

----- Original Message -----

From: [Thomas R. Ascher](#)

To: [AB](#)

Sent: Tuesday, April 25, 2006 8:34 PM

Subject: Fw: duly elected sheriff of a county is the highest law enforcement official within a county and has law enforcement powers EXCEEDING that of any other state OR federal official

THIS IS SETTLED LAW. MOST PEOPLE DON'T KNOW ABOUT IT.

----- Original Message -----

From: [Mary](#)

To: [**hrtlite8](#)

Sent: Tuesday, April 25, 2006 5:29 PM

Subject: duly elected sheriff of a county is the highest law enforcement official within a county and has law enforcement powers EXCEEDING that of any other state OR federal official

County sheriffs in Wyoming have scored a big one for the 10th Amendment and states rights. The sheriffs slapped federal intrusion upside the head and are insisting that all federal law enforcement officers and personnel from federal regulatory agencies must clear all their activities in a Wyoming county with the Sheriff's Office. Deja vu for those who remember big Richard Mack in Arizona.

Bighorn County Sheriff Dave Mattis spoke at a press conference following the recent U.S. District Court decision (Case No. 2:96-cv-099-J) and announced that all federal officials are forbidden to enter his county without his prior approval. "If a sheriff doesn't want the Feds in his county he has the constitutional power and right to keep them out or ask them to leave or retain them in custody."

The court decision was the result of a suit against both the BATF and the IRS by Mattis and other members of the Wyoming Sheriffs' Association. The suit in the Wyoming federal court district sought restoration of the protections enshrined in the United States Constitution and the Wyoming Constitution.

Guess what? The District Court ruled in favor of the sheriffs. In fact, they stated, "Wyoming is a sovereign state and the duly elected sheriff of a county is the highest law enforcement official within a county and has law enforcement powers exceeding that of any other state or federal official." Go back and re-read that quote. The court confirms and asserts, "the duly elected sheriff of a county is the highest law enforcement official within a county and has law enforcement powers EXCEEDING that of any other state OR federal official." And you thought the 10th Amendment was dead and buried -- not in Wyoming, not yet.

But it gets even better. Since the judge states the sheriff "has law enforcement powers EXCEEDING that of any other state OR federal official," the Wyoming sheriffs are flexing their muscles. They are demanding access to all BATF files. Why? So as to verify the agency is not violating provisions of Wyoming law that prohibits the registration of firearms or the keeping of a registry of firearm owners. See, that would be wrong. The sheriffs are also demanding that federal agencies immediately cease the seizure of private property and the impoundment of private bank accounts without regard to due process in state courts.

Gosh, it kinda makes you wish the sheriffs of whatever counties have Waco, Texas, and Oklahoma City in their jurisdictions were drinking the same water these Wyoming sheriffs are.

Sheriff Mattis said, "I am reacting to the actions of federal employees who have attempted to deprive citizens of my county of their privacy, their liberty, and their property without regard to constitutional safeguards. I hope that more sheriffs all across America will join us in protecting their citizens from the illegal activities of the IRS, EPA, BATF, FBI, or any other federal agency that is operating outside the confines of constitutional law. Employees of the IRS and the EPA are no longer welcome in Bighorn County unless they intend to operate in conformance to constitutional law." Amen.

However, the sad reality is that sheriffs are elected, and that means they are required to be both law enforcement managers and politicians. Unfortunately, Wyoming sheriffs are the exception rather than the rule ... but they shouldn't be. Sheriffs have enormous power, if or when they choose to use it. I share the hope of Sheriff Mattis that "more sheriffs all across America will join us in protecting their

citizens. ..."

If Wyoming Sheriffs can follow in the steps of former Arizona Sheriff Richard Mack and both recognize their power and authority, they could become champions for the memory of Thomas Jefferson who died "thinking" he had won those states' rights debates with Alexander Hamilton.

This case is not some amusing mountain melodrama. This is a BIG deal. It is yet further evidence that the 10th Amendment is not yet totally dead, atrophied, or in complete decay in the United States. It is also significant in that it can/may, and hopefully will be interpreted to mean that "political subdivisions of a State are included within the meaning of the amendment, or that the powers exercised by a sheriff are an extension of those common law powers which the Tenth Amendment explicitly reserves to the People, if they are not granted to the federal government and specifically prohibited to the States."

Winston Churchill observed, "If you will not fight for right when you can easily win without bloodshed; if you will not fight when your victory is sure and not too costly; you may come to the moment when you will have to fight with all the odds against you and only a precarious chance of survival. There may be a worse case. You may have to fight when there is no hope of victory, because it is better to perish than to live as slaves."

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"Kill the Best Gentiles !"
(Talmud)

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