

Affidavit

No. NSD711/2019

Federal Court of Australia

District Registry: New South Wales

Division: Corporations

Lady Crown And On Behalf of Ngati Rangihou Corrangie Hapu dba Office of the Crown
Creditor/Applicants

PARRAMATTA CITY COUNCIL

Debtor/ Respondents

Affidavit of: Lady Crown

Address: Office of the Crown. Unit 5, 114 Harris Street, Parramatta NSW 2150
C/O Office of the Crown, PO Box 9144 Harris Park NSW 2150

Occupation: Community Service

Date: 9th July 2019

Contents

Doc No	Description	Paragraph	Page/s
1.	Annexure "a" being a copy of a document named 'Fraud on the Court'		3

Filed on behalf of: Lady Crown and on behalf of Ngati Rangihou Corrangi Hapu
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I, Lady Crown of Unit 5, 114 Harris Street, Parramatta NSW 2150 in the state of New South Wales, a humanitarian undertaking community services, do state and affirm to introduce the following:

1. This affidavit introduces an article referring to legal reference, meanings and citations to cases involving 'Fraud on the Court'. Attached and marked annexure "a" is a copy of the document marked 'Fraud on the Court'.
2. **"Once a fraud, always a fraud"** 13 Vin. Abr 539.
3. **"Things invalid from the beginning cannot be made valid by subsequent act"**
Trayner, Max. 482 Maxims of Law, Blacks Law Dictionary 9th Edition Page 1862.
 - a. **Invalid from 'The Beginning'** - An offense of Treason was created by the overt Act of Treason, titled "Commonwealth of Australia Constitution Act Proclaimed and Gazetted 1 January 1901, such amendments were created and agreed to by the State of New South Wales and "the Commonwealth" without lawful involvement nor consent of the electorate in accordance with the preamble, in addition to Section 128 of the Commonwealth Constitution Act 1900, such being the Superior Act in Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom and the House of Commons and House of Lords
 - b. **Cannot be made valid by 'Subsequent Act'** – Local Government Act 1993 NSW, Local Government (City of Parramatta and Cumberland) Proclamation 2016
4. **"A thing void in the beginning does not become valid by lapse of time"** 1 S. & R. 58
Maxims of Law, Black's Law Dictionary 9th Edition page 1866.
 - a. **Void in 'The Beginning'** - An offense of Treason was created by the overt Act of Treason, titled "Commonwealth of Australia Constitution Act Proclaimed and Gazetted 1 January 1901, such amendments were created and agreed to by the State of New South Wales and "the Commonwealth" without lawful involvement nor consent of the electorate in accordance with the preamble, in addition to Section 128 of the Commonwealth Constitution Act 1900, such being the Superior Act in Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom and the House of Commons and House of Lords
 - b. **Does not become valid by 'Lapse of time'** – Local Government Act 1993 NSW, Local Government (City of Parramatta and Cumberland) Proclamation 2016
5. **"Time cannot render valid an act void in its origin."** Dig. 50, 17, 29: Broom, Max 178,
Maxims of Law, Black's Law Dictionary 9th Edition Page 1862.

- a. **'Void'** - Although the titled "*Commonwealth of Australia Constitution Act Proclaimed and Gazetted 1 January 1901*" is 118 years old does not mean that it is valid today, as its origin was an overt act of Treason.
6. "*Ex dolo malo non oritur action. Out of fraud no action arises.*" Cowper, 343; Broom's Max. 349 Bouviers Maxims of Law 1856.
- a. **'No Action Arises'** - From the titled "*Commonwealth of Australia Constitution Act Proclaimed and Gazetted 1 January 1901*" nothing positive has come from it. Local Councils are now planning to take the land out from underneath every single man and woman in Australia through corrupt and newly created illegal laws. Nothing but fraud.
- b. This will affect every man and woman, and their children's children's children! Nothing but fraud.
7. **"Any act by any government official to conceal the fraud becomes an act of fraud."**
8. "*fraus est celare fraudem. It is a fraud to conceal a fraud. 1 Vern 270.*" Bouvier's Maxims of Law 1856.
9. **"And fraud is inexcusable and unpardonable."**
10. "*Fraus et dolus nemini patrocianari debent. Fraud and deceit should excuse no man.*" 3 Co. 78 Bouvier's Maxims of Law 1856.
11. **"Any fraud amounts to injustice."**
12. "*Fraus et jus nunquam cohabitant. Fraud and justice never dwell together.*" Maxims of Law, Black's Law Dictionary 9th Edition page 1832.
- a. **"No one can serve two master."**

13. "*Quod alias bonum et justum est, si per vim vei fraudem petatur, malum et injustum effecitur. What is otherwise good and just, if sought by force or fraud, becomes bad and unjust.* 3 Co. 78." Bouvier's Maxims of Law, 1856.

- a. Local Government Act 1993 NSW, Local Government (City of Parramatta and Cumberland) Proclamation 2016

14. *Color of Office. A pretence of official right to do an act made by one who has no such right. 9 Ease 864. Such person must be at least a de facto officer; 28 Wend 606. An Act wrongfully done by an officer, under the pretended authority of his office and grounded upon corruption, to which the office is a mere shadow of color.* 41 N. Y.464 Bouvier's Law Dictionary 1897 Edition Volume 1 page 353.

- a. Robert Lang – Previous CEO Parramatta City Council
- b. Greg Dyer – Previous CEO Parramatta City Council
- c. Mark Stapleton – Previous CEO Parramatta City Council
- d. Rik Hart – Current Acting General Manager Parramatta City Council
- e. Sue Coleman – Manager Parramatta City Council
- f. Sue Weatherley – Manager Parramatta City Council
- g. Debbie Killian – Manager Parramatta City Council
- h. Scott Greig – Manager Parramatta City Council
- i. Simon Officer – Manager Parramatta City Council
- j. Brad Delapierre – Manager Parramatta City Council
- k. John Chedid – Previous Mayor Parramatta City Council
- l. Scott Lloyd – Previous Mayor Parramatta City Council
- m. Viv May – Administrator for the Parramatta City Council
- n. Merv Ismay – Interim General Manager Parramatta City Council
- o. Mark Brisby – Deputy General Manager Parramatta City Council
- p. Amanda Chadwick – Administrator for the Parramatta City Council
- q. Maarama Kamira – Informant for Parramatta City Council
- r. Phil Littlewood – Manager Parramatta City Council
- s. Kerwin Meldrum – Supervisor Parramatta City Council
- t. Think Planners - Rangihou Developer
- u. M. Dibben for Starrylands Sydey Pty Ltd - Rangihou Developer
- v. King & Wood Mallesons (Lawyer)
- w. The Hon Mike Baird MP NSW (Government)

- x. The Hon George Brandis QC (Government)
- y. Sergeant David Kassavian (Police Force)
- z. Constable C Hepburn (Police Force)
- aa. Constable K Ballard (Police Force)
- bb. Andy Giannotis (Granville Waratah Soccer Club)
- cc. Noel Doan (Granville Waratah Soccer Club)
- dd. Chris Drury - Lawyer Parramatta City Council
- ee. Alex White - Lawyer Parramatta City Council
- ff. Timothy Castle - Lawyer Parramatta City Council
- gg. Unlawful Persons

15. ***A Clerk Masquerading as a Judge is operating in his private capacity, and has no immunity. "Ministerial officers are incompetent to receive grants of judicial power from the legislature, their acts in attempting to exercise such powers are necessarily nullities"*** Burns v. Sup., Ct., 140 Cal. 1.

16. ***"Where jurisdiction is contested, the burden of establishing it rests upon the plaintiff."*** Loos v American Energy Savers Inc., 168i11./ App. 3d 558, 522 N. E.2d 841 (1988).

- a. *Offences against the Sovereign under the Crimes Act 1900 pt 2, sect 11, 12 & 16 "A declaration which offences shall be adjudged Treason".*
- b. *Misprison of Treason validated. " Halsbury's Laws of England, 2nd Edition, Vol 2 at Paragraph 480. Crime Act 1958 – Sect 9A Treason*
- c. *'Misprison of Treason' Crimes Act 1914-1973 Section 24f & 15f.*
- d. *Crimes Act 1914-1973 Sect 15*
- e. *Crimes Act 1900 pt 2, sect 11, 12 & 16*
- f. *Crimes Act 1914-1973 Sect 24F*

17. ***"the burden of proving jurisdiction rests upon the party asserting it."*** Bidell v City of Harvy 212 III. App.3d 1042, 571 N.Ed 1017 (1st Dist. 1991).

- a. Lady Crown requests that the registrar furnish her with a written statement of the jurisdiction and authority of the court, to be made available to her in writing on the 14th August 2019 to assess God's standing in the court and in the proceedings.

5 | Lady Crown and on behalf of Ngati Rangihou Corrangie Hapu
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18. **"Where there is no jurisdiction there is no judge; the proceeding is as nothing. Such has been the law from the days of the Marshalsea, 10 Coke 68; also Bradley v. Fisher, 13 Wall 335, 351."** Manning v. Ketcham, 58 F.2d 948.
19. **The courts have decreed, that Want of Jurisdiction makes; "**..all acts of judges, magistrates, Marshals, sheriffs, local police, all void and not just voidable." Nestor v. Hershey, 425 F2d 504.
20. **" By Maxim of Law, possession by pirates does not change ownership of assets, and any Persons seeking to seize upon and exploit the assets of Trust Property arising from any Federal claim at all, are pirates by definition with respect to our land and soil jurisdiction States and People."** Judge Anna von Reitz.
- a. Pirates - Parramatta City Council
 - b. Pirates - City of Parramatta Council
 - c. Pirates - Local Government Act 1993 NSW
 - d. Pirates - Local Government (City of Parramatta and Cumberland) Proclamation 2016
21. **"Wo unto them that call evil good and good evil, and put darkness for light, and light for darkness..."** Isaiah 5:20.
22. For the record and recorded as fact, i 'Lady Crown' am from the lost tribe of Israel. **"If a man be found stealing any of his brethren of the children of Israel, and maketh merchandise of him, or selleth him; then that their shall die; and thou shalt put evil away from among you."** Deuteronomy 24:7
23. **"And through covetousness shall they with feigned words made merchandise of you: whose judgment now of a long time lingereth not, and their damnation slumbereth not."** 2 Peter 2:3
24. **"Give me liberty or give me death"** Patrick Henry, after he witnessed a man flogged to death for refusing to take a licence.

6 | Lady Crown and on behalf of Ngati Rangihou Corrangie Hapu
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25. ***"You are of your father the devil, and the lusts of your father ye will do. He was a murderer from the beginning, and abode not in the truth, because there is not truth in him. When he speaketh a lie, he speaketh of his own; for he is a liar and the father of it."*** John 8:44
26. ***"But the fearful, and unbelieving, and the abominable, and murderers, and whoremongers, and sorcerers [pharmaceutical drug pushers], and idolaters, and all liars, shall have their part in the lake which burneth with fire and brimstone: which is the second death."*** Revelations 21:8
27. ***"And it shall come to pass in that day, that the LORD shall punish the host of the high ones that are on high, and the kings of the earth upon the earth. And they shall be gathered together, as prisoners are gathered in the pit, and shall be shut up in the prison, and after many days shall they be visited."*** Isaiah 24:21-22
28. ***"If Ye love wealth better than liberty, the tranquility of servitude, better than the animating contest of freedom, go home from us in peace. We ask not your counsel or arms. Crouch down and lick the hands which feed you. May your chains set lightly upon you, and may our posterity forget there you were ever our countrymen."*** Samuel Adams "the father of the American revolution", member of "The sons of Liberty (the group that did the Boston Tea Party) Quoted from the debates of 1776.
29. ***"When shall it be said in any country of the world, my poor are happy, neither ignorance or distress is to be found among them; my jails are empty of prisoners, my streets of beggars; the aged are not in want, the taxes not oppressive; the rational world is my friend because I am friend of its happiness. When these things can be said, then may that country boast of its constitution and government."*** Thomas Paine.
30. ***"Its only law if it's in sinc with the common law, if it actually says justice and is a good law as decided by the people. All these iniquitous laws are no law at all and entitled to no obedience. People need to wake up to this fact."*** Dezi Freeman.

Arrested Magistrate in Court 28th June 2018. Youtube: <https://www.youtube.com/watch?v=n-QxE2uJi1s>

31. ***"His mouth is full of cursing and deceit and fraud: under his tongue is mischief and vanity."*** Psalms 10:7

32. ***"No man can serve two masters: for either he will hate the one, and love the other; or else, he will hold to the one, and despise the other, Ye cannot serve God and mammon."*** Matthew 6:24

subscribed to and affirmed before me this 09 day July month 2019ad, that Lady Crown appeared and known to me to be the live flesh and blood woman, whose name subscribed within this instrument and acknowledged to be the same.

affirmed by Lady Crown
at PARRAMATTA

on

09-07-2019



autograph of Lady Crown

i affirm that the contents of this affidavit are true.
Before me:

.....

full name of JP

signature of JP

This page and the following 3 pages is the document referred to as
annexure "a"

in the affidavit of Lady Crown affirmed at Parramatta.

Affirmed

JP Signature:  JP No: 210842

Rosanna Gale
JP for NSW
210842

JP Stamp: _____ Date: 09-07-2019

Fraud on the Court

The Illinois Supreme Court has held in **In re Eugene Lee Armentrout, Jay Robert Grodner, Charles A. Petersen, Kim Edward Presbrey, William H. Weir, and William John Truemper, Jr.**, 99 Ill.2d 242, 75 Ill.Dec. 703, 457 N.E.2d 1262 (1983) that:

"Fraud encompasses a broad range of human behavior, including " * * * anything calculated to deceive, * * * whether it be by direct falsehood or by innuendo, by speech or by silence, by word of mouth or by look or gesture." (**Regenold v. Baby Fold, Inc.** (1977), 68 Ill.2d 419, 435, 12 Ill.Dec. 151, 369 N.E.2d 858, citing **People ex rel. Chicago Bar Association v. Gilmore** (1931), 345 Ill. 28, 46, 177 N.E. 710; **In re Alschuler** (1944), 388 Ill. 492, 503-04; **Black's Law Dictionary** 594 (5th ed. 1979).) Too, this court has previously disciplined lawyers even though their fraudulent misconduct did not harm [99 Ill.2d 252] any particular individual. **In re Lamberis** (1982), 93 Ill.2d 222, 229, 66 Ill.Dec. 623, 443 N.E.2d 549."

"The Court has broadly defined fraud as any conduct calculated to deceive, whether it be by direct falsehood or by innuendo, by speech or silence, by word of mouth, by look, or by gesture. Fraud includes the suppression of the truth, as well as the presentation of false information. (**In re Witt** (1991) 145 Ill.2d 380, 583 N.E.2d 526, 531, 164 Ill. Dec. 610)". See also **In re Frederick Edward Strufe**, Disciplinary case no. 93 SH 100 where the Court stated that "Fraud has been broadly defined as anything calculated to deceive."

It is clear and well-established Illinois law that any attempt by any officer of the court, whether attorney or judge, to deceive is considered fraud, and when the attempt to deceive occurs in a judicial proceeding, it is "fraud upon the court".

FRAUD UPON THE COURT

A judge is not the court. **People v. Zajic**, 88 Ill.App.3d 477, 410 N.E.2d 626 (1980). A judge is a state judicial officer, paid by the State to act impartially and lawfully. A judge is also an officer of the court, as well as are all attorneys.

Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court". In **Bulloch v. United States**, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions of the court have been directly corrupted."

"Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication." **Kenner v. C.I.R.**, 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512, ¶60.23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final."

What effect does an act of "fraud upon the court" have upon the court proceeding?

"Fraud upon the court" makes **void**
the orders and judgments of that court

It is also clear and well-settled Illinois law that any attempt to commit "fraud upon the court" vitiates the entire proceeding. **The People of the State of Illinois v. Fred E. Sterling**, 357 Ill. 354; 192 N.E. 229 (1934) ("The maxim that fraud vitiates every transaction into which it enters applies to judgments as well as to contracts and other transactions."); **Allen F. Moore v. Stanley F. Sievers**, 336 Ill. 316; 168 N.E. 259 (1929) ("The maxim that fraud vitiates every transaction into which it enters ..."); **In re Village of Willowbrook**, 37 Ill.App.2d 393 (1962) ("It is axiomatic that fraud vitiates everything."); **Dunham v. Dunham**, 57 Ill.App. 475 (1894), affirmed 162 Ill. 589 (1896); **Skelly Oil Co. v. Universal Oil Products Co.**, 338 Ill.App. 79, 86 N.E.2d 875, 883-4 (1949); **Thomas Stasel v. The American Home Security Corporation**, 362 Ill. 350; 199 N.E. 798 (1935).

Fraud (Definition)

n. the intentional use of deceit, a trick or some dishonest means to deprive another of his/her/its *money*, property or a *legal right*. Quite often there are several persons involved in a scheme to commit fraud and each and all may be liable for the total damages. Inherent in fraud is an unjust advantage over another which injures that person or entity. It includes failing to point out a known mistake in a contract or other writing (such as a deed), or not revealing a fact which he/she has a duty to communicate, Constructive fraud can be proved by a showing of breach of legal duty without direct proof of fraud or fraudulent intent. Extrinsic fraud occurs when deceit is employed to keep someone from exercising a right, such as a fair trial, by hiding evidence or misleading the opposing party in a lawsuit. Since fraud is intended to employ dishonesty to deprive another of money, property or a right,