

CPS SOCIAL WORKERS ARE NOT LEGITIMATE DULY QUALIFIED OR BONA FIDE LAW ENFORCEMENT OFFICERS, THEY ARE NOT CITY POLICE OFFICERS, THEY ARE NOT COUNTY SHERIFFS OR STATE PATROL OFFICERS AND THEREFORE HAVE NO AUTHORITY TO SEARCH MY HOUSE WITHOUT MY PRIOR CONSENT PURSUANT TO BUMPER v. NORTH CAROLINA, 391 U.S. 543 (1968) OR WITHOUT A WARRANT AS REQUIRED BY THE FOURTH AMENDMENT OF THE UNITED STATES CONSTITUTION.

The United States Supreme Court stated in 1972 that . . . “[P]hysical entry of the home is the chief evil against which the wording of the Fourth Amendment is directed.” United States v. United States District Court, 407 U.S. 297, at 313 (June 19, 1972); Payton v. New York, 445 U.S. 573; 100 S.Ct. 1371; 63 L.Ed.2d 639 (1980). **And a principal protection against unnecessary intrusions into private dwellings is the warrant requirement imposed by the Fourth Amendment on agents of the government who seek to enter the home for purposes of search or arrest.”** Welsh v. Wisconsin, 466 U.S. 740, at 748 (May 15, 1984).

The Fourth Amendment of the United States Constitution reads:

“**Amendment IV** The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” And;

The State of Michigan Constitution, article 1, section 11 reads in part:

“§ 11 Searches and seizures.

Sec. 11. The person, houses, papers and possessions of every person shall be secure from unreasonable searches and seizures. No warrant to search any place or to seize any person or things shall issue without describing them, nor without probable cause, supported by oath or affirmation. . . .” And;

In Johnson v. United States, 333 U.S. 10, 13-14 (1948), Justice Jackson eloquently explained the warrant requirement in the context of a home search:

“The point of the Fourth Amendment, which often is not grasped by zealous officers, is not that it denies law enforcement the support of the usual inferences which reasonable men draw from evidence. Its protection consists in requiring that those inferences be drawn by a neutral and detached magistrate instead of being judged by the officer engaged in the often competitive enterprise of ferreting out crime. . . . The right of the officers to thrust themselves into a home is . . . a grave concern, not only to the individual but to a society which chooses to dwell in reasonable security and

freedom from surveillance. When the right of privacy must reasonably yield to the right of search is, as a rule, to be decided by a judicial officer, not by a policeman or government enforcement agent.” Johnson v. United States, 333 U.S. 10, 13-14 (February 2, 1948); “The search of the petitioner’s room by the police officers was conducted without a warrant of any kind, and it therefore “can survive constitutional inhibition only upon a showing that the surrounding facts brought it within one of the exceptions to the rule that a search must rest upon a search warrant. Jones v. United States, 357 U.S. 493, 499; United States v. Jeffers, 342 U.S. 48, 51.” Rios v. United States, 364 U.S. 253, 261.” Stoner v. California, 376 U.S. 483, at 486 (March 23, 1964). See also United States v. Place, 462 U.S. 696, at 703 (1983); Kirk v. Louisiana, 536 U.S. 635 (2002); Dorman v. United States, 435 F.2d 385 (April 15, 1970); Steagald v. United States, 451 U.S. 204 (April 21, 1981).

“The Fourth Amendment, and the personal rights which it secures, have a long history. At the very core stands the right of a man to retreat into his own home and there be free from unreasonable governmental intrusion. Entick v. Carrington, 19 Howell’s State Trials 1029, 1066; Boyd v. United States, 116 U.S. 616, 626630.” Silverman v. United States, 365 U.S. 505, at 511 (March 6, 1961). See also Delaware v. Prouse, 440 U.S. 648, 654 (1979). And;

“No search is reasonable if the officer who makes it would have been unable to make oath or affirmation to facts that would establish probable cause and would designate the place or person to be searched, Ganci v. United States, 287 Fed. 65. “Probable cause” as used in the Fourth Amendment does not mean inference or supposition. The oath or affirmation required must be as to facts. The purpose of an oath is to subject the affiant to prosecution for perjury if he bears false witness. The court or magistrate acts judicially. It is obvious, therefore, that the ground of belief and the basis of probable cause must consist of facts, and not mere suppositions. . . . The protection of the Fourth Amendment extends to all equally,—to those justly suspected or accused, as well as to the innocent. The search of a private dwelling without a warrant is in itself unreasonable and abhorrent to our laws. Congress has never passed an act purporting to authorize the search of a house without a warrant.” Agnello v. United States, 269 U.S. 20, at 23 (October 12, 1925). And;

“Since the decision in Katz v. United States, 389 U.S. 347 (1967), it has been the law that “capacity to claim the protection of the Fourth Amendment depends . . . upon whether the person who claims the protection of the Amendment has a legitimate expectation of privacy in the invaded place.” Rakas v. Illinois, 439 U.S. 123, 143 (1978). A subjective expectation of privacy is legitimate if it is “one that society is prepared to recognize as reasonable.” Minnesota v. Olson, 495 U.S. 91, at 95-96 (April 18, 1990). See also Camera v. Municipal Court, 387 U.S. 523, at 536-537 (1967). And;

A CPS Social Worker Cannot Lawfully Search Your House Without A Warrant Without Your Prior Consent Pursuant To The Four (4) Factors Defined By Brown v. Illinois, 422 U.S. 590 (1975). See also Bumper v. North Carolina, 391 U.S. 543 (1968); Schneckloth v. Bustamonte, 412 U.S. 218, 227 (1973) and Amos v. United States, 255 U.S. 313 (1921).

If you need legal help, please contact Tribal Court Lawyer Luis Ewing at home office phone: 1 - (360) 335-1322 or send me a text message to my cellular phone: 1 - (253) 226-3741 or write to <rcwcodebuster@aol.com> or <rcwcodebuster@yahoo.com> or <rcwcodebuster@gmail.com>

Please send all Title 18 U.S.C. § 8 Green Federal Reserve Note . . . “CASH ONLY MONEY DONATIONS” . . . , to Luis Ewing, c/o P.O. Box 421, (City of) Moclips, The State of Washington [98562].