

**NOTICE AND DEMAND FOR  
EXHIBITION OF MISSING CREDENTIALS**

TO: M. Christina Armijo  
c/o U.S. District Court  
333 Lomas Boulevard N.W.  
Albuquerque 87102  
NEW MEXICO, USA

Cert US Mail #  
7006 0810 0003 0933 6567

FR: Robert Carman  
Qualified Federal Witness  
HCR 64, Box 12-15  
Santa Cruz, 87567  
New Mexico, USA

EXHIBIT "A-1"  
TO REPLY TO  
RESPONSE TO  
MOTION TO STRIKE  
*pel*

DATE: December 4, 2006 A.D.

SUBJECT: missing credentials

Greetings M. Christina Armijo:

Please be advised that a proper request submitted on August 15, 2006, under the Freedom of Information Act ("FOIA") has resulted in a determination that the following requisite credentials for you cannot be found or exhibited by the legal custodians of those records:

- (1) Senate Confirmation
- (2) Presidential Commission
- (3) Oath of Office
- (4) Appointment Affidavit

For your convenience, we have attached a copy of that FOIA request.

Formal demand is hereby made of you to produce all missing credentials as itemized above no later than 5:00 p.m. on Friday, December 8, 2006 A.D. Beyond that reasonable deadline, your silence will activate estoppel pursuant to Carmine v. Bowen, and it will also constitute fraud pursuant to U.S. v. Tweel.

Thank you for your timely and professional consideration.

Sincerely yours,

  
Robert Carman

NOTICE AND DEMAND FOR EXHIBITION OF MISSING CREDENTIALS

TO: M. Christina Armijo  
c/o U.S. District Court  
333 Lomas Boulevard N.W.  
Albuquerque 87102  
NEW MEXICO, USA

FROM: Paul Andrew Mitchell, B.A., M.S.  
Private Attorney General  
c/o 501 W. Broadway, Suite A-332  
San Diego 92101  
CALIFORNIA, USA

DATE: September 18, 2006 A.D.

SUBJECT: missing credentials

Greetings M. Christina Armijo:

Please be advised that a proper request submitted under the Freedom of Information Act ("FOIA") has resulted in a determination that the following requisite credentials for you cannot be found or exhibited by the legal custodians of those records:

- (1) Senate Confirmation
- (2) Presidential Commission
- (3) Oath of Office
- (4) Appointment Affidavit

As of October 1, 2004 A.D., a proper SUBPOENA IN A CIVIL CASE was overdue for your Oath Office and Appointment Affidavit.

For your convenience, we have attached pertinent documentation.

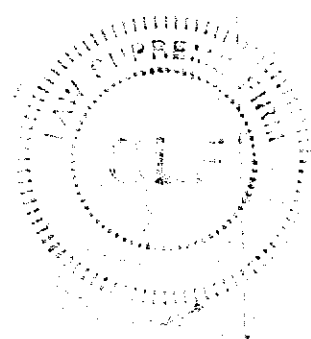
Formal demand is hereby made of you to produce all missing credentials as itemized above no later than 5:00 p.m. on Friday, October 20, 2006 A.D. Beyond that reasonable deadline, your silence will activate estoppel pursuant to Carmine v. Bowen, and it will also constitute fraud pursuant to U.S. v. Tweel.

Thank you for your timely and professional consideration.

Sincerely yours,

/s/ Paul Andrew Mitchell

Paul Andrew Mitchell, B.A., M.S.  
Private Attorney General, 18 U.S.C. 1964(a)





U.S. Department of Justice

Office of Information and Privacy

Telephone: (202) 514-3642

Washington, D.C. 20530

NOV 16 2006

Mr. Paul A. Mitchell  
Suite A-332  
501 W. Broadway  
San Diego, CA 92101

Re: Appeal No. 06-3066  
Request No. OLP/06-R0897  
JTR:SJV

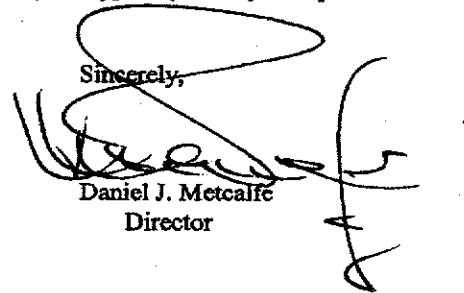
Dear Mr. Mitchell:

You appealed from the action of the Initial Request Staff of the Office of Information and Privacy, acting on behalf of the Office of Legal Policy (OLP) on your request for access to copies of the Presidential Commissions, form OPM 61 Appointment Affidavits, Oaths of Office, and Senate confirmations of ten federal judges currently serving on the United States District Court for the District of New Mexico. I have construed your appeal as limited to the adequacy of the Initial Request Staff's search.

After carefully considering your appeal, I am affirming the Initial Request Staff's action on your request. The Initial Request Staff informed you that it could not locate any records responsive to certain portions of your request. I have determined that this response was correct, and that the Initial Request Staff conducted a reasonable and adequate search for responsive records. As the Initial Request Staff informed you in its letter of August 30, 2006, the Administrative Office for the United States Courts (AOUSC) maintains the records that you seek, and these records are not always forwarded to OLP.

If you are dissatisfied with my action on your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,



Daniel J. Metcalfe  
Director

## FREEDOM OF INFORMATION ACT REQUEST

August 15, 2006 A.D.

Richard L. Huff, Co-Director

Certified US Mail #

Office of Information and Privacy

17004 0750 0002 1048 8219

U.S. Department of Justice

10<sup>th</sup> & Constitution, N.W.

Washington 20530

DISTRICT OF COLUMBIA, USA

Subject: Freedom of Information Act ("FOIA") Request

Dear Mr. Huff:

This is a request under the Freedom of Information Act. I request that a copy of the following documents be provided to Me, without delay:

1. proper Presidential Commissions signed by the President of the United States of America and countersigned by the U.S. Attorney General for ten (10) federal employees currently seated on the U.S. District Court for the District of New Mexico, as required by 5 U.S.C. sections 2104 and 2902;
2. proper OPM Form 61 Appointment Affidavits signed by ten (10) federal employees currently seated on the U.S. District Court for the District of New Mexico, as required by 5 U.S.C. sections 3331 and 2906;
3. proper Oaths of Office for United States Judges signed by ten (10) federal employees currently seated on the U.S. District Court for the District of New Mexico, as required by 28 U.S.C. section 453; and,

4. proper Senate Confirmations of ten (10) federal employees currently seated on the U.S. District Court for the District of New Mexico, as required by the Appointments Clause in the Constitution for the United States of America, as lawfully amended.

Below please find an alphabetical list of the proper names of all ten (10) federal employees whose credentials above I am hereby requesting, and as listed at 422 F.Supp.2d, Page XXIV *et seq.*, and at the Internet Website of the U.S. District Court for the District of New Mexico.

I request a waiver of all fees for this request.

Disclosure of the requested information to Me is in the public interest, because it is likely to contribute *significantly* to public understanding of the operations and activities of the federal government, and is not *primarily* in My commercial interest.

See also 5 U.S.C. 552(a)(4)(B). Statutes conferring original jurisdiction on federal district courts must be *strictly* construed.

If you are not the correct person to whom this FOIA request should be directed, please forward it without delay to the correct person(s).

Thank you for your timely consideration of this FOIA request.

Sincerely yours,



Robert E. Carman.

Qualified Federal Witness

**All Rights Reserved without Prejudice**

U.S. Mail care of:

Robert E. Carman

HCR 64, Box 12-15

Santa Cruz 87567

NEW MEXICO, USA