

Beverly Waldorf Tokarz
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Minnetonka, MN 55345

FILED

OCT 20 2017
CARVER COUNTY COURTS

STATE OF MINNESOTA
FIRST JUDICIAL DISTRICT
COUNTY OF CARVER
CARVER COUNTY DISTRICT COURT

STATE OF MINNESOTA)	Case # 10-CR-17-779
aka Joseph Bengtson Badge #883)	
Plaintiff)	NOTICE OF MOTION
)	AND
vs.)	MOTION
)	to
BEVERLY WALDORF TOKARZ)	Dismiss
Alleged Defendant)	for
)	Failure to State a Claim upon which Relief
)	can be Granted

COMES NOW, the Undersigned, by special appearance, not submitting to the court's jurisdiction, not consenting to these proceedings, participating under threat, duress and coercion, who hereby moves this court to dismiss this Case # 10-CR-17-779 for the following just causes:

1. The Alleged Defendant is being accused of a crime that does not legally exist.
2. There is no controversy lawfully before this court.
3. The Alleged Defendant is being accused failure to register a motor vehicle wherein registration cannot legally exist.

NARRATIVE

The Undersigned went to the Department of Motor Vehicles to "register" an automobile. The Department of Motor Vehicles failed to produce a form that would grant the Undersigned's intangible property right to the use of the automobile to the Department of Motor Vehicles. The aforementioned grant would produce a valid contract of terms and conditions under the registration agreement that the Undersigned would sign in order for the Prosecution to prove intent to violate the Statute that the Alleged Defendant and or the Undersigned is being accused of knowingly, willfully, and intentionally violating.

For with the aforementioned grant wherein the Department of Motor Vehicles would fill the position of grantee and the defendant would fulfill the position of grantor thereby forming a trust agreement by and between the grantor and grantee called a registration agreement wherein a vehicle registration would legally exist. Intangible Property to an automobile or motor vehicle is the determination as to whether an automobile or motor vehicle has been stolen or not.

For without the aforementioned element to a registration agreement, a legal contract cannot legally exist and therefore there cannot exist a controversy before the court.

The Undersigned has no objection to a public notification system as to automobile ownership, such that the lawful owner of an automobile may be properly identified during its use upon the public highways. The Undersigned did obtain a US DOT number as described elsewhere in this matter specifically for this purpose.

The Undersigned does object to a private "registration" system wherein the registrant must grant its intangible property right to the registration system owner and pay annual fees for the license-back of such right.

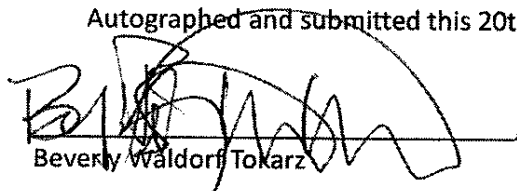
Although the Department of Motor Vehicles and its parent organization Department of Public Safety and its sister organization Department of Transportation may have an easement on the Public Highways for maintenance of the Public Highways, the easement would not allow the Department of Motor Vehicles to require a registration of an automobile without acknowledging the privately owned intangible property that the defendant currently possesses to the automobile without just compensation to the defendant for the intangible property right of the aforementioned subject matter.

If the State does not have the right to take private property without just compensation, it is legally impossible for a Department of the State to claim a right that does not exist.

Therefore, the Undersigned hereby motions the court to dismiss Case # 10-CR-17-779 for the Prosecution failing to state a claim wherein relief can be granted.

NOTICE: In the event the court ignores or fails to hear this motion or acknowledge the intangible property rights of the Undersigned, the Undersigned reserves the right to appeal to a Human Rights Tribunal for the just cause of violations of at a minimum Article 4 of the Universal Declaration of Human Rights, but also violations of other Articles of the same, as committed by the Grand Lodge of the Masonic Order of this State.

Autographed and submitted this 20th day of October 2017.

 Undersigned
Beverly Waldorf Tokarz