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SC Court of Appeals

BEFORE THE SOUTH CAROLINA
COURT APPEALS
1015 SUMTER ST, #5
COLUMBIA, SC 29201

BOBBY ANDERSON,

CLAIMANT,

vs.

AMAZON – CAEI WEST COLUMBIA,

EMPLOYER

WCC FILE NO.: 1612632

MOTION TO WAIVE FILING FEES

I, Bobby Anderson one of the people of South Carolina, hereby request that this Court issue an Order waiving fees and/or court costs. I do not have the financial ability to pay these fees at this time in light of my work related injury and my financial circumstances and economic depression from Gold and Silver coinage due to State of South Carolina economic crisis and the bankruptcy of the United State.

The State of South Carolina General assembly find and declares that the state is experiencing an economic crisis of sever magnitude caused in large part by the Unconstitutional substitution of Federal Reserve Note for silver and gold coinage As legal tender in this state. Go see Bill 4501

The United States is in Bankruptcy see United States Congressional Records March 17, 1993 Vol: #33, Page H-1303 and in June 5, 1933 The United States government suspend the Gold Standard and abrogate the gold Clause and now the American people is unable to pay any debts off at this time.

In 1933, at the height of Great Depression, President Franklin Delano Roosevelt (FDR) confiscated all of the gold that American private citizens held. (FDR) issued Executive Order 6102, also known as the gold confiscation Act. What was the purpose of Executive Order 6102? It was to force American to hand over their gold bullion, coin, and other forms to the U.S. Treasury. In turn, the Treasury transferred its control of gold to the Federal Reserve. Roosevelt argued that this was necessary to ensure the security of massive bank loans and to stop the hoarding of gold. Some might see this as the single biggest theft of private property in American history. It does seem like something the Bolsheviks did after the Russian Revolution. Indeed, in 1922, The Russian confiscated the property and precious metal of the Russian Orthodox Church. That said, Roosevelt gold ownership restriction lasted until well after the Great Depression. It would not be until 1975 that Americans were formally allowed to buy and own gold, after President Gerald Ford issued an order reversing Executive Order 6102. As it happens, the order is also known as the forbidding the Hoarding of gold coin, gold bullion, and gold certificate within the continental United State Order. In 1934, silver join gold. Under Executive Order 6814, Roosevelt launched the silver confiscation of 1933. It required Americans to give their holding of silver bullion to the U.S. Government. Estimates suggest that the U.S. Mint collected

almost 123 million ounces of silver between 1934 and 1938. (Source: "silver confiscation under Executive Order 6814," Smaulgld, May 3, 2016.)

Gold Confiscation Act of 1933

The Reason for executive Order 6102 was the hoarding of gold bullion. It was perceived as exacerbating the difficult economic situation, blocking economic growth during the Great Depression. The Underlying logic behind the order was to remove the constraint that prevented the Federal Reserve from increasing the supply of money during the depression. The Federal Reserve Act of 1913 required the Federal Reserve to issue banknotes according to gold reserves of not less than 40%. That is, for every \$20.00 in gold, the Fed could issue banknotes for \$50.00. Under the Gold Reserve Act of 1934, the gold price (well above market price) was set at 35.00 dollar per ounce. By the end of the 1920's, The Federal Reserve had practically surpassed that limit. It needed to acquire more gold to legally issue tenderer. The gold confiscation is related to a series of steps that Franklin D. Roosevelt took to confront the Great Depression. One of these was the Emergency Banking Relief Act, or Emergency Banking Act. Congress passed this law as part of FDR's New Deal Policy in 1933. It required the closure of the insolvent bank in order to reorganize them. This was an early precursor to the 2008 bailout, but it was more in favour of consumers than banks. Roosevelt decided to shut down all banks in the week from March 6-10, 1933. The shutdown was used to establish the banks' creditworthiness and their ability to prevent the bankruptcy of savers. The bank that passed the test that is, their own reserves were greater than their total outstanding amounts were allowed to reopen otherwise, and they had to remain closed, or apply for a loan from the state to avoid bankruptcy. As previously mentioned, Government use a passive system rather than actively seeking them out or paying a bounty. The US has done this multiple times for varying reasons. 1933 when the US eliminated gold currency they ordered banks to turn over any gold coinage they had on hand. During WWII the use needed nickel for war production and switched to making nickels out of silver. To more readily identify them and remove them from circulation they put large mint marks on the reverse side to more easily withdraw them once the war was over, and again, they were withdrawn from circulation passively. Dimes, Quarters and half dollar were made out of 90% silver until 1964 at which point they switched to a cupro-nickel composition (except half dollars, which switched in 1971). The government culled them from circulation in an ongoing basis (along with silver certificate currency). Even in the 1980's it wasn't uncommon to get a silver coin once in a while and a good number sit in boxes and drawers of people who hoarded them for the value in silver. Plenty were turned in when silver prices spiked in the late 1970's early 1980's

So now you understand that The U.S. government call for emergency due to economic depression and took all the wealth an abundance of the people. All their valuable possession and money silver and gold. Whoever have the gold pays the bills. The government removed all silver and gold coins from circulation.

The state is not printing any gold or silver coinage and they haven't done so in a long time.

American Jurisprudence Book 16: Constitution Law Section

16Am Jur 2d., Sec. 98: "while an emergency cannot create power and no emergency justifies the violation of any of the provision of the United States Constitution or State Constitutions. Public emergency such as economic depression for especially liberal construction of constitutional powers and it has been declared that because of national emergency, it is the policy of the courts of times to national peril, so liberally to construed the special powers vested in the chief executive as to sustain an effectuate the purpose there of, and to that end also more liberally to construed the constituted division and classification of the powers of the coordinate branches of the government and in so far as may not be clearly inconsistent with the constitution."

(No emergency has just cause to suppress the constitutions.)

Section 1-1-1110. The South Carolina General assembly find and declares that the State is experiencing an economic crisis of severe magnitude caused in large part by the unconstitutional substitution of Federal Reserve Note for silver and gold coin as legal tender in this State. Go see Bill 4501

The constitution is the supreme law of the land therefore the constitution rank ahead of any statutes of congress any statutes or constitutions for that matters of the states and decision of the courts any law or decision of the courts that is inconsistent with it to that extent void not a law at all.

Davis V. Wechsler, 263 US 22, 24. "Where rights secured by the Constitution are involved. There can be no rule making or legislation which would abrogate them"

United States Constitution Article I "The Congress shall have Power To coin Money, regulate the value thereof, and of foreign Coin, and fix the standard of weights and Measures; No State Shall make anything but gold and silver coin a Tender in Payment of Debts."

That clearly state that our money shall be coin in gold and silver coin by the state yet we are using government-issued supposedly official paper dollar bills federal reserve note and we can't even redeem these note for lawful money gold and silver any longer.



This is example of a Federal Reserve note and this note is not legal tender even if it printed on the note. Federal Reserve Act Section 16

NOTE ISSUES.

SEC. 16. Federal reserve notes, to be issued at the discretion of the Federal Reserve Board for the purpose of making advances to Federal reserve banks through the Federal reserve agents as hereinafter set forth and for no other purpose, are hereby authorized. The said notes shall be obligations of the United States and shall be receivable by all national and member banks and Federal reserve banks and for all taxes, customs, and other public dues. They shall be redeemed in gold on demand at the Treasury Department of the United States, in the city of Washington, District of Columbia, or in gold or lawful money at any Federal reserve bank.

Federal reserve notes.

Issue authorized.

Receivability.

Redemption.

12 U.S.C 411

SUBCHAPTER XII—FEDERAL RESERVE NOTES

§ 411. Issuance to reserve banks; nature of obligation; redemption

Federal reserve notes, to be issued at the discretion of the Board of Governors of the Federal Reserve System for the purpose of making advances to Federal reserve banks through the Federal reserve agents as hereinafter set forth and for no other purpose, are authorized. The said notes shall be obligations of the United States and shall be receivable by all national and member banks and Federal reserve banks and for all taxes, customs, and other public dues. They shall be redeemed in lawful money on demand at the Treasury Department of the United States, in the city of Washington, District of Columbia, or at any Federal Reserve bank.

(Dec. 23, 1913, ch. 6, § 16, 38 Stat. 265; Jan. 30, 1934, ch. 6, § 2(b)(1), 48 Stat. 337; Aug. 23, 1935, ch. 614, § 203(a), 49 Stat. 704.)

You notice from the law it says "Federal reserve notes, to be issued at the discretion of the Board of Governors of the Federal Reserve System for the Purpose of making advances to Federal Reserve banks through the Federal Reserve agents as thereafter set forth and for no other purpose, are authorized."

I am not on the board of Governors of the Federal Reserve and I am not a Federal Reserve Bank and I am not a Federal Reserve Agent and I am not making advances.

You notice that it says "they shall be redeemed in lawful money on demand at the Treasury department of the United States, In the City of Washington, District of Columbia, or any Federal Reserve bank"

That mean that Federal Reserve note are not Lawful Money and you suppose to redeem them the note for lawful money and no were in Federal Reserve Act Section 16 specifies that extent of the legal tender status states, "legal tender for all debts." It does not say anything about "public and private" or public charges, taxes or et cetera. Compare with the language used in Section 2 of HJR-192 and Statutes at Large Chap. 48, 48 Stat. 112

If you look at the Federal Reserve note its state that "THIS NOTE IS LEGAL TENDER FOR ALL DEBTS, PUBLIC AND PRIVATE." But the law says Federal Reserve note "for the purpose of making advances to the federal reserve bank through the federal reserve agents as thereafter." For no other purposes

Since gold and silver coinage was heavy and inconvenient for a lot of transaction, they were stored in banks and a claim check or promissory note was issued as a money substitute. Redeemable currency must promise to pay a dollar equivalent in gold or silver money.

Federal Reserve Notes aka "dollars" make no such promise and are not "money" because they have no monetary value. They are worth nothing.

A Federal Reserve Note is a debt obligation of the federal United States Government, not "money". The Federal United States and the Congress were not and have never been authorized by the Constitution for the United States of America to issue currency of any kind, but only lawful money gold and silver coins.

It is essential that we comprehend the distinction between real money and paper money substitutes. One cannot get rich by accumulating money substitutes, one can only get deeper into debt. We the people no longer have any real "money".

a State or government Agency whereas defined pursuant to Supreme Court Annotated Statue, Clearfield Trust Co. V. United State 318 U.S. 363-371 1942: "government descend to the level of a mere private corporation, and take on the characteristics of a mere private citizen.... Where private corporate commercial paper [Federal Reserve Note] and securities [checks] is concerned for purposes of suit, such corporation and individual are regarded as entities entirely separate from government.

What the Clearfield doctrine is saying is that when private commercial paper is used by corporate government then government loses its sovereignty status and become no different than a mere private corporation.

Article 1, Section 9, which applies to the federal government and State Government, "no state shall pass any bill of attainder, ex post facto law, or law impairing the obligation of contract," The United State Constitution and South Carolina State Constitution is a contract with the people of United State Of America any laws that impairing this contract is null and void of law like it never exist.

Marbury V. Madison 5 US 137 (1803): "No provision of the Constitution is designed to be without effect, "Anything that is in conflict is null and void of law", Clearly, for a secondary law to come in conflict with the supreme Law was illogical, for certainty, the supreme law would prevail over all other laws and certainly our forefathers had intended that the supreme Law would prevail over all other laws and certainly our forefather had intended that the supreme Law would be the bases of all law and for any law to come in conflict would be null and void of law, it would bare no power to enforce, in would bare no obligation to obey, it would purport to settle as if it had never existed, for unconstitutionality would date from the enactment of such a law, not from the date so branded in an open court of law, no court are bound to uphold it, and no Citizen are bound to obey it. It operates as a near nullity or a fiction of law."

If any statement, within any law, which is passed, is unconstitutional, the whole law is unconstitutional by Marbury v. Madison.

That mean that U.S. Constitution Article 1 Section 10 No State shall make anything but gold and silver coin a tender in payment of debts.

Everything is prepaid and supposed to be discharge dollar for dollar. Because the people exchange their gold and the people were promised that ALL DEBTS PREPAID on (demand). Now you know why most Americans have not been paid any "money" for a very long time perhaps not even in their entire lifetime due to the economic crisis. Do you comprehend now why everybody feel so broke now? I know I do.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) every provision contained in or made with respect to any obligation which purports to give the obligee a right to require payment in gold or a particular kind of coin or currency, or in an amount in money of the United States measured thereby, is declared to be against public policy; and no such provision shall be contained in or made with respect to any obligation hereafter incurred. Every obligation, heretofore or hereafter incurred, whether or not any such provision is contained therein or made with respect thereto, shall be discharged upon payment, dollar for dollar, in any coin or currency which at the time of payment is legal tender for public and private debts. Any such provision contained in any law authorizing obligations to be issued by or under authority of the United States, is hereby repealed, but the repeal of any such provision shall not invalidate any other provision or authority contained in such law.

(b) As used in this resolution, the term "obligation" means an obligation (including every obligation of and to the United States, excepting currency) payable in money of the United States; and the term "coin or currency" means coin or currency of the United States, including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations.

Changes in obligations requiring gold, etc., payments declared contrary to public policy.

No future obligation to be so expressed.

Payments to be made in legal tender.

Conflicting provisions repealed. U.S.C. p. 1003. Other provisions not invalidated.

Term "obligation" defined.

"Coin or currency."

So what did We Learned?

All commercial instrument such as promissory notes, credit agreements, bills of exchange and checks are defined as legal tender, or money, by the statutes such as 12 U.S.C. 1813(i)(1). And That Around 1933, President Roosevelt declared the bankruptcy of the United States Corporation. The International Bankers demanded our gold and made it legal. They also removed money notes that were backed by the real gold standard set by the founding fathers of the Republic.

The bankers demanded even more monies, so they created House Joint Resolution 192 (HJR-192, all citizen were to have free Transportation; Socialistic Security; Prepaid Utilities; Socialistic Healthcare; Food Rations aka food stamps, etc. We were to be protected and maintained by the Government of the United States of America. Everything was supposedly prepaid once the people handed over all their wealth away to the government there gold and silver.

Whoever has the gold pay the bills?

Let me explain to you the difference between statutes at large and joint resolutions when you

get the Senate and the House coming together and coming to a resolution and they in acted as law it is law.

How do we know this? Let's pay attention to HJR192

House Joint Resolution 192 73rd Congress, Session 1 Chapter 48 June 5, 1933 Joint

Resolution – [H.J. Res. 192] [Pub. Res., No. 10]

If it wasn't law they wouldn't have been no need for them to come together to ensure the uniform value of coin and currencies of the United State okay this is the issue. "The coins and currencies of the United States"

Where the holding of or dealing in gold affect the public interest, and are therefore subject to the to the proper regulation and restriction, and whereas the existing emergency has disclosed that provision of obligation which purport to give the person who's owed money the right to require payment in gold or a particular kind of coined or currency of United State that is the key phrase for HJR 192 and "an amount of money of United States measured thereby"

It says it obstructs the power of Congress to regulate the value of money of the United State and is inconsistent with the declared policy of Congress to maintain all times the equal power of every dollar coin and issued by United States.

In the market and in the payment of debts now therefore be it resolved by the senate and a House of Representatives of the United States of America in Congress assembled.

Now this is the law part and the top part doesn't make any difference and it doesn't matter let make sure you understand why it is law.

It's says the House and the Senate the Lawmakers the Legislative branch was assembled meaning complete that every provision contained in or made with respect to any obligation which purports to give the oblige a right to require a payment in gold or a particular kind of coin or currency or an amount of money of the United State Measured thereby says it is against public policy and no such provision shall be contained in or made with respects to any obligation hereafter incurred that's the law part

Why because they use the key word in law its say "no such provision shall be contained in or made with respects to any obligation hereafter incurred"

48 Stat.

HJR-192

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73d CONGRESS. SESS. I. CHS. 46-48. JUNE 3, 5, 1933.

[CHAPTER 48.]

JOINT RESOLUTION

To assure uniform value to the coins and currencies of the United States.

June 5, 1933.
[H. J. Res. 192.]
[Pub. Res. No. 10.]

Uniform value of
coins and currencies.
Preamble.

Whereas the holding of or dealing in gold affect the public interest, and are therefore subject to proper regulation and restriction; and Whereas the existing emergency has disclosed that provisions of payment in gold or a particular kind of coin or currency of the United States, or in an amount in money of the United States measured thereby, obstruct the power of the Congress to regulate the value of the money of the United States, and are inconsistent with the declared policy of the Congress to maintain at all times the equal power of every dollar, coined or issued by the United States, in the markets and in the payment of debts. Now, therefore, be it

73d CONGRESS. SESS. I. CHS. 48, 49. JUNE 5, 6, 1933.

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Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) every provision contained in or made with respect to any obligation which purports to give the obligee a right to require payment in gold or a particular kind of coin or currency, or in an amount in money of the United States measured thereby, is declared to be against public policy; and no such provision shall be contained in or made with respect to any obligation hereafter incurred. Every obligation, heretofore or hereafter incurred, whether or not any such provision is contained therein or made with respect thereto, shall be discharged upon payment, dollar for dollar, in any coin or currency which at the time of payment is legal tender for public and private debts. Any such provision contained in any law authorizing obligations to be issued by or under authority of the United States, is hereby repealed, but the repeal of any such provision shall not invalidate any other provision or authority contained in such law. (b) As used in this resolution, the term "obligation" means an obligation (including every obligation of and to the United States, excepting currency) payable in money of the United States; and the term "coin or currency" means coin or currency of the United States, including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations.

Classes in obligation regarding gold, etc., heretofore declared contrary to public policy.

No future obligation to be expressed.

Payments to be made in legal tender.

Conflicting provisions repealed. U.S.C. p. 1001. Other provisions not invalidated.

Term "obligation" defined.

"Coin or currency."

National Economic Emergency Act, amended. Act, p. 52.

Sec. 2. The last sentence of paragraph (1) of subsection (b) of section 43 of the Act entitled "An Act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933, is amended to read as follows:

Coins and currencies as legal tender.

"All coins and currencies of the United States (including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations) heretofore or hereafter coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues, except that gold coins, when below the standard weight and limit of tolerance provided by law for the single piece, shall be legal tender only at valuation in proportion to their actual weight."

Abrased gold coins, according to weight.

Approved, June 5, 1933, 4.40 p.m.

That mean that they can't make a law requiring such a provision.

The statues at large is the actual book "Statutes at Large" books, is identified as: "Chap. 48, 48 Stat. 112". And actual law that Congress goes by however when they come up with a resolution once the resolution has been approved and enacted they must make a statue at large a law.

Just in case you want to say HJR 192 been repealed the problem is it can't be repealed because it says no such provisions shall be contained in or made with respects to any obligation hereafter incurred

Hereafter that means permanent it can't be repealed it's an unrepealable law it say "every obligation heretofore or hereafter incurred"

What it is saying whether or not any provision is contained so it can't be repealed.

The law says "no obligation can be made no provision shall be containing an obligation ordering someone to make a payment in particular kind of coin or currency of the United States measured thereby."

So that mean that they can't order me to pay in any particular kind of coin or currency of united States Measured thereby.

Let go to another provision "shall be discharged upon payment, dollar for dollar in any coin or currency which at the time of payment is legal tender for public and private debts."

Look at that it say that it will be discharged upon payment dollar for dollar

In 1933 President Roosevelt took always the gold away from the people which was a money order. That actually left the people without money to pay their debts. So now we are not able to pay debt we can only discharge debt.

The government took the gold from the people now the people don't have any money and now the government will discharge the debt of the people dollar for dollar there for giving the people unlimited credit.

My promissory note is consider currency under the B section "circulating notes"

That would be promissory notes and bill of exchange and Checks Money Order etc.

Promissory Note are legal Tender. Black's Law Dictionary, 5th Edition, page 133, definition: "banking". The business of banking, as defined by law and custom, consists in the issue of notes intended to circulate as money and defines a "banker's Note" (A Promissory Note) as: "A commercial instrument resembling a bank note in every particular except that it is given by a private banker or unincorporated banking institution; A private Banker is a Financial institution; and Financial Agency Pursuant to 31 U.S.C. §5312.

(U.C.C. §2-304) states, "The price can be made payable in money or otherwise". IRS code Section 1.1001-1(4657) C.C.H. States the Federal Reserve Note (Dollars) are valueless.

All commercial instrument such as promissory notes, credit agreements, bills of exchange and checks are defined as legal tender, or money, by the statutes such as 12 U.S.C. 1813(i)(1).