

# EXHIBIT P

## JUDICIAL NOTICE JURY SUPREMACY & LIMITS ON JUDICIAL INSTRUCTION AND CONDUCT

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### SECTION 1 — INTRODUCTORY STATEMENT

Pursuant to Federal Rule of Evidence 201, the Seventh Amendment, and controlling Acts of Congress, Plaintiff gives formal notice that in this cause of action the jury is the **exclusive trier of fact**, and the presiding judicial officer is strictly limited to stating the law without comment, influence, suggestion, or opinion regarding the evidence, credibility, or outcome.

Further notice is given that any attempt by the presiding officer to **interject personal views, characterize evidence, guide factual conclusions, personal bias, or influence the jury's determination** constitutes an unlawful invasion of the jury's constitutional province.

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### SECTION 2 — FACTUAL FOUNDATION

**A. Judiciary Act of Sept. 24, 1789, § 12, 1 Stat. 80**

Confirms that all issues of fact in actions at law shall be tried by a jury.

**B. Act of Mar. 1, 1872, ch. 99, § 5, 17 Stat. 197**

Limits the court to stating the law while reserving all factual determinations exclusively to the jury.

**C. Congressional Record, 41st Cong., 2d Sess., Apr. 19, 1870, p. 2935**

Affirms that juries are the constitutional arbiters of credibility and weight of evidence.

**D. The jury alone evaluates:**

- *credibility of witnesses*
  - *weight of evidence*
  - *inferences from facts*
  - *ultimate factual conclusions*
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### SECTION 3 — CONCLUSIONS OF LAW

1. Act of Congress — Judiciary Act of 1789, 1 Stat. 80
2. Act of Congress — Jury Act of 1872, 17 Stat. 197

3. **Supreme Court precedent** — *St. Louis & San Francisco Ry. v. McBride*, 244 U.S. 111 (1917):  
The court may not remove factual determination from the jury where any dispute exists.
4. **Supreme Court precedent** — *Quercia v. United States*, 289 U.S. 466 (1933):  
A judge may not express opinions or comments that influence the jury’s view of evidence; such conduct constitutes reversible error.

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## SECTION 4 — EXPRESS LIMITATION ON JUDICIAL CONDUCT

The presiding judicial officer is prohibited from:

- *expressing opinions on the evidence*
- *characterizing testimony or credibility*
- *suggesting factual conclusions*
- *implying weight or significance of evidence*
- *directing or influencing jury inference*
- *signaling approval or disapproval of parties or positions*
- *shaping outcome through tone, emphasis, or commentary*

### **Conclusion of Law:**

Any such conduct exceeds statutory authority and violates the Seventh Amendment.

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## SECTION 5 — REBUTTAL OF CONTRARY PRESUMPTION

### **Presumption:**

A judge may guide the jury through commentary, explanation, or contextual framing of evidence.

### **Rebuttal:**

No Act of Congress grants authority to influence factual determinations. The Judiciary Act of 1789 and the Jury Act of 1872 strictly confine the court to stating law only.

*Quercia* expressly prohibits judicial commentary that may sway the jury. Therefore, any attempt to influence the jury is unlawful and void.

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## SECTION 6 — CONSEQUENCES OF EXCEEDING AUTHORITY

### **A. Structural Error**

Any judicial interference with the jury’s fact-finding role constitutes structural error requiring automatic reversal.

(*Sullivan v. Louisiana*, 508 U.S. 275 (1993))

### **B. Ultra Vires Conduct**

Acts beyond statutory authority are void and without legal effect.

### **C. Loss of Judicial Protection**

A judicial officer acting outside lawful authority loses protection and acts in personal capacity. (*Ex parte Young*, 209 U.S. 123 (1908))

### **D. Violation of Congressional Mandate**

Disregard of Acts of Congress constitutes actionable misconduct under 14 Stat. 27 and 17 Stat. 13.

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## **SECTION 7 — APPLICATION TO THIS CAUSE**

Notice is given that:

- *The jury shall determine all facts without influence.*
- *The Court is restricted to neutral legal instruction only.*
- *No commentary, interpretation, or influence will be accepted.*

Any deviation will be:

- *objected to on the record,*
- *preserved as structural error, and*
- *pursued as grounds for reversal and liability.*

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## **SECTION 8 — REQUESTED JUDICIAL ACTION**

- (a) Take judicial notice that the jury holds exclusive authority over all factual determinations.
- (b) Limit all judicial instruction strictly to neutral statements of law.
- (c) Instruct the jury that they are the sole judges of fact and are not bound by any suggestion, inference, or characterization by the Court.
- (d) Acknowledge on the record that any judicial influence over factual matters constitutes reversible structural error and ultra vires conduct

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Respectfully Tendered,

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