

From: Mason-el, Tex-Lee, authorized representative
TEX LEE MASON
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August 19, 2015

To: Kamala Harris
Office of the Attorney General
455 Golden Gate, Suite 11000
San Francisco, CA 94102-7004

[Court Rule 5.1 Constitutional Challenge to a Statute, 28 USC 2403]

Notice of Constitutional Question 1

Is there any proof that Health & Safety Code § 11360 California Bill , was enacted into law, in accord with the provisions of **Article 4, Section 8, of the California Constitution** governing the creation of laws?

In your response, take notice that **Article 1, Section 9 of the California Constitution** forbids the State from passing any law impairing the obligation of the Contracts. Whereas the “Bill of Rights” is a contract obligation, binding upon the states, which may not be impaired, which fact voids any possibility of Health & Safety Code § 11360, being acknowledged as law. The Code being forced on the Man is done so without consent.

Notice of Constitutional Question 2

In accord with the California Constitution is it lawful to force the Man into suretyship, and force the man to participate and service a contract identified as Health & Safety Code § 11360, without his consent, in deprivation of his life and liberty?

In your response, take notice that **Article 1, Section 1 of the California Constitution**, which is also a contract trust, guarantees the people the right to liberty, property, safety, and privacy, and on this basis, bonding the Man, jailing the man, and forcing the Man to contract under the color of Cal. Health & Safety Code § 11360., under threat of jail, without consent, trespasses on the inalienable rights of liberty, property, to safety, and privacy.

Notice of Constitutional Question 3

In accord with the California Constitution, does bonding the private Man into a forced contract under the color of Cal. Health & Safety Code § 11360 violate the provisions **Article 1 Section 6, of the California Constitution’s** prohibition against slavery, wherein it states involuntary servitude is prohibited except to punish crime?

“For purposes of criminal prosecution under § 241 or § 1584, the term "involuntary servitude" necessarily means a condition of servitude in which the victim is forced to work for the defendant by the use or threat of physical restraint or physical injury or by the use or threat of coercion through law or the legal process. This definition encompasses cases in which the defendant holds

the victim in servitude by placing him or her in fear of such physical restraint or injury or legal coercion.” UNITED STATES V. KOZMINSKI, 487 U. S. 931 (1988)

I challenge the presumption that Health & Safety Code § 11360 identifies any actual crime, or that the provisions of the code include the proper elements of a crime according to the law.

“In every criminal trial, the prosecution must prove the corpus delecti, or the body of the crime itself-i.e., the fact of injury, loss or harm, and the existence of a criminal agency as its cause.” People v. Sapp, 73 P. 3d 433, 467 (Cal. 2003) [quoting People v. Alvarez, (2002) 27 Cal.4th 1161, 1168-1169, 119 Cal.Rptr.2d 903, 46 P.3d 372.].

By Nature I am free and independent and I have an inalienable right to be free, and not a slave. Furthermore, the Law provides that man should not be surety for the debts of a Person, Proverbs 22:26.

Biblical Law at "Common Law" supersedes all laws, and "Christianity is custom, custom is Law. Robin v. Hardaway 1790, whereas Congress also agrees that it's necessary to apply it's teachings to the United States of America Pub. L. no 97-280 96 STAT. 1211

At no time did I willingly or knowingly consent or agree to be surety under bond(age) contract number 4400847, which was signed under threat, duress, and coercion and not between the parties in the spirit of good faith and fair dealing. I claim no benefit from the transaction, and I've received nothing of value from it.

A copy of the Booking number, 4400847, October 18, 2013 is attached as well as the Denial of corporate status and Judicial Notice of Standing, setting forth the relevant facts and evidentiary basis of this Constitutional Question.

I question to what extent the Constitution authorizes, or provisions that any Agent of Government may force a private citizen to service a contract, which has the affect of creating money and profit. I further question whether or not such activity can be defined in any other terms not covered by the definition of slavery.

For one a public officer to remain silent on the matter of a Constitutional Question, and the institution of slavery, being protected under a cover system of forced statutes, to create false crimes, or commercial crimes, that are in fact outside of the elements required by Law, makes apparent the extent of the silent fraud of slavery and genocide of the Americans of African Origin.

Silence can only be equated with fraud when there is a legal and moral duty to speak or when an inquiry left unanswered would be intentionally misleading. We cannot condone this shocking conduct... If that is the case we hope our message is clear. This sort of deception will not be tolerated and if this is routine it should be corrected immediately. U.S. v. Tweel, 550 F. 2d. 297, 299, 300 (1977)

IN WITNESS WHEREOF, said Mason-el, Tex Jr - Delend, has duly executed his hand and Seal as of this 19th day of August, 2015

by: Mason-el, Tex - Lee;
by special Appearance, *in Propria Persona*
Proceeding *Sui Juris*, with
explicit reservation of all my unalienable rights.