

Facebook Response From Byron Lee Trackwell to James M. Branum 24 MAR 2009

Dear James,

Your last message was professional and courteous and the references you have supplied are appreciated. But that does not change my position. LAW is simply antimajoritarian thus, I do not seek popularity, as currently saving our Constitution is not popular thanks to the think-speak brainwash garbage going around. Our Constitution will not be saved until all Resisting Soldiers are given complete amnesty and are redressed accordingly.

When a Resisting Soldier refuses to participate in an unconstitutional war, he or she is relying on a defense that has constitutional dimensions that is completely out of the subject-matter jurisdictional realm of Military Jurisprudence. If you can not see that, then you were not awake in law school! For a Resisting Soldier to receive his or her Federal Bill of Rights

((RIGHTS past and current Soldiers have and are now giving up their lives to defend)))

To receive those RIGHTS, a Resisting Soldier has to make it initially before a Federal Impartial Jury with his or her defense! That is a BILL OF RIGHTS mandate! If that does not happen, then the defense attorney has failed to do what is right, END OF STORY!

When a Resisting Soldier is finally cornered in a kangaroo court-martial and gives into the pressure and enters a guilty plead, he or she has confessed that the court-martial is a competent court (IT IS NOT), that the War is constitutional (IT IS NOT) and he or she is a coward (We Are Now Cowards!!!)!! Coward, because he or she has given up the battle turning the Bill of Rights into meaningless words! And that is exactly how a Hard Core War Veteran Soldier looks on that and there are many of them in Iraq & Afghanistan putting their lives at risk for those Bill of Rights in our Constitution and are looking to see if these Resisting Soldiers are really true to their convictions and are making tough sacrifices to use those Bill of Rights! Saying I am guilty is like a soldier leaving his buddy under fire as there is no middle ground here, you are either saying the Iraq War is or is not constitutional and you can not say it is sort of unconstitutional so I will plead guilty in a kangaroo court-martial as in the Army that I was in, that is called being a PUSSY! And a defense Attorney that encourages a Resisting Soldier to be a PUSSY is also a PUSSY!

In my previous posts and in my website I have backed these words with statutes straight out of the Constitution, Article I statutes and Case Law. I have been to the Judicial Mountaintop and can see for miles and miles and you are in a cloud until you come around to my way of thinking! WHEN WILL THAT BE??? Anyway, I'll leave it at that.

Best Regards

The Resisting GI

s/Byron L. Trackwell

Facebook Message From James M. Branum to Byron Lee Trackwell 23 MAR 2009

Byron,

Here are two articles that discuss the concept of "unauthorized practice of law"...

http://www.facebook.com/l.php?u=http://en.wikipedia.org%2Fwiki%2FPractice_of_law

<http://www.facebook.com/l.php?u=http://definitions.uslegal.com%2Fu%2Funauthorized-practice-of-law%2F>

Also the FAQ's section at <http://www.facebook.com/l.php?u=http://www.txuplc.org%2F> is very helpful

I often work with non-attorney legal counselors (mostly through the GI Rights hotline), so I'm not at all opposed to folks who are not attorneys helping GI's with legal issues. And certainly writing about legal issues is clearly your right (and I appreciate the fact that you don't id yourself as an attorney or a lawyer on your website).

What I am concerned about, though, is that it is critical that GI's know when they are actually talking to an attorney or not. At the very least, it is critical that you not refer to yourself as a "lawyer," an "attorney," or a "law firm."

And if you wanted to be super-safe, you could say on your website and with the people you work with, "I'm not an attorney and I'm not giving you legal advise. I am giving you information on the law, but it is up to you to do your own research and make your own decisions about what you want to do." This kind of C.Y.A. language is what I train GI Rights counselors to use, and i suggest it would be good for your work as well. It really protects both you and the people you are working with.

Anyway, I'll leave it at that.

James

Facebook Response From Byron Lee Trackwell to James M. Branum 22 MAR 2009

Dear Mr. James M. Branum, for you to say I have practiced law without a license requires you to have documented proof that will stand up in a Court of Law! You do not or will ever have such proof, so I have chosen to ignore your pointless allegation!

Lawyer*: one whose **profession** is to advise as to legal rights.

Profession*: a **principal** calling.

Principal*: the person primarily or ultimately liable on a legal obligation.

DISCUSSION: I took a U.S. Army oath that gives my class a principal calling for being primarily or ultimately liable for defending the U.S. Constitution against the Executive Branch and that gives me the duty to advise other Resisting Soldiers their Federal Bill of Rights that you Mr. James M. Branum are stealing by accepting the Govt's extortion to plead a Resisting Soldier guilty without the Federal Question authority to do so, i.e. Robbin Long!

This illegal use of Military Jurisprudence under the color of law is part of the military dictatorship that has subdued Congress and trashed the U.S. Constitution!

This is a tough formidable powerful unchecked villain to confront and is confronted NOT since defense attorneys are choosing the easy way out by knuckling under this illegal pressure and sucking up to this current corrupt Bill of Right breaking system. That my friend is a deformation of character, is not true to the profession of law, disrespects our soldiers & is contrary to the anti-illegal-war precedent set by Lt. Watada.

A defense attorney not motioning for dismissal due to lack of subject-matter jurisdiction, not obtaining a STAY, not filing a Federal Habeas Corpus and participating in these non-jurisdictional courts-martial is back stabbing the Bill of Rights and STINKS!

REGARDS

s/Byron Lee Trackwell

The Resisting GI

Allege, alleged &/or allegedly is inserted above as required.

*Courtesy of Merriam-Webster's Collegiate Dictionary, Eleventh Edition.

Facebook Message From James M. Branum to Byron Lee Trackwell 22 MAR 2009

Subject: Referring to yourself as an attorney

Hi Byron,

I just noticed on your FB wall that you referred to being part of a law firm **(that is out of context)**. I have also talked to friends **(provide their names please)** who have said you have referred to yourself as being a lawyer. **(& you have lawyer confused with attorney)**

Do you understand that unless you are a member of the bar, that this is a crime? Please quit doing this. James