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DOCKET NO. S-20651A-09-0029

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Motion to Assert My Constitutional Rights & Demand a Jury Trial

2009 AUG 24 P 4: 06

Arizona Corporation Commission

DOCKETED

Respondent: Kyle Schmierer

AUG 24 2009

Docket Control Arizona Corporation Commission
1200 West Washington Phoenix, AZ 85007

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY	<i>MS</i>
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Whereas the Seventh Amendment of the US Constitution guarantees all citizens a trial by jury in a civil case, I herby assert my constitutional rights and demand I be given a trial by a jury of my peers in civil court.

Seventh Amendment: "In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law."

Whereas the value of this case is by any measure over \$20.00 as I am faced with an extortion fine of \$1,000.00 or more, I herby assert my constitutional rights and demand I be given a trial by a jury of my peers in civil court.

Whereas the Arizona Constitution article VI, s 17 – 17 guarantees a trial by jury in any case where such a jury trial is demanded, I formally demand a jury trial in this case.

*Arizona Constitution article VI, s 17 – 17: Section 17. The superior court shall be open at all times, except on nonjudicial days, for the determination of non-jury civil cases and the transaction of business. For the determination of **civil causes** and matters in which **a jury demand has been entered**, and for the trial of criminal causes, a trial jury shall be drawn and summoned from the body of the county, as provided by law. **The right of jury trial as provided by this constitution shall remain inviolate**, but trial by jury may be waived by the parties in any civil cause or by the parties with the consent of the court in any criminal cause. Grand juries shall be drawn and summoned only by order of the superior court.*

Whereas I have demanded in this motion that I receive a jury trial as guaranteed by both the US Constitution and Arizona Constitution, a jury trail must be granted.

No government agency of the state of Arizona or the federal government can deny my constitutional rights. The right of jury trial as provided by the Arizona and US constitution shall remain inviolate.

Sincerely, Kyle Schmierer 8-24-2009

[Handwritten Signature] 8-24-09