
Wylie ISD	105,027	31,026	\$864,055,971	\$27,849	18390	\$ 46,985.10

* From Census Bureau
 ** As Reported on the BRB Website 2025

Questions:

How many households know that they are the implicit guarantor of the school district bond debts?

How many households signed up to go bankrupt as the implicit guarantor of the school district bonds?

How many households know that the school district debt upon their home is in many cases greater than 50% of the "Assessed Value" of the home?

How many households know that this stated bond debt does not include operations and maintenance for the schools on an annual basis?

How many households know that the compound cumulative effect of \$90,000 / household turns into \$1.4 million in 30 years and that they are expected to pay for it?

How many households know that the school district bond debt increases whenever the school district defrauds the public by omission of all the above facts?

\$22.5 Trillion in 5 years of fraudulent overvaluation, resulting in \$450 Billion of fraudulent over taxation of Mom and Pop in 2024:

Year	Description	Trillions	Losses accrue to Mom and Pop
2015	Start of parabolic run of housing prices at the CADs	\$23,000,000,000,000.00	
2019	Continuation of parabolic run	\$25,000,000,000,000.00	
2024	Pivot of parabolic run	\$50,000,000,000,000.00	
	5 year Difference	\$25,000,000,000,000.00	
	Inflation FED stated @ 2% /yr. Avg.	\$2,500,000,000,000.00	
	Cumulative Fraud	\$22,500,000,000,000.00	Mom and Pop
	Fundamental Expected Value Pullback to 5 yrs. Ago	\$22,500,000,000,000.00	45.00%
	Technical Pullback .618 FIB	\$16,686,000,000,000.00	\$33,314,000,000,000.00 66.63%
	Real Estate Tax @ 2% on the fraud	\$450,000,000,000.00	Mom and Pop
	School Districts Liability @ 83%	\$373,500,000,000.00	Mom and Pop
	Bond leverage at the school district level	\$7,470,000,000,000.00	Roll up and Roll out
	Interest @ 6% / year	\$448,200,000,000.00	Compound Cumulative
	Real Estate Taxpayer "implicit guaranty" - You don't own the land beneath your feet - to pay for their fraud.	\$7,918,200,000,000.00	Equity Stripping
	Investors in Bond = Pensions and 401Ks -further Equity Stripping		Rob Peter to Pay Paul on the backs of Mom and Pop
	Insurance costs up on fraudulent overvaluation		Mom and Pop
	Mortgages overvalued of fraudulent overvaluation		Mom and Pop
	Each Real Estate Taxpayer owes today approx.	\$243,105.40	Mom and Pop
	Each Federal Taxpayer owes today approx.	\$1,139,000.00	Mom and Pop
	Total U.S. National + Unfunded + Local	\$1,382,105.40	Mom and Pop
	Average Home Mortgage	\$400,000.00	Mom and Pop
	Annual Real Estate Tax @ 2%	\$8,000.00	

Parabolic home prices up 100% in 5 years create losses which accrue to the Property Owners (Mom and Pop). \$21.25 Trillion in fraudulent overvaluation led to \$450,000,000,000 in over taxation in 2024 alone.

Median Household Income Shortfall

CADs Compared	2023 <u>Johnson</u>	2023 <u>Denton</u>	2024 <u>Denton</u>	2024 <u>Brazoria</u>	2024 <u>Travis</u>	2024 <u>Tarrant</u>
2023 Population	202,906	1,006,500	1,006,500	374,264	1,334,961	2,182,947
County Land Area, sq miles (excludes lakes)	725	878	878	1,386	990	864
<u>Certified Total Report Data</u>					Movie-Star Effect	
Total Market Value SF Residential	can't locate data	140,068,923,743	143,863,655,261	37,392,952,073	235,517,809,023	218,346,197,187
Total Count SF Residential		272,464	288,774	116,933	359,873	586,410
Average Market Value		514,082	498,188	319,781	654,447	372,344
Total Market Value, All Property	can't locate data	226,645,332,214	235,733,571,726	92,368,222,562	461,287,503,439	397,901,322,389
Total Count, All Property *see mineral counts*		470,529	454,673	245,627	482,336	1,901,617
Average Market Value per Parcel		481,682	518,468	376,051	956,361	209,244
		* 90,609 G1 mineral props	* 60,297 G1 mineral props	* 20,157 G1 mineral props	* no G1 minerals on report	* 1,124,288 G1 mineral props
<u>Data Point & Assumptions</u>						
Mortgage Interest Rate	7.50%	7.50%	6.50%	6.50%	6.50%	6.50%
Average Insurance Rate, Texas	0.97%	0.97%	1.40%	1.40%	1.40%	1.40%
Property Tax Rate (combined: city,co,isd,etc)	1.86%	1.80%	1.89%	2.02%	1.95%	2.26%
Median Household Income (gross annual)	79,000	109,126	110,514	84,992	98,369	83,667
<u>Review</u>					Median per CAD 4/11/24	
CAD Average or Median Home MV	349,000	514,082	498,188	319,781	551,419	372,344
Down Payment	-34,900	-51,408	-49,819	-31,978	-55,142	-37,234
Mortgage Loan Amount	314,100	462,674	448,369	287,803	496,277	335,110
Median Household Income (gross monthly)	6,583	9,094	9,210	7,083	8,197	6,972
Mortgage Payment (30 yr loan princ + int)	2,196	3,235	2,834	1,819	3,137	2,118
Property Tax	541	771	787	538	896	701
Homeowner's Insurance	282	416	581	373	643	434
Total Monthly Housing	3,019	4,422	4,202	2,730	4,676	3,254
Mortg Lender Housing/Gross Inc Ratio	45.86%	48.62%	45.63%	38.55%	57.04%	46.67%
<u>Income Needed to Afford CAD Home MV and be at 28%</u>	129,398	189,504	180,080	117,021	200,408	139,447
Median Household Income Shortfall	50,398	80,378	69,566	32,029	102,039	55,780
<u>Median Income Affordable Home</u>						
Affordable Home MV	213,100	296,000	305,700	232,250	270,700	223,400
Down Payment	-21,310	-29,600	-30,570	-23,225	-27,070	-22,340
Mortgage Loan Amount	191,790	266,400	275,130	209,025	243,630	201,060
Median Household Income (gross monthly)	6,583	9,094	9,210	7,083	8,197	6,972
Mortgage Payment (30 yr loan princ + int)	1,341	1,863	1,739	1,321	1,540	1,271
Property Tax	330	444	483	391	440	421
Homeowner's Insurance	172	239	357	271	316	261
Total Monthly Housing	1,844	2,546	2,578	1,983	2,296	1,952
Mortg Lender Housing/Gross Inc Ratio	28.00%	28.00%	28.00%	28.00%	28.00%	28.00%
<u>CAD Value Exceeding Affordability</u>	64%	74%	63%	38%	104%	67%
CAD Average or Median Home MV	349,000	514,082	498,188	319,781	551,419	372,344
Affordable Home MV	213,100	296,000	305,700	232,250	270,700	223,400

The median household income shortfall is the fraud!

An elaborate scheme (government overreach) of all these entities and Individuals:

DCAD creates fraudulent income statements, uses comparisons in violation of USPAP, “manipulates 60,000 properties” (audio recording), builds into their valuations the pre-determined budgets of the taxing entities, negotiates values before protest hearings because they can’t get to all the protests, issues a directive to ARB panels not to go below the homestead cap, all of which is a violation of USPAP, Texas Constitution and The Constitution of the United States of America and all of which create dirty data and corrupt databases. Our evidence proves that DCAD and its co-conspirators are not doing appraisals under any definition in law, are violating USPAP, and due to intentionally corrupt databases are incapable of arriving at a legitimate Market Value. **The same mathematical formulas apply across the State of Texas and the United States of America.**

On average 9% of the median household income goes into real estate tax regardless of home ownership or renting.

Questions	Why have credit card defaults spiked?		
	What has inflation done?		
	How does Real Estate Tax cause bankruptcies?		
	Why is Consumer Purchasing Power Slowing?		
Evidence	Household Expenses per Government Estimate		
	Housing Expense (maintenance, utilities, insurance, etc.)		\$10,958
	Mortgage Expense (with mortgage loan of \$272,051)		\$26,508
	Home Real Estate Tax (Property Tax)		\$7,000
	Transportation		\$12,258
	Food		\$9,340
	Personal Insurance and Pensions Social Security		\$8,756
	Entertainment		\$3,456
	Cash Contributions		\$2,760
	Healthcare		\$5,856
	Personal Care		\$864
	Apparel		\$1,944
	Average Total Expenses per Household (Govt Est)		\$89,700 *
	Average Monthly Expenses per Household (Govt Est)		\$7,475
	Average Annual Expenses Family of 4 (2nd Govt Est)		\$101,520
	Average Monthly Expenses Family of 4		\$8,460
	Median Household Income, 2023 census.gov		\$80,610 *
	Minus Average Expenses		-\$89,700
	Net in your pocket	it's short !	(\$9,090)
	Real Estate Tax as a percent of the cash shortage		77.01%
	ADD - Taxpayer's "Implicit Guarantee" or Share of Govt Debt (Sept 2024 estimate)		
	Local Outstanding Bond Debt, per Denton County Texas home		\$243,105
	U.S. National + Unfunded Liabilities, approximately per taxpayer		\$1,131,944
	\$163,000,000,000,000 total/ 144,000,000 taxpayers		
	Combined Total		\$1,375,050
	Monthly Amortized Cost of Govt Debt , 25 years at 6.25% (rounded)		\$9,000
	Annual Amortized Cost of Govt Debt, 25 years at 6.25% (rounded)		\$108,000 *
Answers			
	Median Household Income \$80,610 is not enough to cover estimated annual home/living expenses of \$89,700.		
	Income of \$80,610 is not enough to cover estimated annual home/living expenses of \$101,520 for family of 4.		
	So it cannot possibly cover the taxpayer's "implicit guarantee" of another \$108,000 of govt debt per year.		
	Household's consumer purchasing power is slowing and short		(\$9,090)
	Family of 4's consumer purchasing power is slowing and short		(\$20,910)
	With not enough cash to cover expenses, spending has tightened & credit card use has increased.		
	Not to mention the taxpayer's "implicit guarantee" or share of govt debt...that can never be collected.		
	Median household Income		\$80,610 *
	Estimated Annual Expenses		-\$89,700 *
	Estimated Taxpayer Share of Debt, "implicit guarantee"		-\$108,000 *
			(\$117,090)
	This proves that the implicit guarantee is nonsense & violates State & Federal RICO laws.		
	Real Estate Tax as a percentage of Median Income...		8.68%

Roughly 9% (\$7,000.00) of a median income goes to real estate tax on homes.
The average household is short roughly \$9,000 per year of which \$7,000 is real estate tax.
The difference of surviving or bankruptcy is the real estate tax and this proves the fraud.
The home value cannot be as claimed by any CAD.

Additional Evidence & Exhibits:

[Link to Presentation Boards – with live active links](#)

[Overview](#)
[How](#)
[Home Affordability](#)
[SF Residential Examples](#)
[Commercial Property Examples](#)
[Violations of Law & USPAP](#)
[Did you know?](#)
[Who](#)
[Intentional Deceptive Behavior](#)
[Legal Ramifications](#)
[Abuse of Discretion - Ignoring Evidence](#)
[Abuse of Power & Injury](#)
[Criminal Agency](#)
[Experts](#)
[Appraisal Review Board \(ARB\)](#)
[Systematic Deceit and Corruption](#)
[Summary](#)

[Wheel of Fraud](#)

[Tarrant Appraisal District approves new reappraisal plan over protests of school districts, by Emily Wolf](#)

[Tarrant Appraisal District budget passes despite protest from school districts, by Emily Wolf](#)

[Arlington joins Fort Worth in protest of Tarrant reappraisal plan, budget, by Emily Wolf](#)

[Reappraisal Plan takes center stage as TAD Board Members are selected, by Emily Wolf](#)

[Bond Guarantee Program](#)

[Education Code, Chapter 45, School District Funds](#)

[Fraudulent School Bond Debt](#)

[Frisco BRB Debt](#)

[We answer to no one! We are DCAD and the public is going to have to trust us. Sentiment expressed.](#)

[Amicus Brief Supporting Property Owners](#)

[Critical Message to President Trump: END PROPERTY TAX and SAVE AMERICA - VIDEO](#)

[School District Fraud - Balance Sheet and its Analysis](#)

[They Lied About PROPERTY TAX - Pensions SCREWED - Housing Mutated - VIDEO](#)

[Benefits of Eliminating Property Tax](#)

[Bill to Repeal Real Estate Tax in Favor of the Uniform State Sales Tax, draft](#)

[Repeal Property Tax or Suffer Economic Depression - Bill to End Property Tax - VIDEO](#)

[Denton County Home Affordability, 2021 & 2023 Compared](#)

[3 Apartment Properties Reviewed for 2023](#)

[Compare Certified Values Denton County vs Aubrey ISD 2018-2023](#)

[DCAD Board Meeting 10-12-23, Notes & Partial Transcript \(60,000 manipulated & raising values for 3 ISDs\)](#)

[Estimated Database Corruption](#)

[Exhibit – DCAD Board of Director’s Meeting Minutes 9-16-21 - available upon request](#)

[Sample of 140 Analysis Summary, 2020 to 2023](#)

[Sample of 140 Analysis, 2020 to 2023, April 2024 \(full\)](#)

[2023 Hearing Booklet, Tab C6 – MSFM Review of DCAD Sales Comps](#)

[2023 Hearing Booklet, Tab C7 – DCAD’s Map of Equity Comps with our notes](#)

[2023 Hearing Booklet, Tab C2 – Justin Rd Area Comps – Notice Values 2017 to 2023](#)

[2022 Hearing Booklet, Tab G – Lease & NNN Rates Compared](#)

[2022 Hearing Booklet, Tab H – Property Taxes as % of Rent Compared](#)

[2021 Hearing Booklet, Tab F – Property Taxes as % of Rent Compared](#)

[2023 Hearing Booklet, Tab P16 – Review DCAD 2023 ICW vs Actual Data](#)

[2022 Hearing Booklet, Tab L - 2022 DCAD ICW Indicated Value Reviewed \(aka as Exhibit L or Graphic #5\)](#)

[2023 Hearing Booklet, Tab P9 - MSFM 10 Year Operating Statement Ending 12/31/22 & 2023 Projected](#)

[2023 Hearing Booklet, Tab P18 – MSFM Values by Doc Date, 2015 to 04/17/23 \(Sec 23.01e\)](#)

[Standard Deviation Analysis, MSFM with its Comparables 2019 \(V-Exhibit 35\)](#)

[2023 Hearing Booklet, Tab P9 - MSFM 10 Year Operating Statement Ending 12/31/22 & 2023 Projected](#)

[Exhibit - 2-2023 DCAD 4536 Mahogany EX 2](#)

[Exhibit - 3-2023 DCAD 4536 Mahogany EX 3](#)

[Exhibit - 4-2023 DCAD 4536 Mahogany EX 4](#)

[Charles \(Chuck\) Saling deposition \(V-Exhibit 1\), 2019 case, testimony demonstrates violation](#)

[Deposition Transcript, Hope McClure, Feb 2022](#)

[2023 Hearing Booklet, Tab P11 – MSFM Cap Rate Valuations & DCAD Assessed Value, 2013-2023](#)

[2023 Hearing Booklet, Tab P14 – MSFM IRR & Leverage Analysis 2016-2030 & Leverage Position for 2023](#)

[2023 Hearing Booklet, Tab C3 – DCAD Valuation, Rents, NNN & Taxes Compared for 2023](#)

[Compare Certified Values Denton County vs Aubrey ISD 2018-2023](#)

[DCAD Board Meeting Recording 10-12-23 - available upon request](#)

[Exhibit – Sec 26.17 of Texas Property Tax Code](#)

[Texas Property Tax Basics – August 2022 – Pages 1 & 8](#)

[Exhibit - 2022 Mass Appraisal Report, signed on page 48.](#)

[5/11/23 meeting audio, hr 1, min 24, DC Littrell, “huge” need for training & development - upon request](#)

[8/17/23 meeting audio, min 38:30, DC Littrell discusses staff training & development - upon request](#)

[About Us, About Denton CAD](#)

[Texas Property Tax Code, Section 5.04](#)

[2017 Protest Hearing Audio Recording for MSFM, ARB person doesn’t understand math - attorney archived](#)

[2021 Protest Hearing Audio Recording for MSFM, \(AUDIO LOST or DESTROYED by DCAD\)](#)

[Exhibit – Review 2022 Valuations & Class Code Changes, 140 Shopping Centers](#)

[Exhibit - 2022 Mass Appraisal Report – see page 9, and other yellow highlights](#)

[Exhibit – 4536 ARB Order Determining Value 2023](#)

[2020 pre-hearing communication, 2/5/21 email from Saling, “I will work out a value for you”](#)

Bond Fraud (see graphic above Debt Per Household for school bonds):

Perhaps the most famous type of bond fraud in recent years involved mortgage bonds. Mortgage bonds are bonds made up of consumer mortgage debt (aka Credit Loan Obligations, Credit Default Obligations, Mortgage-Backed Securities, Credit Default Swaps, Financial Guaranty Insurance etc.), When subprime mortgages were packaged into mortgage bonds and given AAA ratings from credit agencies, the bonds were sold at inflated values to investors who thought they were buying safe mortgage debts. Of course, in 2008, when defaults started to occur on subprime loans, the U.S. financial market and global financial markets crashed, big banks folded, investors lost billions, the real estate market collapsed, and the economic ramifications of the mortgage bond fraud caused a massive recession with lingering after-effects felt for years.

Now, let's correlate the above paragraph to where we are today given the **Median Household Income**. When subprime bonds (aka School Bonds) are packaged based on the "implicit guarantee" of the real estate taxpayers based on fraudulent overvaluation and resulting over taxation, then given AAA ratings from credit agencies or the bond underwriter (aka the School Districts), the bonds are sold at inflated values to investors who may believe they are buying safe mortgage debts (aka bonds). Of course, when defaults start to occur on "subprime" bonds, the U.S. financial market and global financial markets will suffer, banks will fold, investors will lose billions, teachers 401Ks and Pensions may default, the Pensions and 401Ks of Mom and Pop who invested in these bonds, may lose that portion of their investments, the real estate market may simultaneously collapse, and the economic ramifications of the bond fraud causes a massive recession with lingering after-effects felt for years.

While mortgage bond fraud is well-known, other types of bond fraud may be less common but equally damaging to investors who face financial loss. There are several off shoots of bond fraud, which are bank fraud, wire fraud, mail fraud, securities fraud, accounting fraud, money laundering and laws prohibiting market manipulation. While criminal cases are likely given the evidence, it is reasonable to believe that many civil fraud charges can be brought against the Taxing Entities (i.e. School Districts and their Boards) which own the Central Appraisal Districts and their Boards as well as the Tax Assessor Collectors.

U.S. Code Section 3301 defines Federal Securities fraud offenses to include a violation of:

U.S. Code Section 1348.

Section 32(a) of the 1934 Securities and Exchange Act

Section 24 of the 1933 Securities Act

Section 325 of the Trust Indenture Act of 1939

Section 217 of the 1940 Investment Advisers Act

Section 49 of the 1940 Investment Company Act

Section 32(a) of the Securities and Exchange Act imposes penalties for:

Willful violations, false or misleading statements and false reports required by the Securities and Exchange Act. Penalties could include up to 20 years' incarceration, and a fine up to \$5,000,000. If it was not a natural person but instead a brokerage firm, corporation, or financial institution that violated the law, fines could reach \$25,000,000.

Examples of criminal acts that should result in arrests and potential conviction for securities fraud include but are not limited to:

Breach of fiduciary obligation
False promises of investment returns
Failure to Supervise
Filing false reports
Inaccurate financial reporting
Market manipulations
Misrepresentation, fraud and omissions
Third party misrepresentation

The school districts bond fraud in combination with the Central Appraisal Districts overvaluation and over taxation make the \$63.4 billion bankruptcy of Enron and subsequent WorldCom bankruptcy seem small both of which resulted in over thirty thousand layoffs and billions in lost pensions.

THE ONLY THING THAT MATTERS IS THE MEDIAN HOUSEHOLD INCOME, FROM WHICH THE TRUE MATH OF FINANCE MUST BE DERIVED. ONE CANNOT GET BLOOD OUT OF A STONE MEANING IF MEDIAN HOUSEHOLD INCOME < CUMULATIVE COMPOUNDING OF PRINCIPAL AND INTEREST AND NON-PAYMET OF OUTSTANDING BONDS FOR THE SAKE OF GOVERNMENT COVER-UP AND FRAUD = BANKRUPTCY BY INTENT WHICH IS CRIMINAL.

SEC. 45.001 - Violated

Sec. 45.001. BONDS AND BOND TAXES. (a) The governing board of an independent school district, including the city council or commission that has jurisdiction over a municipally controlled independent school district, the governing board of a rural high school district, and the commissioners court of a county, on behalf of each common school district under its jurisdiction, may:

- (1) issue bonds for:
 - (A) the construction, acquisition, and equipment of school buildings in the district;
 - (B) the acquisition of property or the refinancing of property financed under a contract entered under Subchapter A, Chapter 271, Local Government Code, regardless of whether payment obligations under the contract are due in the current year or a future year;
 - (C) the purchase of the necessary sites for school buildings;
 - (D) the purchase of new school buses;
 - (E) the retrofitting of school buses with emergency, safety, or security equipment; and
 - (F) the purchase or retrofitting of vehicles to be used for emergency, safety, or security purposes; and

(2) levy, pledge, assess, and collect annual ad valorem taxes **sufficient to pay the principal of and interest on the bonds as or before the principal and interest become due, subject to Section 45.003.**

(b) The bonds must mature serially or otherwise not more than 40 years from their date. The bonds may be made redeemable before maturity.

(c) Bonds may be sold at public or private sale as determined by the governing board of the district.

SEC. 45.0011 – Violated – Bond Raises Exceed the 25% Cap.

Sec. 45.0011. CREDIT AGREEMENTS IN CERTAIN SCHOOL DISTRICTS. (a) This section applies only to an independent school district that, at the time of the issuance of obligations and execution of credit agreements under this section, has:

- (1) at least 2,000 students in average daily attendance; or
- (2) a combined aggregate principal amount of at least \$50 million of outstanding bonds and voted but unissued bonds.

(b) A district to which this section applies may, in the issuance of bonds as provided by Sections 45.001 and 45.003(b)(1), exercise the powers granted to the governing body of an issuer with regard to the issuance of obligations and execution of credit agreements under Chapter 1371, Government Code.

(c) A proposition to issue bonds to which this section applies must, in addition to meeting the requirements of Section 45.003(b)(1), include the question of whether the governing board or commissioners court may levy, pledge, assess, and collect annual ad valorem taxes, on all taxable property in the district, sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the costs of any credit agreements executed in connection with the bonds.

(d) A district may not issue bonds to which this section applies in an amount greater than the greater of:

- (1) **25 percent** of the sum of:
 - (A) the aggregate principal amount of all district debt payable from ad valorem taxes that is outstanding at the time the bonds are issued; and
 - (B) the aggregate principal amount of all bonds payable from ad valorem taxes that have been authorized but not issued;

- (2) \$25 million, in a district that has at least 3,500 but not more than 15,000 students in average daily attendance; or
- (3) \$50 million, in a district that has more than 15,000 students in average daily attendance.

(e) In this section, average daily attendance is determined in the manner provided by Section 48.005.

2/26/25, 11:40 AM EDUCATION CODE CHAPTER 45. SCHOOL DISTRICT FUNDS <https://statutes.capitol.texas.gov/Docs/ED/htm/ED.45.htm> 2/66
(f) Sections 1371.057 and 1371.059, Government Code, govern approval by the attorney general of obligations issued under the authority of this section.

SEC. 1371.057 – Violated by the Attorney General – The Bonds do not conform to the Texas Constitution.

Sec. 1371.057. **REVIEW AND APPROVAL OF OBLIGATION, CREDIT AGREEMENT, AND CONTRACT BY ATTORNEY GENERAL.** (a) Before an obligation may be issued or a credit agreement executed, a record of the proceedings of the issuer authorizing the issuance, execution, and delivery of the obligation or credit agreement and any contract providing revenue or security to pay the obligation or credit agreement must be submitted to the attorney general for review.

(b) If the attorney general finds that the proceedings authorizing an obligation or credit agreement conform to the requirements of the Texas Constitution and this chapter, the attorney general shall approve them and deliver to the comptroller a copy of the attorney general's legal opinion stating that approval and the record of proceedings. After approval, the obligation or credit agreement may be executed and delivered, exchanged, or refinanced from time to time in accordance with those authorizing proceedings.

(c) If the authorization of an obligation or of a credit agreement provides that the issuer intends to refinance the obligation or a payment under the credit agreement with refunding bonds issued under Chapter 1207, then the obligation or payment shall be treated, **for purposes of attorney general review and approval, as having the intended term and payment schedule of the refunding bonds.**

Possible Cumulative Compound Fraud - TEXAS

**Conservatively, possible total outstanding bond debt \$606 Billion.
Reasonable value capped under Texas Law at roughly \$151 Billion.**

Total Cumulative Compound Fraud at roughly \$455 Billion.

Texas Households	Avg. School Bond Debt / Household*	Possible Total Bond Debt*	Reasonable value ability to carry at 25% Capped to allow paydown to zero	Total Cumulative Compounded Fraud
12,139,000	\$50,000.00	\$606,950,000,000.00	\$151,737,500,000.00	\$455,212,500,000.00

* Requires AI to data scrape all total school district bond debt as it is intentionally hidden (aka bond fraud);
 No Bond Schedule
 No Sources and Uses
 No Property Notes to Balance Sheet
 No "Implicit Guarantee" by any real estate taxpayers
 No property owners signed any guarantee to create their own bankruptcy, wherein the school bond debt per household is greater than a 2nd mortgage on the home.

Possible Cumulative Compound Fraud – United States of America

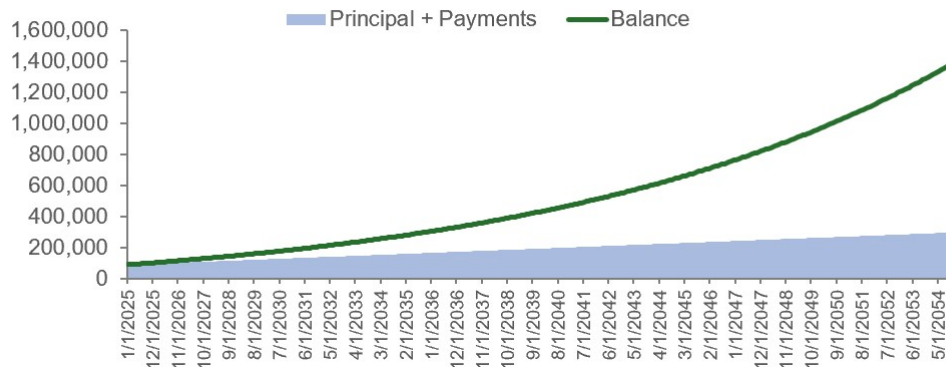
Texas Households	Avg. School Bond Debt / Household*	Possible Total Bond Debt*	Reasonable value ability to carry at 25% Capped to allow paydown to zero	Total Cumulative Compounded Fraud
143,000,000	\$50,000.00	\$7,150,000,000,000.00	\$1,787,500,000,000.00	\$5,362,500,000,000.00

* Requires AI to data scrape all total school district bond debt as it is intentionally hidden (aka bond fraud);
 No Bond Schedule
 No Sources and Uses
 No Property Notes to Balance Sheet
 No "Implicit Guarantee" by any real estate taxpayers
 No property owners signed any guarantee to create their own bankruptcy, wherein the school bond debt per household is greater than a 2nd mortgage on the home.

Godley Texas Current Outstanding School District Bond Debt per Household is \$90,000 which when not paid off compounds to \$1.4 million in 30 years. Then add on that the cost of operations and maintenance of the schools, then add on that the demand for more bond money, and the system implodes shortly. The same math applies across Texas and the United States of America.

Compound Interest Calculator

Inputs		Results	
Principal Amount (P)	90,000.00	Rate Per Payment Period	0.57500%
Annual Interest Rate (r)	7.000%	Total Payments	208,080.00
Years of Growth (t)	30	Total Payments + Principal	298,080.00
Start Date	1/1/2025	Total Interest	1,102,341.09
Compound Frequency (n)	Semi-Annual (2)	Future Value (F)	1,400,421.09
Payment (A)	578.00		
Payment Frequency (p)	Monthly (12)		



Bond Fraud Map

1. Creation of a budget at a school district, signed off on by a superintendent, without a bond schedule, sources and uses, and proper notes to the balance sheet, then making false statements to the public, is aggravated perjury and fraud.
2. A Chief Appraiser accepting a fraudulent pre-determined budget (or any budget for that matter) is violating the Texas Property Tax Code because in USPAP, there is no nexus between property valuation and a pre-determined budget from a taxing entity i.e. school district from which property values can or may be established.
3. The Chief Appraiser by Certifying the Tax Roll has committed multiple felonies (see violations.pdf) within the Texas Property Tax Code and in the Texas Constitution (Uniform and Equal)
4. This is a fraud upon a fraud upon a fraud including the database at the CADs which are roughly 92% corrupt.
5. The Tax Assessor Collector by law which must adhere to the U.S. Constitution and has the right to simply state that The Tax Assessor Collector refuses to collect the property taxes given 1, 2, 3 and 4 above.

If the Tax Assessor Collector ignores #5 above, then the Tax Assessor Collector has knowingly accepted false certifications.

Fraud from Inception – Amount charged to create the Bond Guarantee Program:

Payments for Remittance to Charter District Bond Guarantee Reserve Fund

Texas Education Code (TEC) §45.0571 authorizes the commissioner to establish rules related to the Charter District Bond Guarantee Reserve Fund. Those rules are established in 19 TAC Chapter 33, Subchapter AA §33.1001.

The amount to be remitted is based on the savings to the issuer as a result of being able to access the guarantee. To determine the payment required, the commissioner will calculate an amount equal to 20% of the savings over the life of the bond to the charter district resulting from the lower interest rate on the bond due to the guarantee by the Permanent School Fund. The formula for calculating the amount due will be $R = (P \times S \times 0.2) \div (1 + PV)T$.

"R" is the annual amount to be contributed to Charter District Bond Guarantee Reserve Fund;

"P" is the outstanding principal amount on the closing date of the bond or the outstanding principal amount on the anniversary of the closing date of the bond, as applicable.

"S" is the savings to the charter district as a result of the bond guarantee under §33.7 of this title, which is computed as the difference between the preceding 36-month moving average of the Thomson Reuters Municipal Market Data index yield for the Baa twenty-year maturity and the preceding 36-month moving average of the Thomson Reuters Municipal Market Data index yield for the AAA twenty-year maturity. If the Thomson Reuters Municipal Market Data index is discontinued, the commissioner shall choose another data source for a reasonable period of time until this section can be amended with another acceptable data source. The savings "S" shall remain constant for the life of the newly guaranteed bond.

"PV" is the present value discount factor, which is the yield to worst of the Bloomberg Barclays US Aggregate 3-5 Year Bond Index on the last business day of the previous month. If the Bloomberg Barclays US Aggregate 3-5 Year Bond Index is discontinued, the commissioner shall choose another data source for a reasonable period of time until this section can be amended with another acceptable data source.

"T" is the number of years from the anniversary of the closing date of the bond.

The payment is equal to the sum of the amount required annually and is due within 30 days of the closing date of the bonds.

The value of "S" is calculated in March and September of the applicable state fiscal year. The value of "PV" is calculated monthly. Both values can be found in this spreadsheet: Charter Reserve Calculation Numbers. (</finance-and-grants/state-funding/facilities-funding-and-standards/charter-reserve-calculationnumbers-feb25.xlsx>)

The above formula is horribly flawed both in math and concept:

- A.) Did not consider the Rule of 72
- B.) Did not take into account what if schools close down. What happens to the education cost per student? The interest on the bonds does not stop.
- C.) What happens to the bond debt that is applied to the schools, meaning fewer schools and the same bond debt? Closing schools forces the principal and interest to be applied toward the remaining students and still based on a non-existent implicit guarantee per property owner and per household.
- D.) What happens when the school districts create more bond fraud by raising more bond money that cannot be paid off – aka Ponzi scheme? **A contract that is designed to break the law is not a contract in the eyes of the law.**

E.) No notes to the balance sheet, no sources and uses, no bond schedule, no disclosure on the “investment pools” all of which is by intent to defraud and never taken into account with regard to a “sinking fund” which cannot “sink” i.e. be paid off, due to the fraud and then adding to that fraud with additional bond debt requiring additional interest to be paid, to the point where we are today in that the raising of bonds is not for principal reduction but to continue carrying the interest payments.

F.) The Compound Cumulative Effect of the fraud, means that by not paying off the debt as claimed under law, then refinancing that debt makes the item purchased more expensive than it’s initial purchase price, for which there is no disclosure to the real estate tax paying public or the bond buyers. If buses are purchased with bonds, the effective life of a bus is 5 years, but the bonds not being paid off, means the cost of the buses is exponentially higher than their initial purchase price. No Bond Schedule = FRAUD.

Who received the benefit? – The Bond Guarantee Program allegedly contains billions today, of taxpayer funds. See <https://texaspsf.org/wp-content/uploads/2025/02/FY2024-TPSF-Corp-ACFR.pdf>. Governor Greg Abbott is the Chair of the Texas Bond Review Board. Will any of this money be used to pay down the outstanding school districts bond debts? Will any of this money be used to prohibit the bankruptcy of any of the school districts? No, and we know this because the school district bankruptcies have already started. This Bond Guarantee Program is part of the shifted “Equity Stripped” money from the real estate taxpayers into this “Sovereign Wealth Fund” https://en.wikipedia.org/wiki/Permanent_School_Fund which has been commandeered as a slush fund as there is a high probability it will not be used to cover any school bond debt. This fund should be put into immediate conservatorship until such time as the unwinding of all these issues can occur.

This section, **Fraud from Inception**, is enough to demand immediate conservatorship and or bankruptcy of any school district that exceeds its Constitutional limits and immediately freeze of all real estate tax as there is and never was a benefit of the bargain. It was and is a con.

RULE OF LAW

The rule of law requires measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.

Just to be crystal clear regarding the Bond Fraud and Real Estate Tax Fraud described in this Criminal Complaint, was the Rule of Law adhered to?

- | | |
|--|-----|
| 1. Measures to ensure adherence to the principles of supremacy of law. | No. |
| 2. Equality before the law. | No. |
| 3. Accountability to the law. The government and private actors are accountable. | No. |
| 4. Application of the law. Must be applied equally to all person in like circumstances. | No. |
| 5. Separation of powers. | No. |
| 6. Participation in decision-making. | No. |
| 7. Legal certainty. Means provided for resolving disputes without prohibitive cost or inordinate delay | No. |
| 8. Avoidance of arbitrariness. (The ARB panels exist for the benefit of the CADs and against Citizens) | No. |
| 9. Procedural and legal transparency. | No. |

10. The law must protect the security of persons and property. No.
11. Law must be written so that it can be understood by ordinary persons in society. No.

VIOLATIONS

DCAD **violates** Texas Property Tax Code, Chapter 23, Appraisal Methods & Procedures, Sec 23.01(b) by not following these 4 procedural directives...

- market value of property shall be determined by application of generally accepted appraisal methods & techniques
- if appraisal district determines appraised value of property using mass appraisal standards, **the mass appraisal standards must comply with USPAP (USPAP Professional Standards, Standards 1 & 2, & Standards 5 & 6)**
- same or similar appraisal methods & techniques shall be used in appraising the same or similar kinds of property
- **however, each property shall be appraised based on the individual characteristics that affect the property's market value, and all available evidence that is specific to the value of property shall be taken into account in determining the property's market value.**

DCAD & staff **violate** USPAP Standards 1, 2, 5, 6 & USPAP Professional Standards

DCAD **violates** Texas Property Tax Code, Chapter 23, Appraisal Methods & Procedures, Sec 23.01(e) every time the chief appraiser (CAD) issues a notice of appraisal with a higher value than the prior years' protest/appeal reduced value, when there is no evidence to support value increase or when there is no evidence of change to property that would result in a value increase.

- Law says that **if property value was reduced** by Subtitle F (protest, appeal, etc.), then “in **the next tax year** in which the property is appraised, the **chief appraiser may not increase the appraisal value** of the property **unless the increase by the chief appraiser is reasonably supported by clear and convincing evidence** when all of the reliable and probative evidence in the record is considered as a whole.”

DCAD **violates** Texas Property Tax Code, Chapter 23, Appraisal Methods & Procedures, Sec 23.012 for Income Method of Appraisal when they insert improper or fake data into their analysis. An example being the Income Calculation Worksheet that DCAD manipulates for the income approach on income/commercial property valuations. This violates the rules of 23.012 that state the chief appraiser shall:

- Analyze comparable **rental data available** or potential earning capacity, or both
- Analyze comparable **operating expense data available**
- Analyze comparable **data available to estimate capitalization rates**
- **Base projections** of rent or income potential & expenses **on reasonably clear & appropriate evidence**
- **In developing income & expense statements** and cash flow statements, shall consider
 - **historical information**
 - current supply & demand factors affecting trends
 - anticipated events, such as competitors and similar new construction

DCAD **violates** Texas Property Tax Code, Chapter 23, Appraisal Methods & Procedures, Sec 23.01(f) & Sec 23.013(a)

by NOT using true comparable properties in analysis to render value based on how a property compares with local like-kind properties' equitable value (uniform and equal) or how it compares with like-kind properties' sales value.

DCAD violates Texas Property Code Chapter 42, Sec 42.26, Remedy for Unequal Appraisal by issuing value(s), and or not reducing value(s) in the protest hearing, within 10% of the median level of market value (mv/sq ft) of a group of comparable properties.

DCAD violated Texas Property Tax Code, Chapter 26, Section 26.01 - “By July 25, the chief appraiser shall prepare and certify to the assessor for each taxing unit participating in the district that part of the appraisal roll for the district that lists the property taxable by the unit.” And per paragraph c, if the ARB has not approved a property record, (i.e. protest hearing has not occurred or ARB has not approved value determined in hearing), the chief appraiser must prepare list of properties still under protest & therefore not included on the roll approved by the ARB or certified by the chief appraiser. **In 2021, DCAD falsely included properties as certified, when they were in fact still under protest.**

Texas Property Tax Code, Chapter 5, Section 5.01 - State is charged with responsibility for property tax administration, “Comptroller shall appoint the property tax administration advisory board to advise the comptroller with respect to the division or divisions within the office of the comptroller with primary responsibility for state administration of property taxation and state oversight of appraisal districts...”

State has not taken responsibility for appraisal district(s) who failed to follow law in property tax appraisal process.

Texas Property Tax Code, Chapter 5, Section 5.041 - State is charged with providing at least 4 hours (**VERY MINIMAL TRAINING**) of training & curricula for appraisal review board panel members, where curricula materials “must include”:

- (1) the cost, income, and market data comparison methods of appraising property;
- (2) the appraisal of business personal property;
- (3) the determination of capitalization rates for property appraisal purposes;
- (4) the duties of an appraisal review board;
- (5) the requirements regarding the independence of an appraisal review board from the board of directors and the chief appraiser and other employees of the appraisal district;
- (6) the prohibitions against ex parte communications applicable to appraisal review board members;
- (7) the **Uniform Standards of Professional Appraisal Practice**;
- (8) the duty of the appraisal district to substantiate the district's determination of the value of property;
- (9) the requirements regarding the equal and uniform appraisal of property;
- (10) the right of a property owner to protest the appraisal of the property as provided by Chapter [41](#); and
- (11) a detailed explanation of each of the actions described by Sections [25.25](#), [41.41\(a\)](#), [41.411](#), [41.412](#), [41.413](#), [41.42](#), and [41.43](#) so that members are fully aware of each of the grounds on which a property appraisal can be appealed.

Texas Property Tax Code, Chapter 5, Section 5.04 - State delegates responsibility to TDLR to certify tax professionals and set standards for & approve training & education; state may also contract others to sponsor training programs. **Neither the state nor TDLR has taken responsibility for failed training or failed application of professional & legal standards (laws).**

DCAD violated Texas Constitution, Article 8, Section 1(a) – “Taxation shall be equal and uniform.”

DCAD violated Texas Constitution, Article 8, Section 20 – “No property of any kind in this State shall ever be assessed for ad valorem taxes at a greater value than its fair cash market value nor shall and Board of Equalization of any government or political subdivision or taxing district within this State fix the value of any property for tax purposes at more than its fair cash market value...”

Appraisal District Board of Director’s Primary Duty & Responsibility

- Primary Duty to appoint Chief Appraiser, the chief administrator of Appraisal District
- Chief Appraiser serves at pleasure of the Board
- Board is responsible for Chief Appraiser’s performance of Appraisal Duties

Oath of Office violated (State of Texas Form 2204)

- individuals who took an oath of office includes Chief Appraiser, Deputy Appraisers, Board Members, Tax Assessor Collector, Attorney General, ARB Panel Members
- individuals solemnly swear to faithfully execute duties of their elected or appointed office & to preserve, protect and defend the Constitution & laws of U.S. and State of Texas

ARB Hearings “Sworn Testimony”

- Appraisal District representatives, Property Owners, & Property Owner representatives all take an oath immediately before protest hearing starts, sworn to tell the truth when presenting evidence to support appraisal market value.

Co-Conspirator:

- Person or organization that is engaged in a conspiracy with another, or others; an associate, collaborator, accomplice, supporter, etc.

Co-Conspirators to Failed Property Tax Appraisal Process & Fraudulent Property Tax

Valuations: Appraisal District Licensed & Certified Individuals, Chief Appraiser, Deputy Chiefs, Board Members, ARB Members, Taxing Entities, County Leaders, City Leaders, ISD Leaders, Professional Organizations, TDLR & TALCB, State Comptroller & more.

Violations of USPAP’s Professional Appraisal Practice Rules by Individual Appraisers & DCAD itself

<u>Records Keeping Rule:</u>	Did not retain/archive analysis and data documents utilized while working values.
<u>Ethics General Rule:</u>	Have not promoted & preserved public trust inherent in appraisal practice.
<u>Ethics Rule of Conduct:</u>	Have willfully & knowingly violating Record Keeping Rule. Have not performed assignments with impartial, objective, & independence or without accommodation of personal interests.
<u>Rule of Management:</u>	Failure to comply with appraisal rules leads to this question... Have the individual appraisers (and DCAD) received, and not disclosed, a fee, commission or thing of value awarded in connection with appraisal/assignment?

<u>Rule of Confidentiality:</u>	Performed an assignment & issued Notices of Appraisal where the opinion of value was based on a predetermined result . Have not acted in good faith with regard to the legitimate interests of the client(s) (taxpayers & tax jurisdictions) in use of confidential information and in communication of assignment results. Did not take reasonable steps to safeguard access to confidential information and assignment (appraisal) results that was in electronic form.
<u>Competency Rule:</u>	Do not possess the knowledge & experience to complete appraisal competently , or they are willfully not using proper appraisal knowledge & skills to complete appraisals. Have not recognized or complied with laws & regulations that apply to appraisal practice.
<u>Scope of Work Rule:</u>	Have not demonstrated that scope of work is sufficient to produce credible result (value) . Have used improper research, applied improper research & techniques, used improper analysis applied to arrive at opinion or conclusion (value).

Violations of USPAP, Standard Rules 1 & 2 (Real Property Appraisal: Development & Reporting)

1. **Standards Rule 1-1, General Development Requirements, violated:**
 - Fail to employ methods or techniques to produce credible appraisals
 - Committed substantial errors that significantly affect appraisals
 - Rendered appraisal in a negligent manner, affecting results of values across Denton County
2. **Standards Rule 1-2, Problem Identification, subsections e & h, violated:**
 - Did not identify characteristics of property that are relevant to type & definition of value
 - Failed to use reliable information when available (even when in physical possession of it)
 - Did not determine scope of work to produce credible assignment results
3. **Standards Rule 1-4, Approaches to Value, violated:**
 - Have not analyzed or utilized actual data provided year after year to produce a credible assignment result (appraisal) on the Income Approach for commercial property valuations
 - Have not consistently used comparable properties for sales comparison approach or the equity (equal & uniform) approach
4. **Standards Rule 1-6, Reconciliation, Subsection a violated:**
 - Have not used all the “quality” data (all the actual data) in analysis or valuation approaches
 - Have not reviewed or tested proposed values & data to verify accuracy for values on Notices of Appraisal
5. **Standards Rule 2-1, General Reporting Requirements, Subsections a & c violated:**
 - Failed by misleading taxpayers on Notices of Appraisal (evidenced by volume of protests & appeals)
 - Claimed extraordinary assumptions for most, or all, taxpayers, by issuing high values on Notices of Appraisal without proper comparable (uniform & equal) evidence, or proper support of increased value due to higher/enhanced “economic characteristics.” (SPECIFIC VIOLATION, sec 23.01(e) of Property Tax Code)

6. **Standards Rule 2-2, Content of Real Property Appraisal Report, violated:**
 - Violated content rule by misleading taxpayers with the value issued on the Notice of Appraisal.
7. **Standards Rule 2-3, Certification, violated:**
 - Provided values based on inaccurate analysis, manipulation & bias; completed appraisals contingent on predetermined results
 - Failed to conform with USPAP throughout appraisal process, resulting in the issuance of inflated values on Appraisal Notices
8. **Standards Rule 2-4, Oral Appraisal Report, violated:**
 - DCAD is in violation of USPAP rules with Notice of Appraisal issued and reports provided in protest hearing, making their verbal testimony of value with the taxpayer, the ARB panel members, or any other informal communication also a violation.

Violations of USPAP Mass Appraisal Standards (USPAP Standards 5 & 6)

1. **Violated Records Keeping** Rule when conducting mass appraisal.
2. **Violated Ethics** Rule by violating Records Keeping Rule.
3. **Violated** Rule 5-1(a) by **not correctly employing recognized techniques to produce a credible mass appraisal.**
4. **Violated** Rule 5-1(b) by **committing substantial errors of omission and commission** that significantly affected mass appraisal conducted by DCAD.
5. **Violated** Rule 5-1(c) by **rendering mass appraisal in careless or negligent manner.**
6. **Violated** Rule 5-2 (e)(iii) by **failing to consider location & economic characteristics** when conducting mass appraisal.
7. **Violated** Rule 5-2 (k) by **failing to determine scope of work to produce credible assignment results** (values).
8. **Violated** Rule 5-4(b) by **failing to develop mathematical models that w/ reasonable certainty**, represent relationship between property value and supply and demand factors as represented by quantitative & qualitative approaches to value for mass appraisal.
9. **Violated** Rule 5-4(b) by **failing to employ recognized techniques for specifying property valuation models used.**
10. **Violated** Rule 5-4(c) by **failing to employ recognized techniques for calibrating the mass appraisal models used.**

11. **Violated** Rule 5-7(a) by **failing to reconcile the quality and quantity of data available** and analyze within the approaches used and the applicability and relevance of the approaches, methods & techniques used in mass appraisal.
12. **Violated** Rule 5-7(b) by **failing to use or implement appraisal testing procedures and techniques** to ensure that standards of accuracy are maintained for mass appraisal.
13. **Violated** Rule 6 by **reporting the results of DCAD mass appraisal in a manner that is misleading.**

TDLR Violations (Texas Admin. Code, Title 16 - Economic Reg., Part 4 - Texas Dept of Licensing & Reg., Chap. 94 – Property Tax Professionals)

DCAD and its employees have FAILED many, if not all, requirements under the Texas Department of Licensing and Regulation aka TDLR!

94.70 – responsibilities of a registrant – general

- Registrants cannot violate any provision. **(FAILED)**
- Registrants must not violate property tax professional code of ethics. **(FAILED)**
- Registrants must not engage in any practices that constitute improper influence, conflict of interest, unfair treatment, discrimination, abuse of power or misuse of titles. **(FAILED)**

94.71 – responsibilities of a registrant – equal & fair treatment

- Registrants must apply equally & fairly any appraisal or assessment according to USPAP & generally accepted appraisal or assessment practices applicable. **(FAILED)**
- Registrant must not knowingly testify falsely or withhold any information, or influence someone to do so, in any investigation or proceeding. **(FAILED)**
- Registrant must not knowingly mislead any member of the public who makes reasonable inquiry or request on tax matters. **(FAILED)**
- Registrant must not predetermine the value or value range of a property or properties and then manipulate data to arrive to a predetermined conclusion (value). **(FAILED)**

94.72 – responsibilities of a registrant – conflicts of interest

- Registrant must disclose in writing to appraisal district or taxing entity any financial interest in any private business or real property subject to appraisal district or taxing entity where he/she is employed. **(FAILED)**
- Registrant must not use any agency resources for personal benefit. **(FAILED)**

94.100 – code of ethics [\(This is the section of regulations that TDLR Sr Investigator said TDLR may not have authority to enforce.\)](#)

- Registrant must be guided by principal that property taxation **should be fair and uniform, and apply all laws, rules, methods, procedures, in a uniform manner, to all taxpayers.** **(FAILED)**
- Registrant must not accept or solicit any gift, favor or service that might reasonably tend to influence registrant in the discharge of official duties. **(FAILED)**
- Registrant **must not engage in an official act that is dishonest, misleading, fraudulent, deceptive, or in violation of law.** **(FAILED)**
- Registrant must not conduct their professional duties in a manner that could reasonably be expected to create the appearance of impropriety. **(FAILED)**

TALCB & TALCB Violations

Texas Appraiser Licensing and Certification Board is the licensing division responsible for licensing Appraisers. The Texas Legislature established the Texas Appraiser Licensing & Certification Board (TALCB) to safeguard consumers in matters of real property appraisal services. TALCB provides education and licensing services, as well as regulation and enforcement of state and federal laws and requirements that govern real property appraisals.

Section 153.8 Scope of Practice

- (a) License holders are bound by the USPAP edition in effect at the time of the appraisal. **(FAILED)**

Section 153.15 Experience (and Adherence) Required for Licensing

Any one or a combination of the following categories may be acceptable for satisfying the applicable experience requirement:

1. An appraisal or appraisal analysis when performed in accordance with Standards 1 and 2 and other provisions of the USPAP edition in effect at the time of the appraisal or appraisal analysis. **(FAILED)**
2. Mass appraisal, including ad valorem tax appraisal that:
 - a. conforms to USPAP Standards 5 and 6; **(FAILED)** and
 - b. demonstrates proficiency in appraisal principles, techniques, or skills used by appraisers practicing under USPAP Standard 1. **(FAILED)**
3. Appraisal review that:
 - a. conforms to USPAP Standards 3 and 4; **(FAILED)** and
 - b. demonstrates proficiency in appraisal principles, techniques, or skills used by appraisers practicing under USPAP Standard 1. **(FAILED)**
4. Appraisal consulting services, including market analysis, cash flow and/or investment analysis, highest and best use analysis, and feasibility analysis when it demonstrates proficiency in appraisal principles, techniques, or skills used by appraisers practicing under USPAP Standards 1 and 2 and using appropriate methods and techniques applicable to appraisal consulting. **(FAILED)**
5. "Practical Applications of Real Estate Appraisal" (PAREA) programs approved by the AQB. **(FAILED)**

Texas & U.S. Administrative Procedures Act

- State of Texas has failed to “adopt by reference” USPAP; there is no evidence that mandatory adoption procedures have been followed, and USPAP is updated yearly by the Appraisal Standards Board.
- A political subdivision (including Denton CAD) must comply with the Administrative Procedure Act or Title 1 of the Texas Administrative Code. Section 91.40 requires state agency adopting by reference (ABR) a document into law to “note the revision date of the ABR information” and to “amend the rule to adopt a newer version of the ABR information.”

Texas Penal Code 37.11, Defaulting on Oath

Defaulting of duties & obligations is equivalent to impersonating a public officer.... any elected or

appointed official or Attorney refusing to honor an acceptance of their Oath is simply impersonating a public official, thus violating the Texas Penal Code 37.11 law regarding Impersonating a Public Servant, which is a 3rd degree felony.

Texas Penal Code 7.01, Assisting in Commission of Crime or Failed to Report Crime

Texas law says that a person may be held legally responsible for another person's criminal activity or conduct if he or she assisted in the commission of the crime as "party to the offense." Person may also held liable for:

- failure to report
- accessory after the fact
- harboring a fugitive
- aiding/abetting a fugitive

Title 42 U.S. Code Section 1986, Knowledge of Wrongful Act & Power to Prevent Person

with knowledge that a wrongful act is about to be committed and having the power to prevent the commission of such wrong neglects or refuses so to do, is liable to the party injured for all damages caused by the wrongful act.

- Person need not have participated in the conspiracy or the commission of the act, just having knowledge of it implies guilt.
- Any number of persons guilty of wrongful neglect or refusal may be joined as defendants in a § 1986 action

Title 18 U.S. Code Section 1512(c)(1) & (2), Corruptly Alter, Destroy, Conceal - or - Obstruct, Influence, Impede

"(c) Whoever corruptly (1) alters, destroys, mutilates, or conceals a record, document or other object, or attempts to do so, with the intent to impair the object's integrity or availability for the use in an official proceeding; or (2) otherwise obstructs, influences or impedes any official proceedings or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both."

Title 18 U.S. Code Section 1621, Perjury Defined

Perjury can be summarized as any untrue testimony, declaration, deposition or certification that is made under oath, whoever...

- (1) having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or
- (2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under [section 1746 of title 28](#), United States Code, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

US Constitution, 1st Amendment, summarized:

The First Amendment provides that Congress make no law respecting an establishment of religion or prohibiting its free exercise. It protects freedom of speech, the press, assembly, and the right to petition the Government for a redress of grievances.

US Constitution, 5th Amendment summarized:

Fifth Amendment creates a [number of rights](#) relevant to both criminal and civil legal proceedings. In [criminal cases](#), the Fifth Amendment guarantees the right to a [grand jury](#), forbids “[double jeopardy](#),” and protects against [self-incrimination](#). **It also requires that “[due process of law](#)” be part of any proceeding that denies a citizen “life, liberty or property” and requires the government to compensate citizens when it [takes private property](#) for public use.**

US Constitution, 14th Amendment, summarized:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; **nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.**

US Constitution, 16th Amendment:

- 16th Amendment as summarized says that Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.
- Taxing property before it is sold, at a value in excess of what was paid at purchase, is essentially a tax on unrealized gains. It is not a tax on income and therefore should not be permitted by law.
- Unrealized gain may be stated on paper, but it is not cash in hand/bank.
- Income (or loss) cannot exist unless currency (\$\$) or other asset has been received or traded creating an actual realized gain or loss.

CONSTITUTIONAL CASE LAW

Given that DCAD and its co-conspirators as well as the State of Texas have done an end run around the Texas Constitution and The Constitution of the United States of America, as shown in the evidence and as seen above, and given that Judge Lavonius denied Complainant due process, which continues the delay tactics by DCAD and their attorneys, and further given that DCAD’s Counsel, is knowingly aiding and abetting a criminal conspiracy to defraud, we are taking this opportunity to ask the DOJ to;

A.) demand that if Defendant(s) have any evidence that any statement or statements made herein on any government created document, video, transcript, audio, and testimony given by Defendants, which was under threat of perjury is inaccurate, to provide such evidence within 15 days of this filing or to substantiate their abuse of the aforementioned Constitutions as legitimate, and

B.) for the benefit and enlightenment of those who dare show contempt for the Texas Constitution and The Constitution of the United States of America, we now outline a portion of the Constitutional Case Law that may be used in upcoming Court hearings and this Criminal Complaint:

CASE LAW

Bennett v. Boggs, 1 Baldw 60, “Statutes that violate the plain and obvious principles of common right and common reason are null and void”. Would we not say that these judicial decisions are straight to the point --that there is no lawful method for government to put restrictions or limitations on rights belonging to the people?

Other cases are even more straight forward: “The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of practice.”

Davis v. Wechsler, 263 US 22, 24. “Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.”

Miranda v. Arizona, 384 US 436, 491. “The claim and exercise of a constitutional right cannot be converted into a crime.”

Miller v. US, 230 F 486, 489. “There can be no sanction or penalty imposed upon one because of this exercise of constitutional rights.”

Sherer v. Cullen, 481 F 946. We could go on, quoting court decision after court decision, however, the Constitution itself answers our question Can a government legally put restrictions on the rights of the American people at anytime, for any reason? The answer is found in Article Six of the U.S. Constitution: **Miranda v. Arizona, 384 U.S. 426, 491; 86 S. Ct. 1603** "Where rights secured by the Constitution are involved, there can be no 'rule making' or legislation which would abrogate them."

Norton v. Shelby County, 118 U.S. 425 p. 442

"An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed."

Sherar v. Cullen, 481 F. 2d 946 (1973)

"There can be no sanction or penalty imposed upon one because of his exercise of constitutional rights."

Simmons v. United States, 390 U.S. 377 (1968)

"The claim and exercise of a Constitution right cannot be converted into a crime"... "a denial of them would be a denial of due process of law".

Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 1401 (1958)

Note: Any judge who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the supreme law of the land. The judge is engaged in acts of treason.

The U.S. Supreme Court has stated that "no state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it". See also In Re **Sawyer, 124 U.S. 200 (188)**; **U.S. v. Will, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980)**; **Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed 257 (1821)**.

Hoffsomer v. Hayes, 92 Okla 32, 227 F. 417 "The courts are not bound by an officer's interpretation of the law under which he presumes to act."

Marbury v. Madison, 5 U.S. (2 Cranch) 137, 180 (1803)

"... the particular phraseology of the constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the constitution is void, and that courts, as well, as other departments, are bound by that instrument." "In declaring what shall be the supreme law of the land, the Constitution itself is first mentioned; and not the laws of the United States generally, but those only which shall be made in pursuance of the Constitution, have that rank". "All law (rules and practices) which are repugnant to the Constitution are VOID". Since the 14th Amendment to the Constitution states "NO State (Jurisdiction) shall make or enforce any law which shall abridge the rights, privileges, or immunities of citizens of the United States nor deprive any citizens of life, liberty, or property, without due process of law, ... or equal protection under the law", this renders judicial immunity unconstitutional.

Scheuer v. Rhodes, 416 U.S. 232, 94 S. Ct. 1683, 1687 (1974)

Note: By law, a judge is a state officer. The judge then acts not as a judge, but as a private individual (in his person). **When a judge acts as a trespasser of the law**, when a judge does not follow the law, the Judge loses subject-matter jurisdiction and the judges' orders are not voidable, but VOID, and of no legal force or effect. The U.S. Supreme Court stated that "when a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States."

Miller v. U.S., 230 F. 2d. 486, 490; 42

"There can be no sanction or penalty imposed upon one, because of his exercise of constitutional rights."

Murdock v. Pennsylvania, 319 U.S. 105

"No state shall convert a liberty into a license, and charge a fee therefore."

Shuttlesworth v. City of Birmingham, Alabama, 373 U.S. 262

"If the State converts a right (liberty) into a privilege, the citizen can ignore the license and fee and engage in the right (liberty) with impunity."

Draper v. U.S. (1959)

Probable cause is where known facts and circumstances, of a reasonably trustworthy nature, are sufficient to justify a man of reasonable caution in the belief that a crime has been or is being committed. **Reasonable man definition**; common textbook definition; comes from this case.

Davis v. Wechler, 263 U.S. 22, 24; Stromberb v. California, 283 U.S. 359; NAACP v.

Alabama, 375 U.S. 449 "The assertion of federal rights, when plainly and reasonably made, are not to be defeated under the name of local practice."

Haines v. Kerner, 404 U.S. 519 (1972)

"Allegations such as those asserted by petitioner, however in artfully pleaded, are sufficient"... "which we hold to less stringent standards than formal pleadings drafted by lawyers."

Jenkins v. McKeithen, 395 U.S. 411, 421 (1959); Picking v. Pennsylvania R. Co., 151 Fed 2nd 240 ; Pucket v. Cox, 456 2nd 233 Pro se pleadings are to be considered without regard to technicality; pro se litigants' pleadings are not to be held to the same high standards of perfection as lawyers.

Picking v. Pennsylvania Railway, 151 F.2d. 240, Third Circuit Court of Appeals

The plaintiff's civil rights pleading was 150 pages and described by a federal judge as "inept". Nevertheless, it was held "Where a plaintiff pleads pro se in a suit for protection of civil rights, the Court should endeavor to construe Plaintiff's Pleadings without regard to technicalities."

Puckett v. Cox, 456 F. 2d 233 (1972) (6th Cir. USCA)

It was held that a pro se complaint requires a less stringent reading than one drafted by a lawyer per Justice Black in Conley v. Gibson (see case listed above, Pro Se Rights Section).

Sims v. Aherns, 271 SW 720 (1925) "The practice of law is an occupation of common right." "Because of what appears to be a lawful command on the surface, many Citizens, because of their respect for what appears to be law, are cunningly coerced into waiving their rights due to ignorance."

US v Minker, 350 US 179 at 187(1956)

Supreme Court of the United States 1795 "Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no governments as well as any law, agency, aspect, court, etc. can concern itself with anything other than corporate, artificial persons and the contracts between them."

S.C.R. 1795, Penhallow v. Doane's Administrators (3 U.S. 54; 1 L.Ed. 57; 3 Dall.

54), "The prosecutor is not a witness; and he should not be permitted to add to the record either by subtle or gross improprieties. Those who have experienced the full thrust of the power of government when leveled against them know that the only protection the citizen has is in the requirement for a fair trial."

Donnelly v. Dechristoforo, 1974.SCT.41709 ¶ 56; 416 U.S. 637 (1974) McNally v. U.S., 483 U.S. 350, 371-372, Quoting U.S. v Holzer, 816 F.2d. 304, 307 Fraud in its elementary common law sense of deceit... includes the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public,... and if he deliberately conceals material information from them he is guilty of fraud.

Hagans v Lavine 415 U. S. 533. "A judgment rendered by a court without personal jurisdiction over the defendant is void. It is a nullity."

Sramek v. Sramek, 17 Kan. App 2d 573, 576-7, 840 P. 2d 553 (1992) rev. denied 252 Kan. 1093(1993) "The law provides that once State and Federal jurisdiction has been challenged, it must be proven."

Main v Thiboutot, 100 S Ct. 2502(1980) "Jurisdiction can be challenged at any time," and "Jurisdiction, once challenged, cannot be assumed and must be decided."

Basso v. Utah Power & Light Co. 395 F 2d 906, 910

"Once challenged, jurisdiction cannot be assumed, it must be proved to exist."

Stock v. Medical Examiners 94 Ca 2d 751. 211 P2d 289 In Interest of M.V., 288 Ill.App.3d 300, 681 N.E.2d 532 (1st Dist. 1997) "Where a court's power to act is controlled by statute, the court is governed by the rules of limited jurisdiction, and courts exercising jurisdiction over such matters must proceed within the structures of the statute." "The state citizen is immune from any and all government attacks and procedure, absent contract." see, **Dred Scott vs. Sanford, 60 U.S. (19 How.) 393** or as the Supreme Court has stated clearly, "...every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowmen without his consent."

CRUDEN vs. NEALE, 2 N.C. 338 2 S.E. 70 "Corpus delecti consists of a showing of "1) the occurrence of the specific kind of injury and 2) someone's criminal act as the cause of the injury."

Johnson v. State, 653 N.E.2d 478, 479 (Ind. 1995). "State must produce corroborating evidence of "corpus delecti," showing that injury or harm constituting crime occurred and that injury or harm was caused by someone's criminal activity."

Jorgensen v. State, 567 N.E.2d 113, 121. "To establish the corpus delecti, independent evidence must be presented showing the occurrence of a specific kind of injury and that a criminal act was the cause of the injury."

Porter v. State , 391 N.E.2d 801, 808-809. "When governments enter the world of commerce, they are subject to the same burdens as any private firm or corporation" -- **U.S. v. Burr, 309 U.S. 242 See: 22 U.S.C.A.286e, Bank of U.S. vs. Planters Bank of Georgia, 6L, Ed. (9 Wheat) 244; 22 U.S.C.A. 286 et seq., C.R.S. 11-60-103**

Cooper v. Aaron, 358 U.S. 1, 78 S.Ct. 1401 (1958). "No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it." The constitutional theory is that we the

people are the sovereigns, the state and federal officials only our agents." "The individual, unlike the corporation, cannot be taxed for the mere privilege of existing. The corporation is an artificial entity which owes its existence and charter powers to the state; but, the individual's rights to live and own property are natural rights for the enjoyment of which an excise cannot be imposed."

Redfield v Fisher, 292 P 813, at 819 [1930] "...an officer may be held liable in damages to any person injured in consequence of a breach of any of the duties connected with his office...The liability for nonfeasance, misfeasance, and for malfeasance in office is in his 'individual' , not his official capacity..."

70 Am. Jur. 2nd Sec. 50, VII Civil Liability

"Fraud destroys the validity of everything into which it enters,"

Nudd v. Burrows, 91 U.S 426. "Fraud vitiates everything"

Boyce v. Grundy, 3 Pet. 210 "Fraud vitiates the most solemn contracts, documents and even judgments."

U.S. v. Throckmorton, 98 US 61 WHEREAS, officials and even judges have no immunity (See, **Owen vs. City of Independence, 100 S Ct. 1398; Maine vs. Thiboutot, 100 S. Ct. 2502; and Hafer vs. Melo, 502 U.S. 21;** officials and judges are deemed to know the law and sworn to uphold the law; officials and judges cannot claim to act in good faith in willful deprivation of law, they certainly cannot plead ignorance of the law, even the Citizen cannot plead ignorance of the law, the courts have ruled there is no such thing as ignorance of the law, it is ludicrous for learned officials and judges to plead ignorance of the law therefore there is no immunity, judicial or otherwise, in matters of rights secured by the Constitution for the United States of America. See: **Title 42 U.S.C. Sec. 1983.** "When lawsuits are brought against federal officials, they must be brought against them in their "individual" capacity not their official capacity. When federal officials perpetrate constitutional torts, they do so *ultra vires* (beyond the powers) and lose the shield of immunity."

Williamson v. U.S. Department of Agriculture, 815 F.2d. 369, ACLU Foundation v. Barr, 952 F.2d. 457, 293 U.S. App. DC 101, (CA DC 1991).

"It is the duty of all officials whether legislative, judicial, executive, administrative, or ministerial to so perform every official act as not to violate constitutional provisions."

Montgomery v State 55 Fla. 97-45S0.879

a. "Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible the legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. can concern itself with anything other than corporate, artificial persons and the contracts between them."

S.C.R. 1795, Penhallow v. Doane's Administrators 3 U.S. 54; 1 L.Ed. 57; 3

Dall. 54; and,

b. "the contracts between them" involve U.S. citizens, which are deemed as Corporate Entities:

c. "Therefore, the U.S. citizens residing in one of the states of the union, are classified as property and franchises of the federal government as an "individual entity"", **Wheeling Steel Corp. v. Fox, 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct. 773**

Alexander v. Bothsworth, 1915. "Party cannot be bound by contract that he has not made or authorized. Free consent is an indispensable element in making valid contracts."

HALE v. HENKEL 201 U.S. 43 at 89 (1906) Hale v. Henkel was decided by the United States Supreme Court in 1906. The opinion of the court states: "The "individual" may stand upon "his Constitutional Rights" as a CITIZEN. He is entitled to carry on his "private" business in his own way. "His power to contract is unlimited."

He owes no duty to the State or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to incriminate him. He owes no duty to the State, since he receives nothing there from, beyond the protection of his life and property. "His rights" are such as "existed" by the Law of the Land (Common Law) "long antecedent" to the organization of the State" and can only be taken from him by "due process of law", and "in accordance with the Constitution." "He owes nothing" to the public so long as he does not trespass upon their rights."

HALE V. HENKEL 201 U.S. 43 at 89 (1906) Hale v. Henkel is binding on all the courts of the United States of America until another Supreme Court case says it isn't. No other Supreme Court case has ever overturned Hale v. Henkel None of the various issues of Hale v. Henkel has ever been overruled since 1906, Hale v. Henkel has been cited by the Federal and State Appellate Court systems over 1,600 times! In nearly every instance when a case is cited, it has an impact on precedent authority of the cited case. Compared with other previously decided Supreme Court cases, no other case has surpassed Hale v. Henkel in the number of times it has been cited by the courts. "The rights of the individuals are restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government."

Privileges and Immunities:

(a) A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws. Due process means that anybody wishing to restrain property or file a protest against property of another, be it land, livestock, etc. must first put up a Bond to indemnify the lawful owner(s) for the takings, THEN go through the process of having the matter decided by a jury.

Article VI, Clause 2:

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

RICO

Under RICO, it is a crime for an individual to belong to an "enterprise" that is involved in a pattern of racketeering, even if the racketeering was committed by other members. Specifically, Section 1962 of RICO prohibits "any person" from: (a) **using income received from a pattern of racketeering activity or from the collection of an unlawful debt** to acquire an interest in an enterprise affecting interstate commerce; (b) **acquiring or maintaining through a pattern of racketeering activity or through collection of an unlawful debt** an interest in an enterprise affecting interstate commerce; (c) **conducting or participating in the conduct of the affairs of an enterprise affecting interstate commerce through a pattern of racketeering activity or through collection of an unlawful debt**; or (d) **conspiring to participate in any of these activities**.

a. 18 U.S.C. § 1962(a)

Under section 1962(a), it is a crime to "use or invest" any income derived from "a pattern of racketeering activity" or through "collection of an unlawful debt" to establish, acquire an interest in, or operate "any enterprise" engaged in or affecting interstate commerce.⁷ To establish an offense under section 1962(a), the government must show that the defendant had derived income from a pattern of racketeering or collection of unlawful debt, and then used or invested some part of that income in the establishment and operation of an enterprise, which was engaged in or its activities affected commerce.⁸ An example of a violation of section 1962(a) is a drug dealer using the proceeds of a pattern of drug trafficking crimes to invest in or operate a legitimate business.⁹

b. 18 U.S.C. § 1962(b)

Section 1962(b) prohibits acquiring or maintaining an interest in, or control of, any enterprise that is engaged in or affects interstate commerce “through a pattern of racketeering activity or through collection of an unlawful debt.”¹⁰ This provision essentially makes it unlawful to take over an enterprise that affects interstate commerce through a pattern of racketeering activity or collection of unlawful debt. An example of a section 1962(b) violation is an organized crime figure taking over a legitimate business through a pattern of extortionate and loansharking acts designed to intimidate the owners into selling the business to him.¹¹

c. 18 U.S.C. § 1962(c)

Section 1962(c) makes it unlawful for any person “employed by or associated with any enterprise engaged in” or affecting interstate or foreign commerce “to conduct or participate, directly or indirectly, in the conduct of such enterprise’s affairs through a pattern of racketeering activity or collection of unlawful debt.”¹²

⁷ *Id.* § 1962(a).

⁸ *See, e.g.,* United States v. Vogt, 910 F.2d 1184, 1194 (4th Cir. 1990); United States v. Carlock, 806 F.2d 535, 547 (5th Cir. 1986); United States v. Robertson, 73 F.3d 249, 251 (9th Cir. 1996) (“Unlike § 1962(c), § 1962(a) prohibits not the engagement in racketeering acts to conduct an enterprise affecting interstate commerce, but rather the *use or investment of the proceeds* of racketeering acts to acquire, establish or operate such an enterprise.”) (emphasis in original).

⁹ *See, e.g.,* United States v. Robertson, 514 U.S. 669 (1995) (defendant convicted of narcotic offenses and of violating section 1962(a) by investing the proceeds of those unlawful activities in a gold mine).

¹⁰ 18 U.S.C. § 1962(b).

¹¹ *See, e.g.,* United States v. Biasucci, 786 F.2d 504, 506–07 (2d Cir. 1986) (acquisition of interests in and control over businesses through loansharking activities involving collection of unlawful debt); *see also* United States v. Jacobson, 691 F.2d 110, 112 (2d Cir. 1982) (acquisition of bakery’s lease as security for usurious loan).

¹² 18 U.S.C. § 1962(c).

d. 18 U.S.C. § 1962(d)

Section 1962(d) provides that “[i]t shall be unlawful for any person to conspire to violate any of the provisions of subsection (a), (b), or (c) of this section.”²⁰ Unlike the general conspiracy statute applicable to federal crimes, which requires proof that at least one of the conspirators committed an “act to effect the object of the conspiracy,”²¹ there is no requirement under section 1962(d) that an “overt act” or specific act be committed in furtherance of a RICO conspiracy.²²

¹³ *See* United States v. Alkins, 925 F.2d 541, 551–53 (2d Cir. 1991).

¹⁴ *See* Cedric Kushner Promotions, Ltd. v. King, 533 U.S. 158, 161 (2001).

¹⁵ *See* Reves v. Ernst & Young, 507 U.S. 170, 185 (1993).

¹⁶ *See Cedric Kushner Promotions, Ltd.*, 533 U.S. at 163 (“After all, incorporation’s basic purpose is to create a distinct legal entity, with legal rights, obligations, powers, and privileges different from those of the natural individuals who created it, who own it, or whom it employs.”).

¹⁷ United States v. Turkette, 452 U.S. 576, 583 (1981).

¹⁸ *Id.*

¹⁹ Boyle v. United States, 556 U.S. 938, 947 (2009) (citing *Turkette*, 452 U.S. at 583).

²⁰ 18 U.S.C. § 1962(d).

²¹ *See id.* § 371.

²² *See id.* § 1962(d); *see also* Salinas v. United States, 522 U.S. 52, 63 (1997) (“There is no requirement of some overt act or specific act in the [RICO statute], unlike the general conspiracy provision applicable to federal crimes, which requires that at least one of the conspirators have committed an ‘act to effect the object of the conspiracy.’”).

²³ *Salinas*, 522 U.S. at 65–66 (explaining that a defendant can violate section 1962(d) without “himself commit[ting] or agree[ing] to commit two or more” acts of racketeering activity); *see* United States v. Fernandez, 388 F.3d 1199, 1230 (9th Cir. 2004) (holding after *Salinas* that a defendant is guilty of conspiracy to violate § 1962(c) if he knowingly agreed to facilitate a scheme which includes the operation or management of a RICO enterprise, regardless of whether he actually conspired to operate or manage the enterprise himself).

²⁴ *See, e.g.,* Boyle v. United States, 556 U.S. 938 (2009).

25 *RJR Nabisco, Inc. v. European Cmty.*, 136 S. Ct. 2090, 2102-03 (2016) (“To give a[n] example, a violation of § 1962 could be premised on a pattern of killings of Americans abroad in violation of § 2332(a)—a predicate that all agree applies extraterritorially—whether or not any domestic predicates are also alleged.”).

26 18 U.S.C. § 1961(1)(A).

27 *See, e.g.*, *United States v. Kirsch*, 903 F.3d 213, 225 (2d Cir. 2018); *United States v. Adams*, 722 F.3d 788, 802 (6th Cir. 2013); *United States v. Ferriero*, 866 F.3d 107, 115 (3d Cir. 2017).

28 *See, e.g.*, *United States v. Licavoli*, 725 F.2d 1040, 1045-47 (6th Cir. 1984); *United States v. Malatesta*, 583 F.2d 748, 757 (5th Cir. 1978); *United States v. Forsythe*, 560 F.2d 1127, 1134-35 (3d Cir. 1977) (fact that former state bribery statute was recodified to provide for a term of imprisonment not exceeding one year did not preclude prosecution under RICO for conduct prior to enactment of the subsequent bribery statute).

29 18 U.S.C. § 1961(1)(B), (C), (E), (F), and (G) (listing specific federal statutes constituting racketeering acts). Notably, subdivision G describes racketeering activity as any act indictable under any provision listed in section 2332b(g)(5)(B) of title 18, which adds approximately 50 terrorism-related offenses to the list of racketeering acts. *See* 18 U.S.C. § 2332b (Acts of terrorism transcending national boundaries).

30 *See* 18 U.S.C. § 1961(1)(B), (C), (E), (F), and (G).

31 *See id.* § 1951.

32 *See id.* § 1951(a) (“Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do . . .”).

33 18 U.S.C. § 1961(1)(D).

34 *See, e.g.*, *United States v. Darden*, 70 F.3d 1507, 1524-25 (8th Cir. 1995) (conspiracy to distribute and possession with intent to distribute controlled substances constitute RICO predicate acts, but simple possession of cocaine does not); *United States v. Echeverri*, 854 F.2d 638 (3d Cir. 1988) (conspiracy to possess and distribute a controlled substance constitute RICO predicate acts); *United States v. Weisman*, 624 F.2d 1118, 1123-24 (2d Cir. 1980) (conspiracy to commit offense involving bankruptcy fraud or securities fraud is a RICO predicate act) (*abrogation on other grounds recognized by Ianniello v. United States*, 10 F.3d 59, 62 (2d Cir. 1993)).

35 18 U.S.C. § 1961(5).

36 *See id.* (excluding any period of imprisonment from the ten-year limitations period).

37 *See H.J. Inc. v. Northwestern Bell Tel. Co.*, 492 U.S. 229, 240 (1989) (“RICO’s legislative history tells us . . . that the relatedness of racketeering activities is not alone enough to satisfy § 1962’s pattern element. To establish a RICO pattern, it must also be shown that the predicate themselves amount to, or that they otherwise constitute a threat of, *continuing* racketeering activity.”) (emphasis in original); *Sedima, S.P.R.L. v. Imrex Co.*, 473 U.S. 479, 496 n.14 (1985).

38 18 U.S.C. § 1961(6).

39 *Goldenstein v. Repossessors, Inc.*, 815 F.3d 142, 148 (3d Cir. 2016).

40 *United States v. Weiner*, 3 F.3d 17, 24 (1st Cir. 1993) (citations omitted) (holding that “a single collection of an unlawful debt satisfies section 1962(c)’s ‘collection of unlawful debt’ requirement”); *United States v. Giovanelli*, 945 F.2d 479, 490 (2d Cir. 1991) (“Unlike a ‘pattern of racketeering activity’ which requires proof of two or more predicate acts, to satisfy RICO’s ‘collection of unlawful debt’ definition the government need only demonstrate a single collection.”); *United States v. Vastola*, 899 F.2d 211, 228 n.21 (3d Cir. 1990), *vacated and remanded on other grounds*, 497 U.S. 1001 (1990); *United States v. Pepe*, 747 F.2d 632, 645 (11th Cir. 1984); *see also H.J. Inc.*, 492 U.S. at 232 (stating that “[e]ach prohibited activity is defined in 18 U.S.C. § 1962 to include, as one necessary element, proof either of ‘a pattern of racketeering activity’ or of ‘collection of an unlawful debt’”).

41 18 U.S.C. § 1961(3).

42 *See id.* § 1961(4); *United States v. Turkette*, 452 U.S. 576, 580 (1981).

43 *Id.*

44 *See Boyle v. United States*, 556 U.S. 938, 945 (2009).

45 *Turkette*, 452 U.S. at 584-85 (“There is no inconsistency or anomaly in recognizing that § 1962 applies to both legitimate and illegitimate enterprises.”).

46 18 U.S.C. § 1962(a), (b).

47 *See id.* § 1962(c).

48 *See Cedric Kushner Promotions, Ltd. v. King*, 533 U.S. 158, 164-65 (2001) (quoting *Turkette*, 452 U.S. at 591).

49 If the government seeks a sentence exceeding the 20-year statutory maximum, a jury must find beyond a reasonable doubt (or the defendant must have admitted in pleading guilty) that the defendant committed a racketeering act for which the maximum penalty includes life imprisonment. *See United States v. Nguyen*, 255 F.3d 1335, 1343-44 (11th Cir. 2001) (holding that RICO defendants’ sentences ran afoul of *Apprendi* because they were sentenced to a term greater than 20 years, but the jury did not find the defendants committed a racketeering act carrying a potential life sentence); *see also Apprendi v. New Jersey*, 530 U.S. 466 (2000).

50 18 U.S.C. § 1963(a)(1).

51 *See id.* § 1963(a)(2)(A)-(D).

⁵² See *id.* § 1963(a)(3).

⁵³ See *id.* § 1963(b).

⁵⁴ See *id.* § 1963(c).

⁵⁵ See *id.* § 1963(d)–(m).

⁵⁶ See *id.* § 1963(a).

⁵⁷ *Libretti v. United States*, 516 U.S. 29, 39 (1995) (“Congress plainly intended forfeiture of assets to operate as punishment for criminal conduct in violation of the federal drug and racketeering laws, not as a separate substantive offense.”). Indeed, the Supreme Court observed that criminal forfeiture as authorized by the RICO statute “is clearly a form of monetary punishment no different, for Eighth Amendment purposes, from a traditional fine,” and, therefore, is subject to the Eighth Amendment’s prohibition against “cruel and unusual punishment” or “excessive fines.” *Alexander v. United States*, 509 U.S. 544, 558 (1993).

⁵⁸ See *United States v. Ursery*, 518 U.S. 267, 273 (1996).

⁵⁹ See *Blockburger v. United States*, 284 U.S. 299, 304 (1932).

⁶⁰ *Iannelli v. United States*, 420 U.S. 770, 777–78 (1975).

⁶¹ See, e.g., *United States v. Marino*, 277 F.3d 11, 39 (1st Cir. 2002); *United States v. Sessa*, 125 F.3d 68, 71 (2d Cir. 1997); *United States v. Rone*, 598 F.2d 564, 569–71 (9th Cir. 1979).

⁶² See, e.g., *United States v. Masters*, 978 F.2d 281, 285 (7th Cir. 1992) (rejecting the defendant’s argument that cumulative terms for racketeering and racketeering conspiracy violate the Double Jeopardy Clause); *United States v. Pungitore*, 910 F.2d 1084, 1105–07 (3d Cir. 1990) (double jeopardy does not preclude prosecution for RICO offenses charging predicate acts for which the defendant was previously tried and acquitted or previously convicted); *United States v. Ciancaglini*, 858 F.2d 923, 928 (3d Cir. 1988) (defendant’s prior RICO conviction did not bar on double jeopardy grounds instant successive prosecution for RICO conspiracy and substantive RICO offense involving same enterprise as prior conviction because successive indictment alleged different pattern of racketeering activity); *United States v. Grayson*, 795 F.2d 278, 282 (3d Cir. 1986) (“The language and legislative history of RICO indicates little doubt that Congress, in enacting RICO, sought to allow separate prosecution and punishment of predicate offenses and a subsequent RICO offense.”).

⁶³ See, e.g., *United States v. Zemlyansky*, 908 F.3d 1, 10–11 (2d Cir. 2018) (defendant’s prior acquittal on substantive counts of insurance-related mail fraud and money laundering did not preclude government from predicating his RICO conspiracy charge on conduct mirroring those same counts in subsequent trial); *United States v. Burden*, 600 F.3d 204, 228–29 (2d Cir. 2010) (acquittal on state murder charge did not bar its use as a predicate racketeering act for RICO violation under the dual sovereignty principle); *United States v. Licavoli*, 725 F.2d 1040, 1047 (6th Cir. 1984) (same); *United States v. Malatesta*, 583 F.2d 748, 757 (5th Cir. 1978) (same); *United States v. Frumento*, 563 F.2d 1083, 1086–89 (3d Cir. 1977) (same).

⁶⁴ *Zemlyansky*, 908 F.3d at 11.

⁶⁵ *Id.* at 11–12.

Deprivation Of Rights Under Color Of Law

42 U.S. Code § 1983 - Civil action for deprivation of rights makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

For the purpose of Section 42, acts under "color of law" include acts not only done by federal, state, or local officials within their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of this statute include police officers, prisons guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim.

The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

42 U.S. Code § 1983

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ... shall be fined under

this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

Res Ipsa Loquitur – The Evidence Speaks for Itself.

This many violations of law cannot exist but for intent. The law is not supposed to see faces and exist for equality before the law, supremacy of the law and accountability to the law. Every single element of the Rule of Law, without exception has been destroyed. Those responsible Entities and Individuals listed in this complaint cannot claim ignorance of their own laws, regulations and job descriptions. The entire system of Real Estate Taxation was a fraud from its inception and is a fraud today and if these compound cumulative fraudulent debts are not worked out immediately, may lead to the economic collapse of the United States of America. Those who are responsible and whistled past the economic graves of their constituents must be held accountable.

I sincerely believe...that the principle of spending money to be paid by posterity under the name of funding is but swindling futurity on a large scale” – Thomas Jefferson 1816

AGAINST THE PEACE AND DIGNITY OF THE STATE.

VERIFICATION

I, Mitch Vexler, President G.P. on behalf of Mavex Shops of Flower Mound, LP as Complainant, do affirm that all statements made herein are true and accurate, in all respects, to the best of my knowledge.

Date Mitch Vexler, President G.P. Mavex Shops of Flower Mound LP

As a Notary Public, I hereby certify that Mitch Vexler, President G.P. Mavex Shops of Flower Mound, LP, who is known to me, appeared before me and after affirming, he executed the foregoing document on this the _____ day of March, in the year two thousand and twenty-four (2025).

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Notary Seal