

FILED

IN THE SUPREME COURT FOR THE STATE OF NEVADA

SEP 14 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

Frederick O. Silver,  
Petitioner,  
vs.  
Candice Katie Towner,  
Respondent.

Supreme Court No: 819827-81982-00A

District Court NO: D565588

**Rule 5 - Certification of Questions of Law**

**Motion for Rule 5 - Certification of Questions of Law.**

Comes Now Frederick O. Silver, Petitioner / Appellant files this Motion for Rule 5 - Certification of Questions of Law in the above captioned case. (b) Method of Invoking. This Rule may be invoked by the motion of any party to the cause. (c) Contents of Certification Order. A certification order shall set forth: (1) The questions of law to be answered; (2) A statement of all facts relevant to the questions certified; (3) The nature of the controversy in which the questions arose; (4) A designation of the party or parties who will be the appellant(s) and the party or parties who will be the respondent(s) in the Supreme Court; (5) The names and addresses of counsel for the appellant and respondent; and (6) Any other matters that the certifying court deems relevant to a determination of the questions certified.

In Marbury v. Madison, 1 Cranch 137, 177, 2 L.Ed. 60 (1803), The Court established that it is "the province and duty of the judicial department to say what the law is."

NRS 282.020 Form of official oath. Members of the Legislature and all officers, executive, judicial and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath:

I, ....., do solemnly swear (or affirm) that I will support, protect and defend the Constitution and Government of the United States, and the Constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any state notwithstanding, and that I will well and faithfully perform all the duties of the office of ....., on which I am about to enter; (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury.

The United States of American Constitution, State of Nevada Constitution, State of Texas Constitution Rights and Protections Guaranteed in the Bill of Rights.

RECEIVED

SEP 13 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

1 OF 2

Rule 5 - Certification of Questions of Law.

21-26490

1 Judge T. Arthur Ritchie, Jr. is accused and has violated the above provision of his oath of  
2 Office as a Judge in the Eighth Judicial District Court of Clark County Nevada.

3 Frederick O. Silver, Petitioner / Appellant, ask this Court for Certification of Questions of  
4 Law as to the rights Amendment 7 - Civil Trials: In Suits at common law, where the value in  
5 controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried  
6 by a jury, shall be otherwise re-examined in any Court of the United States, than according to the  
7 rules of the common law.

8 There was no dispute for Judge T. Arthur Ritchie, Jr. to resolve between the parties to this  
9 Case, Petitioner / Appellant never asked for any remedy from the Court. Petitioner / Appellant was  
10 never served for any process of services, Petitioner / Appellant is not the father of the subject bastard  
11 dead Child with Name Towner, Gabriel William Who is a ward of the State of Nevada.

12 Dated this 6<sup>th</sup> Day of September 2021

13 "WITHOUT PREJUDICE UCC §1-308"

14 I: A Man known to use the Name Frederick-O: Silver

15 In the Interest of

16 **Frederick O Silver**

17 7737 Skolout St, Apt 126

18 San Antonio TX 78227

19 Email: ASCLV1@gmail.com

20 *Hale v. Henkel 201 U.S. 43 at 89 (1906) the Decision of the United States Supreme Court states:*

21 *"The "individual" may stand upon "his Constitutional Rights" as a CITIZEN. He is entitled to carry on his "private"*  
22 *business in his own way. "His power to contract is unlimited." He owes no duty to the State or to his neighbors to*  
23 *divulge his business, or to open his doors to an investigation, so far as it may tend to incriminate him. He owes no*  
24 *duty to the State, since he receives nothing therefrom, beyond the protection of his life and property. "His rights"*  
25 *are such as "existed" by the Law of the Land (Common Law) "long antecedent" to the organization of the State" and*  
26 *can only be taken from him by "due process of law", and "in accordance with the Constitution." "He owes nothing"*  
27 *to the public so long as he does not trespass upon their rights."*

28 **CERTIFICATE OF SERVICE**

I certify that on the date indicated below, I served a copy of this petition for review upon all  
parties to the appeal as follows: By mailing it by first-class mail with sufficient postage prepaid to:  
Candice Katie Towner: 8216 MT BRODIE CIR, LAS VEGAS, NV 89145-4559

<b><u>NRS 282.330</u></b>	<b>Certain officers to report losses to State Board of Examiners; investigations; procedure for restitution.</b>
<b><u>NRS 282.340</u></b>	<b>Civil liability on bond of officer or employee: Action for recovery of loss; lien; judgment; execution.</b>
<b><u>NRS 282.350</u></b>	<b>Revocation of bond by State Board of Examiners: Grounds.</b>

## OFFICIAL OATH

### **NRS 282.010 Oaths and official bonds of officers; when term of office begins.**

1. Members of the Legislature and all officers, executive, judicial and ministerial, shall, before entering upon the duties of their respective offices, provide the official bond required by law, when such bond shall be required, and take and subscribe to the official oath.

2. All officers elected, except Senators and members of the Assembly, shall qualify, and execute and deliver their official bonds when required, as provided in this section, prior to the Tuesday after the first Monday in January ensuing their election.

3. All officers appointed to fill vacancies, in the cases provided by law, shall qualify and give bond when required, within 30 days from the time of their appointment.

4. The term of office of all officers, elected or appointed, shall begin from the time of their qualification, unless some other express provision is made by law.

[22:108:1866; B § 2620; BH § 1657; C § 1803; RL § 2786; NCL § 4786]

**NRS 282.020 Form of official oath.** Members of the Legislature and all officers, executive, judicial and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath:

I, ....., do solemnly swear (or affirm) that I will support, protect and defend the Constitution and Government of the United States, and the Constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any state notwithstanding, and that I will well and faithfully perform all the duties of the office of ....., on which I am about to enter; (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury.

[1:185:1915; 1919 RL § 2891; NCL § 4925]

**NRS 282.030 No fee to be charged for administering and certifying oath.** No fees shall be charged by any person for administering and certifying the oath of office.

[37:49:1883; BH § 2378; C § 2502; RL § 2039; NCL § 2970]

## OFFICIAL BONDS: GENERAL PROVISIONS

**NRS 282.040 Form.** All official bonds required by law of officers shall be:

1. In form joint and several.
2. Made payable to the State of Nevada.
3. In such penal sum and with such conditions as may be required by law.

[1:135:1865; B § 2917; BH § 1738; C § 1892; RL § 2868; NCL § 4890]

**NRS 282.050 Bond in force during term of office; effect of subsequent law; conditions.**

1. Every official bond executed by any officer pursuant to law shall be deemed and taken to be in force, and shall be obligatory upon the principal and sureties thereon for any and all breaches of the condition or conditions thereof committed during the time such officer shall continue to discharge any of the duties of or hold such office.

2. Every such bond shall be deemed to be in force and obligatory upon the principal and sureties thereon for the faithful discharge of all duties which may be required of such officer by any law enacted subsequently to the execution of such bond, and such condition shall be expressed therein.

[2:135:1865; B § 2918; BH § 1739; C § 1893; RL § 2869; NCL § 4891]

**NRS 282.060 Bond for benefit of injured or aggrieved person; action on bond without assignment.**

1. Every official bond executed by any officer pursuant to law shall be in force and obligatory upon the principal and sureties thereon, to and for the State of Nevada, and to and for the use and benefit of all persons who may be injured or aggrieved by the wrongful act or default of such officer in the officer's official capacity.

2. Any person so injured or aggrieved may bring suit on such bond, in his or her own name, without an assignment thereof.

[3:135:1865; B § 2919; BH § 1740; C § 1894; RL § 2870; NCL § 4892]