

In chancery court, Hamilton County, Tenn.

State of Tennessee, ex rel. David Jonathan Tulis	)	
	)	
V.	)	
	)	Case No. 20-0685
Bill Lee	)	
Governor, State of Tennessee	)	
In his personal capacity	)	
In his official capacity	)	
	)	<b><u>EXPEDITED</u></b>
Rebekah Barnes	)	
Administrator, Hamilton County Health Department	)	
In her personal capacity	)	
In her official capacity	)	

Notice of judicial department mass fraud

State of Tennessee on relation hereby gives notice to the court of evidence, attached, of a massive breach of law and equity in the judicial branch of government relevant and material to the justice owed its lawsuit for a writ of mandamus upon a man holding office of governor in the executive branch of the state, and others. This evidence constitutes a breach of trust and violation of oath imposed upon state of Tennessee on relation, anticipated in the petition, by respondent governor et al as well as five men and women occupying positions of high honor on the Tennessee supreme court and to which this court has prior relinquished its power.

Relator is an aggrieved man, unable to obtain relief for irreparable injury in chancery under the principles of equity nor in the enforcement of state law upon those obligated to obey said law but who have refused to fulfill and administer said law, Tenn. Code Ann.§ Title 68-5-104, and not identified pursuant to this code or any law as *being* a contagious principle,<sup>1</sup> or subject to

<sup>1</sup> Even as a Virginia circuit court judge has recognized recently that, “the state ‘has failed to clearly demonstrate the factors necessary to grant a temporary injunction,’” [that the victim of the state’s abuses]

respondents both of whom admit they, “*intrinsically linked*,” are committing the frauds alleged. The chancery court has refused for the past 173 days, not forthwith as the legislature requires, to eschew fraud as equity principles require, or compel obedience to law upon those liable for its performance, the failure to do so of which caused the irreparable harms of record evidence, the unrebutted and unchallenged affidavit of private injury, **Exhibit 1, and the Petition** of record.

In giving equity to fraud, the court appears to be cooperating with respondents-in-fraud, and appears to be following directives of others from outside the lawsuit committing similar if not ultimately the same frauds. The court has acted to impede state of Tennessee’s rights on relation, injuring state of Tennessee’s people’s rights on relation, and further limiting or forbidding the prospect of a restoration of republican representative government under the Tennessee constitution and its bill of rights and the constitution for the United States and its bill of rights, which are the goals of the petition in this action in equity.

Given the appearance of a trysting of hidden interests, a confluence of purposes among respondents involving the chancery court, an unholy alliance among the parties against state of Tennessee and her people on relation, and the petition anticipated the respondents would resort to as a defensive tactic under color of state authority.

85. If the relator had thought the judiciary was protected and actually independent, that confidence was dashed when reading that the American Bar Association’s House of Delegates in 2013, reaffirmed its 1991 and 2003 “commitments to sustainable development, and defines sustainable development as ‘the promotion of an economically, socially and environmentally sustainable future for our planet and for present and future generations,’ and professes an “ongoing commitment to the International Legal Resource Center in collaboration with the United Nations Development Program,” “giving impetus” to the federal government. “The U.S. government should take a leadership position in ongoing and future negotiations on sustainable development, including climate change” while developing a “[p]artnership in the Global Forum for Law, Justice, and

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“poses any actual threat to the general public,” consistent with the communicable disease code of Tennessee which the respondents-in-fraud and the Tennessee supreme court evade “any duty” to. And the Virginia relief is secured despite the attorneys’ not challenging the state for its “COVID-19 pandemic” fraud. Source of story:

[https://fredericksburg.com/news/crime\\_courts/court-says-spotsy-restaurant-defying-mask-mandate-can-re-main-open/article\\_d829e865-4408-530f-8743-f1b3ddf19ea5.html](https://fredericksburg.com/news/crime_courts/court-says-spotsy-restaurant-defying-mask-mandate-can-re-main-open/article_d829e865-4408-530f-8743-f1b3ddf19ea5.html)

Development” and a “new, dynamic and innovative initiative spearheaded by the World Bank Legal Vice Presidency with the support of client countries, think-tanks, regional and international organizations, international financial institutions, and civil society organizations,” to support “ongoing negotiations relevant to sustainability include a variety of processes on specific issues established by the U.N. Conference on Sustainable Development (e.g., strengthening international institutions) and a new international framework to address climate change under the U.N. Framework Convention on Climate Change.”;

[https://www.americanbar.org/content/dam/aba/administrative/office\\_president/2013\\_hod\\_annual\\_meeting\\_105.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/administrative/office_president/2013_hod_annual_meeting_105.authcheckdam.pdf)

86. Such position is contrary to the organic law of the land in the United States and the state of Tennessee and by more than the mere appearance of impropriety creates a constitutional crisis relative to a conflict of interest within the judicial branch of the state and a trust breach.

87. The uniformity of administratively biased actions, instead of challenging the lawfulness of the suspiciously consistent national public health orders failing to identify an infectious agent nationwide, together with that reliance consistency by respondent(s), alerted the relator to another official mistreatment: That these deleterious foreign adjuncts — administrative policy and performance merely appearing lawful — are promoting sustainable governance, not good government, republican representative in form, and state officials have no lawful authority under their oaths of office, the constitution, nor Tennessee code to operate as if reflexive law theory were a valid operating paradigm in the state of Tennessee in serving the people to whom they owe trust obligations.

— Petition in equity and for writ of mandamus

Relator hereby gives notice of his grievance to the court, and sets the record so that he might obtain a remedy from alien jurisdictions that might be constrained to look into the Volunteer state and impose an equitable but heavy hand upon it for having volunteered itself into self-dealing, corruption, violence, maleficence, violation of black-letter law and overthrow of a constitutional and republican form of government since March 12, 2020, with issuance of respondent Lee’s first executive order, **Exhibit 5**.

## Record of supreme court

The supreme court has rejected relator’s efforts to correct the objectively apparent maladministration of justice, the court’s myriad abuses and flagrant disregard of equity principles

prejudicing state of Tennessee since relator filed his petition Oct. 2, 2020, and evidentiary affidavit, 7½ months after respondents began brazen violation of the state’s epidemics, contagion and quarantine law in their under-color-of-law personal project to mitigate the so-called and pretended “COVID-19 pandemic,” and after no Bar Association member would do so to stop the blatant fraud irretrievably destroying aspects of the state on relation.

When chancery refused to act within days on the petition, required to be handled “forthwith” at Tenn. Code Ann. § 29-25-102 as a peremptory, emergency, ministerial act, relator filed grievances to the supreme court Nov. 3, 2020, Dec. 30, 2020 and March 16, 2021, demanding supervision of chancery maladministration. The response of the justices is terse per curiams in two instances and, in the last filing (a demand to recall mandate), a notice by the clerk. The denials<sup>2</sup> in the top court are facially insufficient, *lacking rationale or foundation as required in equity*. The supreme court orders objectively evidence fraud. The orders are brief and as tight as fingers clamped on the nostrils of one smelling a stench. They lack candor, which state of Tennessee on relation and its people have a right to obtain from public servants in whom they

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<sup>2</sup> A March 17, 2021, denial of demand for recall of mandate, says,

On March 16, 2021, David Jonathan Tulis, *pro se*, filed a “Demand to recall mandate,” which we construe as a motion to recall the mandate, in the above-styled matter. The record indicates that this Court denied Mr. Tulis’ petition for writ of mandamus on November 3, 2020, and his petition to rehear on January 11, 2021. Mr. Tulis has not established grounds to recall the mandate. Upon due consideration, it is hereby ORDERED that the motion is DENIED. PER CURIAM.

A Jan. 11, 2021, order from the supreme court denying relief of an administrative grievance for maladministration in Hamilton County chancery says,

On November 5, 2020, this Court denied the petition for writ of mandamus filed by David Jonathan Tulis. On December 30, 2020, Mr. Tulis filed a pleading the Court construes as a petition for rehearing pursuant to Tenn. R. App. P. 39. The Court finds the petition is untimely and further finds that the petition is not well-taken. Accordingly, the petition is DENIED. PER CURIAM.

A Nov. 3, 2020, order denying relief for state of Tennessee on relation says,

David Jonathan Tulis, who is *pro se*, has filed a Petition for Writ of Mandamus in this Court regarding an emergency petition for writ of mandamus he filed October 2, 2020 in the Hamilton County Chancery Court. No notice of appeal has been filed in the Court of Appeals. See Tenn. R. App. P. 4. The jurisdiction of the Supreme Court is appellate only. Tenn. Code Ann. § 16-3-201. Accordingly, the issuance of a writ of mandamus is only proper when it serves appellate function. *State v. Irick* 906 S.W.2d 440, 442 (Tenn. 1995). Such circumstances are not present here. Accordingly, the Court finds that the petition is DENIED. Costs are taxed to the petitioner, for which execution shall issue if necessary.

have entrusted the government and, in the case of judges, good government services, administration of the laws and justice itself. The court's orders being *per curiam*, evidence a conflict of interest, or collusion to defraud, or do not avoid the fraud of public record of the supreme court chief justice upon the same subject-matter, admitted by respondents, and wrongfully accepted, no record to the contrary, by chancery court to date. The obstruction of justice under color of state authority is complete.

Chancery has the opportunity now to do complete justice and issue the writ before it.

## Supreme court complicit in fraud

Evidence of justice's prejudice, more than not answering to its own fraudulent "COVID-19 pandemic" emergency orders, appears in a contrast between relator's petitions and the court's response to two administrative petitions by other parties. One is from lawyers. The other from Tennessee Coalition for Open Government and other groups whose members filed a "Joint Petition of Tennessee Coalition for Open Government and Others for Court Action to Protect the Public's Constitutional Right of Access to the Courts." In the first case, the supreme court entertained comment for Bar Association modification of state rules. In the second, the court devotes 385 words in a denial of petition in which the court assures the public it is operating without offense to the constitution. Neither case questioned the supreme court integrity. In the second case, the supreme court does not mention its own "COVID-19 pandemic" emergency orders frauds.

On the other hand, where the state of Tennessee on relation challenges the lawlessness of the orders, and demands candor of the supreme court of Tennessee, relator's administrative complaint is mistreated, disposed with a terse, inadequate by equity principles, order in deprivation of rights and remedy under color of state law which pursuant to equity principles required *avoidance of the frauds by the chief justice in open record*.

Coincidentally, if not a complete surprise because of the anticipation of its utility in the petition, this tactic of turn-a-blind-eye to fraud evading justice is consistent with relator's experience in

this court. As a consequence the record contains no evidence of avoidance of the frauds rather court-indulged admission and recalcitrance by respondents-in-fraud.

The courts are denying state of Tennessee's grievance on relation for genuine harms and wrongs in a case of first impression, and appear prejudiced against relator's interests and petition, and are signaling a refusal to be just and to require obedience to state law on the part of respondents, chancery also having signaled its refusal to act pursuant to law and against equity. No one has yet suggested in any record, it is considered proper administration of justice for chancery to allow or continue to allow fraud to occur, not arrest it and bring relief as is going on relative to the subject matter fraud called COVID-19 pandemic.

Relator's grievances for maladministration of his peremptory, emergency petition for writ of mandamus and/or equity relief on chancery court were denied, without facially, or otherwise, meeting the requirements of the principles of equity. Given the supreme court orders evidence fraud, relator must conclude by them that justice appears not to exist in the state of Tennessee, in violation of his God-given, constitutionally guaranteed, inherent and unalienable right to courts where justice is not for sale, denied or delayed, pursuant to the Tennessee bill of rights Article 1, section 17, or as entrusted to the officers of the judicial branch. This court, once again, even at this late moment, can alter this wrongful condition giving rise to the witness of relator of a deprivation of rights and remedy under color of law.

Relator hereby enters into the record in instant suit the supreme court's facially, or otherwise, deficient orders regarding the so-called state of emergency for the "COVID-19 pandemic," in evidence of the judicial branch's complicity in the admitted fraud witnessed by this court, the

honorable chancellor Fleenor. These 11 orders, <sup>3</sup> **Exhibits C01 to C011**,<sup>4</sup> are evidence of a concerted effort by the judicial branch of state government to cooperate with the head of the executive branch of state government, William Byron Lee, to overthrow, under color of state authority, the lawful institutions established by the people through their constitution, the attempt anticipated in the petition, as follows.

The first order of March 13, 2020, says the “Chief Justice of the Tennessee Supreme Court hereby declares a state of emergency for the Judicial Branch of Tennessee government,” giving no indication of the chief justice’s having checked whether the co-equal branch, the executive, was obeying Tenn. Code Ann. § Title 68-5-104, and whether the state of emergency was warranted given the requirements of the law to make determination of the agent of contagion, and this lococentrically, bottom-up, in each county, one by one, establishing an epidemic of

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<sup>3</sup> Exhibit C01 — Feb. 12, 2020, No. ADM2020-00428 Order modifying and partially lifting suspension of in-person court proceedings

Exhibit C02 — Jan. 15, 2020, No. ADM2020-00428 Order extending state of emergency, suspension of jury trials, and suspension of in-person court proceedings

Exhibit C03 — Dec. 22, 2020, No. ADM2020-00428 Order extending state of emergency and reinstating suspension of in-person court proceedings

Exhibit C04 — Dec. 7, 2020, No. ADM2020-00428 Order supplementing November 17, 2020 order

Exhibit C05 — Nov. 17, 2020, No. ADM2020-00428 Order extending state of emergency and suspending jury trials

Exhibit C06 — July 13, 2020, No. ADM2020-00428 Order regarding joint petition for court action to protect the public’s constitutional right of access to the courts

Exhibit C07 — July 9, 2020, No. ADM2020-00428, Order regarding face coverings

Exhibit C08 — May 26, 2020, No. ADM2020-00428 Order extending state of emergency and easing suspension of in-person court proceedings

Exhibit C09 — April 24, 2020, No. ADM2020-00428 Order modifying suspension of in-person court proceedings and further extension of deadlines

Exhibit C010 — March 25, 2020, No. ADM2020-00428 Order continuing suspension of in-person court proceedings and extension of deadlines

Exhibit C011 — March 13, 2020, No. ADM2020-00428 Order suspending in-person court proceedings

<sup>4</sup> Relator starts fresh with an altered pattern of accounting for exhibits as he misnumbered earlier ones.

contagion spreading thusly. The chief justice did not demonstrate any non-fraudulent exigency but relied solely on the fraud committed by respondent Gov. Lee, now admitted on both counts.

The supreme court willfully and fragrantly followed respondent Lee in his breach of oath and covenant, or for failing to demonstrate a nonfraudulent exigency, as noted in the unrebutted petition.

23. The entire injury to state of Tennessee and relator is due to defiant, willful and malicious disobedience to the duty delegated pursuant to Tennessee, Title 68, health law through a purported epidemic, called COVID-19, disease, ostensibly a common cold, i.e., coronavirus, the infectious agent of which has not and cannot be determined as proposed or presumed, whether or not novel.

24. The governor refuses his duty under T.C.A. § Title 68 requiring him to identify the infectious agent, claimed only presumptively though never proven to be SARS-COV-2, and its transmission agent or mode of contagion for this disease, the symptoms called COVID-19.

The March 13, 2020, order by chief Justice Jeffrey S. Bivins and those following are premised on a fraud that state of Tennessee on relation has empowered Hamilton County chancery court to reverse through its lawful petition for equity and writ of mandamus, to compel obedience to Tenn. Code Ann. § Title 68-5-104 and to restore the *status quo ante*.

The frauds committed, under color of state authority, unavowed in the order depriving remedy or relief, are perpetrated by chief Justice Bivins and justices Cornelia A. Clark, Sharon G. Lee, Holly Kirby and Roger A. Page, none in dissent, all of whom have either signed orders dealing with the closure of the courts and the imposition of respondent-admitted fraud, issuing fraudulent rules, edicts, decrees and orders upon the people, or consented to “per curiam” defective orders, under color of lawful state authority, responding to the administrative complaints filed with these justices for found maladministration of justice in the courts of Tennessee.

## State on relation demands writ

In the past relator has heard people say, “Don’t make a federal case of it,” implying that one is making a mountain out of a molehill and one should stop overreacting. But today, despite

relator's best efforts, together with the help of Chancellor Gibson and Tennessee law, the officers of the courts of Tennessee — Bar Association members all — are making that avoidance, because of the frauds, impossible and of which evidence deprivation of rights under color of state authority, and further invoking a duty upon relator pursuant to 18 U.S.C. 4, to tell an appropriate official, and then upon this court pursuant to 18 U.S.C. 3 for misprison.

This notice is a last request, before resort of the above, to provide opportunity to this court to do justice, rescue, at least partially, the officers of the courts of the state of Tennessee *from themselves*, and arrest the statewide “COVID-19 pandemic” fraud, whether or not occurring in concert between two ostensibly jealous and separate branches of government, causing irreparable harm to the state on relation, the relator, or those similarly situated. State of Tennessee on relation demands, as equity principles require, that this court, *forthwith, immediately, without further hearing*, issue the writ the court requested that relator drafted and filed of record, and take whatever steps necessary to do complete justice, fulfilling the petition, to end respondents' fraud causing irreparable harm aided and abetted by the entire judicial branch of Tennessee.

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Respectfully submitted, state of Tennessee, ex rel. David Jonathan Tulis

#### **CERTIFICATE OF SERVICE**

David Jonathan Tulis certifies that a true and exact copy of this pleading is being hand delivered or being sent by first-class mail to the parties below with sufficient postage on them as to carry the documents to their destination on this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

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David Jonathan Tulis