

**IN THE KENSETT DISTRICT COURT**

101 NE First Street, Kensett , AR 72082

Laura Balentine, Police Officer )	
AND Kensett Water Dept. Clerk )	
Kensett Police )	CASE NO. CR-18-230 WR-18-165
101 NE 1st St )	Obstructing Governmental Operations - Non Force
Kensett, Arkansas 72082 )	
	CASE NO. CR-18-231 WR 18-165
v. )	Harassing Communications Repeatedly
	)
Don Hamrick )	
322 Rouse Street )	
Kensett, AR 72082 )	Tuesday, April 14, 2020

**JUDGE MARK DERRICK & JUDGE TERESA SMITH  
ARE OPERATING OUTSIDE ALL JURISDICTION**

**JUDGE DERRICK’S COURT ORDERED APPEARANCE HAS  
NO AUTHORITY UNDER THE RULE OF LAW**

**This is Now A Case of International Interest for  
The Inter-American Commission on Human Rights in  
Washington, DC, Active Petition No. P-330-20 ;  
and The United Nations**



**OAS**

More rights  
for more people

The American Common Defence\* Review Logo is mine (Don Hamrick).  
\*Original spelling in the United States Constitution.



**Additional Information**

Here you can submit requested or additional information you consider relevant to the matter. To submit a document, click on the button "Upload new file" and select the file. Once uploaded, documents cannot be modified or deleted. The description and date sent will be reflected in the list below. To print the list for your records, click on the printer icon.

+ Upload new file Refresh

Description	Date (dd/mm/yyyy hh:mm)	Uploaded by	!
ADDING EVIDENCE	18/03/2020 01:34 PM	KI5SS@YAHOO.COM	✓
OFFICIAL PETITION	18/03/2020 01:39 PM	KI5SS@YAHOO.COM	✓
ADDING EVIDENCE	18/03/2020 01:40 PM	KI5SS@YAHOO.COM	✓
ADDING EVIDENCE	18/03/2020 01:41 PM	KI5SS@YAHOO.COM	✓
ADDING EVIDENCE	18/03/2020 04:40 PM	KI5SS@YAHOO.COM	✓
ESSENTIAL EVIDENCE SUPPORTING MY PETITION	19/03/2020 01:02 AM	KI5SS@YAHOO.COM	✓
ESSENTIAL RIGHT TO LIFE EVIDENCE	19/03/2020 02:55 AM	KI5SS@YAHOO.COM	✓
PROVISIONAL MEASUREMENT AGAINST UNITED STATES	21/03/2020 03:30 PM	KI5SS@YAHOO.COM	✓
CORRECTED PAGES 6,7, & 21 IN PROVISIONAL MEASUREMENT	21/03/2020 10:06 PM	KI5SS@YAHOO.COM	✓
CORRECTION PAGE 3 BUTTERFLY EFFECT	23/03/2020 03:18 AM	KI5SS@YAHOO.COM	✓
DECLARING DEMOCRATS ENEMIES OF THE STATE	23/03/2020 03:25 AM	KI5SS@YAHOO.COM	✓
REQUEST FOR PRECAUTIONARY MEASURES	11/04/2020 11:10 AM	KI5SS@YAHOO.COM	✓

P-1142-06 Don Hamrick 19/10/2006 Petition not opened to processing

NEWTON’S THIRD LAW OF MOTION: “*For every action there is an equal and Opposite Reaction*” as applied to a corrupt prosecutor and a corrupt judge both involved in a “Wheel CONSPIRACY” (BLACK’S LAW DICTIONARY, 10<sup>th</sup> Edition, page 375, right column at bottom) AGAINST RIGHTS (18 U.S. Code § 241) and DEPRIVATIONS OF RIGHTS UNDER COLOR OF LAW (18 U.S. Code § 242) with Governor Asa Hutchinson at the “Hub” of that WHEEL CONSPIRACY means the entire Arkansas Judicial System is corrupt Beyond Recognition. The “*equal and opposite reaction*” in that situation means “*I am that I am*”<sup>1</sup> an innocent man. Judge Mark Derrick’s corruption of THE RULE OF LAW forced me to take my case to the international level at the INTER-AMERICAN COMMISSION ON HUMAN RIGHTS.

<sup>1</sup> KING JAMES BIBLE, EXODUS 3:14, adapted for an innocent man trapped by a corrupt judge.

KING JAMES BIBLE  
DEUTERONOMY Chapter 16

Judges and Justice  
**(Akin to Critical Thinking & Occam's Razor)**

18 Judges and officers shalt thou make thee in all thy gates, which the LORD thy God giveth thee, throughout thy tribes: and they **shall judge the people with just judgment.**

19 Thou shalt not wrest judgment; thou shalt not respect persons, neither take a gift: for a gift doth blind the eyes of the wise, and pervert the words of the righteous.

20 **That which is altogether just shalt thou follow,** that thou mayest live, and inherit the land which the LORD thy God giveth thee.

**How Prosecutor Don Raney and Judge Mark Derrick  
Are Running a Kangaroo Court Outside All Jurisdiction**

In 2019 *The Justice Network, Inc. v. Craighead County, et al.*, 8th Circuit, No. 17-3770, Filed July 26, 2019 (Appeal from United States District Court for the Eastern District of Arkansas - Jonesboro (Judge Moody), page 5:

“The district court granted the defendants’ motions to dismiss. First, the court found that Judges Boling and Fowler are entitled to absolute judicial immunity against all of TJN’s claims because “[u]nless judges act **completely OUTSIDE ALL JURISDICTION**, they are ABSOLUTELY IMMUNE<sup>2</sup> from suit when acting in their judicial capacity.” *Justice Network, Inc. v. Craighead County.*, No. 3:17-cv-00169-JM, 2017 WL 5762397, at \*2 (E.D. Ark. Nov. 28, 2017) (citing *Martin v. Hendren*, 127 F.3d 720, 721 (8th Cir. 1997)).”

**“Outside all jurisdiction” opens the Pandora’s Box of interpretation. It is my interpretation that “outside all jurisdiction” invokes the PRINCIPLE OF LEGALITY, *nullum crimen, nulla poena sine lege*. Citing Daniel Grădinaru, *THE PRINCIPLE OF LEGALITY*, (November 20, 2018), RAIS Conference Proceedings - The 11th International RAIS Conference on Social Sciences.<sup>3</sup>**

**“The PRINCIPLE OF LEGALITY, in criminal law, means that only the law can define a crime and prescribe a penalty (*nullum crimen, nulla poena sine lege*). It also embodies, that the criminal law must not be extensively interpreted to an accused’s detriment, for instance by analogy.”**

*Justice Network* invites the application of “Outside All Jurisdictions” to the resurgence of Debtor’s Prisons all across the country that transformed legal

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<sup>2</sup> Absolute Immunity is unconstitutional as explained by Pat Mcpherron, *PROOF THAT ABSOLUTE IMMUNITY FROM SUIT IS NOT CONSTITUTIONAL*, 18 JUL 2011. [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1881347](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1881347)

<sup>3</sup> Available at SSRN: <https://ssrn.com/abstract=3303525>

courts into Kangaroo Courts for the increased revenue for the State from the backs of the poor in the county in each State.

**KANGAROO COURT:** (1849) “2. A court or tribunal characterized by unauthorized or irregular procedures, esp. so as to a fair proceeding impossible. 3. A sham legal proceeding.” **BLACK’S LAW DICTIONARY**, 10th ed., page 433:

**KANGAROO COURT IS CODIFIED IN ARKANSAS CRIMINAL CODE § 5-53-116(a) SIMULATING LEGAL PROCESS:** “A person commits the offense of simulating legal process if, with the purpose of obtaining anything of value, he or she knowingly delivers or causes to be delivered to another a request, demand, or notice that simulates any legal process issued by any court of this state.”

**KANGAROO COURT AS APPLIED IN ARKANSAS:** (*Running or aiding and abetting unconstitutional Debtor’s Prison schemes for the purpose of increased revenue against the poor by transforming legal courts into kangaroo courts operating outside all jurisdictions*). Prosecutors, judges, and anyone associated with kangaroo courts have absolutely no immunities from prosecution because kangaroo courts are operating outside all jurisdictions. Because Governor Asa Hutchinson is the ` of the Judicial Branch the loss of all immunities, including State Sovereign Immunity extends to the Governor of Arkansas.

**WHEREAS**, the GOVERNOR OF ARKANSAS is the chief magistrate for the Arkansas Judicial System.

**WHEREAS**, ARKANSAS CRIMINAL CODE § 5-53-131 FRIVOLOUS, GROUNDLESS, OR MALICIOUS PROSECUTIONS is a crime.

**WHEREAS**, ARKANSAS RULES OF CIVIL PROCEDURE, RULE 72(d) SUITS IN FORMA PAUPERIS (*No person shall be permitted to prosecute any action of slander, libel or malicious prosecution in forma pauperis*)

**WHEREAS**, ARKANSAS RULES OF CIVIL PROCEDURE, RULE 72(d) SUITS IN FORMA PAUPERIS violates the ARKANSAS CONSTITUTION, ARTICLE 2 DECLARATION OF RIGHTS, § 3. EQUALITY BEFORE THE LAW. Rule 72(d).

**WHEREAS**, ARKANSAS RULES OF CIVIL PROCEDURE, RULE 72(d) corrupts the entire ARKANSAS JUDICIAL SYSTEM against the poor in the State of Arkansas.

**THEREFORE**, ARKANSAS RULES OF CIVIL PROCEDURE, RULE 72(d) is legislative act of Treason against the Constitution of Arkansas.

**THEREFORE**, I am constitutionally justified to charge the Defendants with Treason for crimes extending from criminal laws that violate State or Federal constitutional rights.

**KENSET COURT'S PROSECUTING ATTORNEY'S EMAIL  
OBSTRUCTING JUSTICE AGAINST A *PRO SE* DEFENDANT:  
A CRIMINAL OFFENSE**

Date: Tuesday, May 9, 2017 6:47 AM  
From: Don Raney (d\_raney@lightlelawfirm.net)  
To: [Eric Kennedy, Court Appointed Attorney] dalaw@centurytel.net;  
[Court Clerk] calberson.kensett@gmail.com;  
Cc: [Don Hamrick] ki5ss@yahoo.com;

Subject: **RE: KENSETT COURT IS A KANGAROO COURT**

Erick,

I am sure you are aware of this email since you were on the email list **but since you are Mr. Hamrick's court appointed attorney**<sup>10</sup> I only need to be communicating with you about the matter I wanted you to know that **I have simply deleted it from my system**<sup>11</sup> as I indicated I would do in the last court session.

Don Raney

HMLTACE

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<sup>10</sup> My emphasis.

<sup>11</sup> My emphasis. Deleting a document from the court's system authored by a *pro se* defendant is an act of obstructing justice which is a criminal offence. It proves bias against a *pro se* defendant's right to represent himself. The question here is: "Did Don Raney delete the email and the attachment titled "Kensett Court is a Kangaroo Court" without reading it?" I suspect that is exactly what he did. Because if he did read it he would have known the emailed document was from me as a *pro se* defendant since the title of the motion included the phrase: "Notice: I am Proceeding as *Pro Se*."

**LIGHTLE, RANEY, STREIT & STREIT, LLP**

**Attorneys at Law  
211 West Arch  
Searcy, Arkansas 72143-5331  
Telephone 501-268-4111  
Direct Fax No. 501-268-5306**

**DONALD P. RANEY  
SUSANNAH R. STREIT  
JONATHAN R. STREIT**

J. E. Lightle, Sr. (1932-45)  
J. E. Lightle, Jr. (1936-88)  
Cecil A. Tedder, Jr. (1957-78)

January 25, 2018

Don Hamrick  
c/o Patsy Hayes  
322 Rouse Street  
Kensett, AR 72082

Ref: Kensett v. Hamrick  
CR-17-49

**HNR TACC**

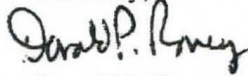
Mr. Hamrick,

In your last attempted email communication to the Kensett District Court Clerk's office a copy of which you provided to me you asked for an explanation of why you are banned from emailing PDF attachments of your court documents to the district court clerk.

You stated that you did not have sufficient funds for printing expense or for postage to print out and mail such material. I am not for sure "banned" is the correct term but hopefully you remember one day in court I believe the day you requested your Public Defender be discharged that I explained to you that there is no provision under the Arkansas Rules of Criminal Procedure to file or send such documents via email.

All such pleadings have to be filed at the clerk's office in Kensett either in person or via mail or courier. I think the District Court Clerk's office has blocked your emails mainly due to the excessive pleadings you are attempting to file which have no relevance to the proceeding pending in the Kensett District Court but that is just my opinion and thinking at this point.

Sincerely,



Donald P. Raney

## What is the Problem With Prosecutor Don Raney?

To start with, Don Raney's Email on page 6 herein and his letter on page 7 both have the notation **HNRTACC = Has No Relevance To A Criminal Complaint.**

Erick,

I am sure you are aware of this email since you were on the email list but since you are Mr. Hamrick's court appointed attorney<sup>10</sup> I only need to be communicating with you about the matter I wanted you to know that I have simply deleted it from my system<sup>11</sup> as I indicated I would do in the last court session.

Don Raney

*HNRTACC*

I have the right to represent myself AND to speak for myself while I have a court-appointed attorney representing. The basis in fact making this dual representation a constitutional right is the fact that court appointed attorney have an extreme number of cases because, as I have pointed out before, the United States is the Number 1 country with the most people in prison and jail than any country in the world. This dilemma argues that this means that innocent people get arrested and convicted despite the availability of exculpatory evidence proving innocence.

In Don Raney's Email on page 6 he deleted my Email because he did not respect my right to represent myself. Deleting my email is a federal offense of Obstruction of Justice; CONSPIRACY AGAINST RIGHTS 18 U.S. Code § 241 and DEPRIVATION OF RIGHTS UNDER COLOR OF LAW 18 U.S. Code § 242'

Citing *LAW LIBRARY—AMERICAN LAW AND LEGAL INFORMATION, COUNSEL: RIGHT TO COUNSEL | THE RIGHT TO SELF-REPRESENTATION*, <https://law.jrank.org>, (Not Dated)<sup>4</sup>

In *Faretta v. California*, 422 US 806 (1975), the Supreme Court held that the Sixth Amendment also guarantees the defendant in a criminal trial “a constitutional right to proceed without counsel when he voluntarily and intelligently elects to do so.” *Faretta* was based on three interrelated arguments.

First, historical evidence showed that **a right of self-representation had existed since the founding.**

Second, the Court interpreted **the structure of the Sixth Amendment**, in the light of its English and colonial background, **to embody a right of self-representation.** The Sixth Amendment protected a defendant's personal right to make his defense and spoke of the “assistance” of counsel, and to require a defendant to accept counsel he did not want would undermine the amendment's structure.

Finally, *Faretta* concluded that even though as an objective matter most defendants would receive a better defense if they accepted a lawyer's representation, a knowing and intelligent waiver “**must be honored out of that respect for the individual which is the lifeblood of the law.**”

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<sup>4</sup> <https://law.jrank.org/pages/762/Counsel-Right-Counsel-right-self-representation.html>



Citing Cornell Law School, SELF-REPRESENTATION, “The Court has held that the Sixth Amendment, *in addition to guaranteeing the right to retained or appointed counsel, also guarantees a defendant the right to represent himself.*”<sup>5</sup>

## Now About Don Raney’s Letter on Page 7 Herein

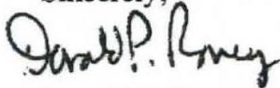
Mr. Hamrick,

In your last attempted email communication to the Kensett District Court Clerk’s office a copy of which you provided to me you asked for an explanation of why you are banned from emailing PDF attachments of your court documents to the district court clerk.

You stated that you did not have sufficient funds for printing expense or for postage to print out and mail such material. I am not for sure “banned” is the correct term but hopefully you remember one day in court I believe the day you requested your Public Defender be discharged that I explained to you that there is no provision under the Arkansas Rules of Criminal Procedure to file or send such documents via email.

All such pleadings have to be filed at the clerk’s office in Kensett either in person or via mail or courier. I think the District Court Clerk’s office has blocked your emails mainly due to the excessive pleadings you are attempting to file which have no relevance to the proceeding pending in the Kensett District Court but that is just my opinion and thinking at this point.

Sincerely,



Donald P. Raney

## NOTICE: Arkansas Administrative Order 21—Electronic Filing

### Section 1. Purpose, Scope, and Application.

(a) Purpose. This order establishes statewide policies and procedures governing the electronic filing process in all the courts in Arkansas.

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<sup>5</sup>*Faretta v. California*, 422 U.S. 806 (1975). An invitation to overrule *Faretta* because it leads to unfair trials for defendants **was declined in *Indiana v. Edwards*, 128 S. Ct. 2379, 2388 (2008)**. Even if the defendant exercises his right to his detriment, **the Constitution ordinarily guarantees him the opportunity to do so**. A defendant who represents himself cannot thereafter complain that the quality of his defense denied him effective assistance of counsel. 422 U.S. at 834–35 n.46. **The Court, however, has not addressed what state aid, such as access to a law library, might need to be made available to a defendant representing himself.** *Kane v. Garcia Espitia*, 546 U.S. 9 (2005) (per curiam). **Related to the right of self-representation is the right to testify in one’s own defense.** *Rock v. Arkansas*, 483 U.S. 44 (1987) (per se rule excluding all hypnotically refreshed testimony violates right).

(b) **SCOPE.**

Electronic filing is a means of fulfilling the filing requirements of the courts of this state, **but any court or clerk that elects to adopt electronic filing pursuant to this order must use the electronic filing system provided by the Administrative Office of the Courts ("AOC") or an electronic citation system approved by the AOC.** Once an election is made to use the electronic filing system provided by the AOC, then electronic filing shall be the exclusive means of filing in all cases, except as may otherwise be provided in this order or by rule adopted by the Supreme Court.

(1) Any person proceeding **pro se** and any person with a disability or special need that prevents electronic filing shall be entitled to submit conventional paper filings.

(c) **APPLICATION.**

**This order shall be liberally construed to secure the proper and efficient administration of the business and affairs of the court and to promote and facilitate the administration of justice by the court.**

Christina Alberson is the Kensett District Court Clerk and Mayor Allen Edge's Assistant. The court clerk hand been accepting my emailed Exculpatory Motions as an innocent man of the misdemeanor charges falsely charged against me. Then, one day, the court clerk emailed me that I cannot email my motions to her.

Don Raney's Letter explained in the last paragraph that the reason was my **excessive pleadings had no relevance to the proceedings at the Kensett District Court but that is just my opinion and thinking at this point.**

FIRST REBUTTAL POINT: Don Raney's attempt to downplay the burden of guilt through semantics over the word "banned." *Barred, forbidden, impermissible, interdicted, outlawed, prohibited, proscribed, taboo, verboten.* It does not matter what word use to describe the refusal of my Exculpatory Motions emailed to the court clerk.

SECOND REBUTTAL POINT: What does matter is that Don Raney wrote the statement: "*there is no provision under the Arkansas Rules of Criminal Procedure to file or send such documents via email.*" Don Raney essentially confessed ignorance of the existence of Administrative Order 21—Electronic Filing.

## **CONCLUSION ABOUT DON RANEY**

Don Raney's Email and Letter are my evidence supporting my allegation that Prosecutor Don Raney and Judge Mark Derrick are obsessed with achieving a high conviction rate with no regard to the existence of factually innocent people. My own experience as an innocent man with factual evidence proving my innocence and my Exculpatory Evidence getting ignored by Judge Mark Derrick of the Kensett District Court, Judge Robert Edwards of the White County Circuit Court (*paying the filing fee was more important than my inability to pay because I am a poor man*), and the Arkansas Supreme Court for the same reason) implies there is a distinct prejudice against the poor in Arkansas.

## CONCLUSION IN GENERAL

It is clear that the entire Arkansas Judicial System is Operating Kangaroo Courts Outside All Jurisdiction as resurrected by by former U.S. ATTORNEY GENERAL JEFF SESSIONS' response to EXECUTIVE ORDER 13777 ENFORCING THE REGULATORY REFORM AGENDA. Then U.S. ATTORNEY GENERAL JEFF SESSIONS' caused the resurgence of DEBTORS' PRISONS all across the country transforming legal courts into KANGAROO COURTS when he rescinded DOJ GUIDANCE

DIRECTIVE No. 11, *DEAR COLLEAGUE LETTER ON ENFORCEMENT OF FINES And Fees* (March 2016). See pages136–139.

I am justified to kick ass where people need their ass kicked for breaking the law and federal and state judges are not complying with their respective judicial codes of conduct in the proper administration of justice under the “SEE SOMETHING SAY SOMETHING PUBLIC POLICY FOR THE COMMON DEFENCE.”

**Citing Daniel Grădinaru, *THE PRINCIPLE OF LEGALITY*, (November 20, 2018), RAIS Conference Proceedings - The 11th International RAIS Conference on Social Sciences:<sup>6</sup>**

**“The PRINCIPLE OF LEGALITY, in criminal law, means that only the law can define a crime and prescribe a penalty (*nullum crimen, nulla poena sine lege*). It also embodies, that the criminal law must not be extensively interpreted to an accused’s detriment, for instance by analogy.”**

### DECLARATION OF NULLA POENA SINE LEGE AS AN INNOCENT MAN

For the reasons stated in this EXCULPATORY Court document Judge Mark Derrick’s Court Order of Appearance is an Unconstitutional Order issued Outside All Jurisdiction.

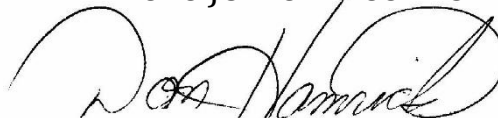
I will defy Judge Derrick’s Court Order despite his corruption of justice.

### WARNING FOR JUDGE MARK DERRICK

This court document will become evidence in my Human Rights Complaint at the Inter-American Commission on Human Rights in Washington, DC.

This court document will also be emailed to Governor Asa Hutchinson through Lesley Rutledge, Arkansas Attorney General on the basis that Judge Mark Derrick will committing federal crimes my rights as an innocent man.

SUBMITTED IN DEFIANCE OF  
ARANSAS JUDICIAL CORRUPTION



DON HAMRICK

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<sup>6</sup> Available at SSRN: <https://ssrn.com/abstract=3303525>