

IN THE REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CONSTITUTIONAL PETITION NO 965 OF 2007

IN THE MATTER OF APPLICATIONS UNDER SECTIONS 65 AND 67 OF THE  
CONSTITUTION OF KENYA

AND

IN THE MATTER OF THE TRIAL, CONVICTION AND SENTENCING OF JESUS CHRIST  
OF NAZARETH BY THE SANHEDRIN

AND

IN THE MATTER OF THE ROMAN LAW  
BETWEEN 42BC THROUGH 37AD

AND

IN THE MATTER OF THE TEN COMMANDMENTS IN THE BOOKS OF EXODUS,  
LEVITICUS AND DEUTERONOMY IN THE HOLY BIBLE

AND

IN THE MATTER OF THE HOLY TORAH

AND

IN THE MATTER OF THE NEW TESTAMENT OF THE HOLY BIBLE SPECIFICALLY THE  
BOOKS OF MATHEW, MARK, LUKE, JOHN AND THE ACTS OF THE APOSTLES

BETWEEN

FRIENDS OF JESUS SUING  
THROUGH DOLA INDIDIS..... PETITIONER

VERSUS

TIBERIUS (EMPEROR OF ROME 42BC-37AD) ..... 1<sup>ST</sup> RESPONDENT  
PONTIUS PILATE (GOVERNOR OF JUDEA) ..... 2<sup>ND</sup> RESPONDENT  
ANNAS..... 3<sup>RD</sup> RESPONDENT  
JEWISH CHIEF PRIEST..... 5<sup>TH</sup> RESPONDENT  
JEWISH ELDERS..... 6<sup>TH</sup> RESPONDENT  
JEWISH TEACHERS OF THE LAW..... 7<sup>TH</sup> RESPONDENT  
KING HEROD ..... 8<sup>TH</sup> RESPONDENT  
THE REPUBLIC OF ITALY ..... 9<sup>TH</sup> RESPONDENT  
THE STATE OF ISRAEL ..... 10<sup>TH</sup> RESPONDENT

AND

THE KENYA CIVIL LIBERTIES UNION.....AMICUS CURIE'

AND

HUMPHREY ODANGA ACHALA ..... INTERESTED PARTY

## CERTIFICATE OF URGENCY

I, MICHAEL CHEMWOK being an Advocate of the High court of Kenya do hereby certify this application to be of utmost urgency by its very own nature and by dint of the fact

1. THAT the intended application is of an urgent nature for it seeks to challenge the abuses used in criminal prosecutions and show the origin of those abuses that exist to date which if unresolved undermines the propriety and dignity of courts worldwide to condone without redress malicious prosecution and judicial misconduct in the trial conviction and sentencing of Jesus Christ.
2. THAT the Petitioner/ Applicant seeks to challenge the mode of questioning used during the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW, KING HEROD.
3. THAT the Petitioner/ Applicant challenges the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD, was for other purposes than upholding the spirit of the Criminal and Civil laws under the existing Laws of Moses in the books of Exodus , Leviticus, Deuteronomy in the Holy Bible, the Holy Torah and/or the existing Roman Laws..
4. THAT the Petitioner/ Applicant challenges the form of punishment meted out to the accused while undergoing judicial proceedings
5. THAT the Petitioner/ Applicant challenges the substance of the information used to convict the accused in the trial, prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIESTS, JEWISH ELDERS, JEWISH TEACHERS OF LAW and KING HEROD.
6. THAT the Petitioner/ Applicant challenges and specifically seeks to find out what crime was the accused charged with and subsequently convicted of during the trial, prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD.
7. THAT the Petitioner/ Applicant challenges and seeks to establish under what law was the accused sentenced in the trial JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME ` 42BC-37AD), PONTIUS

PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD.

8. THAT the Petitioner/ Applicant challenges and seeks to establish under what law the accused tried.

REASONS WHEREOF the petitioners/applicant prays that the succeeding application be certified as urgent to proceed on a priority basis as prayed under this certificate for a jurisdictional query and grant for orders for an impersonam speres hearing, pre-trial conference and dispute resolution conference.

DATED in Nairobi this the                      day of    AD 2007

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CHEMWOK & Co. ADVOCATES  
FOR THE PETITIONER AND THE INTERESTED PARTY

DRAWN AND FILED BY

CHEMWOK & Co. ADVOCATES  
10<sup>TH</sup> FLOOR BRUCE HOUSE  
STANDARD STREET  
P. O. BOX 3333-00200  
NAIROBI

IN THE REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CONSTITUTIONAL PETITION NO 965 OF 2007

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THE REPUBLIC OF ITALY ..... 9<sup>TH</sup> RESPONDENT  
THE STATE OF ISRAEL ..... 10<sup>TH</sup> RESPONDENT

AND

THE KENYA CIVIL LIBERTIES UNION.....AMICUS CURIE'

AND

HUMPHREY ODANGA ACHALA ..... INTERESTED PARTY

NOTICE OF MOTION

(Under the Judicature Act Cap. 8 laws of Kenya and any other relevant enabling applicable provision of law)

TAKE NOTICE that on the                    day of                    2007 at                    O'clock in the forenoon or soon thereafter as can be heard, the above applicant/ counsel for the applicant will move the Court for an order that:

1. THAT the Petitioner/ Applicant prays that this application be certified as urgent to proceed on a priority basis as prayed under the preceding certificate of urgency and under the vocational rules of this Honorable Court.

WHICH APPLICATION is based upon the GROUNDS

1. THAT the petition before the court has become of necessity since the petitioner discovered the wrong that was meted out to Jesus Christ of Nazareth and thus the need to have it addressed soonest
2. THAT upon realization of the same and the subject being of utmost importance to all Christians the same has generated a religious debate in and outside our country and therefore the need to resolve soonest.
3. THAT both Christians , Jews and the world at large being a precedent setting matter ought to be given the direction by this honorable court soonest and therefore the need to have it addressed during the vacation
4. THAT whereas all who profess by the bible there is indeed the need to put the record straight as to its use in court, parliament and other sanctifiable issues that you swore by the bible and indeed its record having been questioned be put straight.

The application is supported by the annexed affidavit of MICHAEL KIPKOROR CHEMWOK

DATED in Nairobi this the                    day of                    AD 2007

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CHEMWOK & Co. ADVOCATES  
FOR THE PETITIONER AND THE INTERESTED PARTY

DRAWN AND FILED BY

CHEMWOK & Co. ADVOCATES  
10<sup>TH</sup> FLOOR BRUCE HOUSE  
STANDARD STREET  
P. O. BOX 3322-00200  
NAIROBI

INTENDED SERVICE UPON

THE REPUBLIC OF ITALY  
THROUGH  
THE ITALIAN CONSUL TO KENYA  
NAIROBI

STATE OF ISRAEL  
THROUGH THE AMBASSADOR OF ISRAEL TO KENYA  
NAIROBI

IN THE REPUBLIC OF KENYA

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AND

THE KENYA CIVIL LIBERTIES UNION.....AMICUS CURIE'

AND

HUMPHREY ODANGA ACHALA ..... INTERESTED PARTY

## AFFIDAVIT

I, MICHAEL KIPKOROR CHEMWOK of Post Office Box Number 3322-00200 Nairobi Kenya do hereby solemnly make Oath and depone and follows:-

1. THAT I am an Advocate of the High Court of Kenya herein on record acting for and on behalf of the Petitioner/Applicant and the INTERESTED PARTY herein thus competent to swear this affidavit.
2. THAT the petition before the court has become of necessity since the petitioner discovered the wrong that was meted out to Jesus Christ of Nazareth and thus the need to have it addressed soonest
3. THAT upon realization of the same and the subject being of utmost importance to all Christians the same has generated a religious debate in and outside our country and therefore the need to resolve soonest.
4. THAT both Christians , Jews and the world at large being a precedent setting matter ought to be given the direction by this Honorable Court soonest and therefore the need to have it addressed during the vacation
5. THAT whereas all who profess by the bible there is indeed the need to put the record straight as to its use in court, parliament and other sanctifiable issues that you swore by the bible and indeed its record having been questioned be put straight
6. THAT the intended application is of an urgent nature for it seeks to challenge the abuses used in criminal prosecutions and show the origin of those abuses that exist to date which if unresolved undermines the propriety and dignity of courts worldwide to condone without redress malicious prosecution and judicial misconduct in the trial conviction and sentencing of Jesus Christ.
7. THAT the Petitioner/ Applicant seeks to challenge the mode of questioning used during the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW, KING HEROD.
8. THAT the Petitioner/ Applicant challenges the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD, was for other purposes than upholding the spirit of the Criminal and Civil laws under the existing Laws of Moses in the books of Exodus , Leviticus, Deuteronomy in the Holy Bible, the Holy Torah and/or the existing Roman Laws..
9. THAT the Petitioner/ Applicant challenges the form of punishment meted out to the accused while undergoing judicial proceedings
10. THAT the Petitioner/ Applicant challenges the substance of the information used to convict the accused in the trial, prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF



JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIESTS, JEWISH ELDERS, JEWISH TEACHERS OF LAW and KING HEROD.

11. THAT the Petitioner/ Applicant challenges and specifically seeks to find out what crime was the accused charged with and subsequently convicted of during the trial, prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD.

12. THAT the Petitioner/ Applicant challenges and seeks to establish under what law was the accused sentenced in the trial JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME `42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD.

13. THAT the Petitioner/ Applicant challenges and seeks to establish under what law the accused tried.

14. THAT save for what is expressly stated and information disclosed I verily believe that what is deponed herein is true to the best of m knowledge information and belief.

SWORN by the said )  
MICHAEL KIPKOROR CHEMWOK )  
at NAIROBI )  
This day of 2007 )  
)  
)  
BEFORE ME )  
)  
)  
COMMISSIONER FOR OATHS )

DRAWN AND FILED B

CHEMWOK & Co. ADVOCATES  
10<sup>TH</sup> FLOOR BRUCE HOUSE  
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AND

THE KENYA CIVIL LIBERTIES UNION.....AMICUS CURIE'

AND

HUMPHREY ODANGA ACHALA ..... INTERESTED PARTY

AN APPLICATION FOR AN impersonam speres HEARING, pre-trial and dispute resolution conference

NOTICE OF MOTION

(Under sections 3 and 3A of the Civil Procedure Act and any other relevant applicable enabling provision of law)

TAKE NOTICE that on the            day of            2007 at            O'clock in the forenoon or soon thereafter as can be heard, the above mentioned Petitioner/Applicant through his counsel will move the Court for orders:

1. THAT the petitioner herein be GRANTED LEAVE for an opportunity to be heard for directions for a Jurisdictional query, Pre-trial conference and dispute resolution conference to be raised by the Petitioner/Applicant herein by way of an ORIGINATING NOTICE OF MOTION for REDRESS of a Constitutional review of allegations arising out of severe JUDICIAL MISCONDUCT, PROSECUTORIAL MISCONDUCT, MALICIOUS PROSECUTION, ABUSE OF OFFICE, FABRICATION OF EVIDENCE and HUMAN RIGHTS ABUSES and MALICIOUS PROSECUTION in the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and HEROD herein Respondents before this Honorable Court by way of an impersonam speres hearing.
2. THAT in the alternative all allegations of JUDICIAL MISCONDUCT, PROSECUTORIAL MISCONDUCT, MALICIOUS PROSECUTION, ABUSE OF OFFICE, FABRICATION OF EVIDENCE, HUMAN RIGHTS ABUSES and MALICIOUS PROSECUTION in the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD, be certified and forwarded to the International Criminal Courts registry for determination by the International Criminal Court under the Roman Statute for review and determination by way of. Certification of the questions of law by way of review and determination by this honorable court
3. THAT the Honorable Chief Justice do constitute a 3 judge bench to hear and determine this application.
4. THAT the Petitioner be at liberty to file a substantive ORIGINATING NOTICE OF MOTION with the grant of leave within 10 days the conclusion thereof against the Respondents herein.
5. To site the republic of Italy and the state of Israel as contributing correspondence to this proceeding for failure to intercede and failure to correct matters hearing raised in the trial.

WHICH APPLICATION is based upon the GROUNDS

1. THAT the Petitioner/ Applicant seeks to challenge the mode of questioning used during the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW, KING HEROD.
2. THAT the Petitioner/ Applicant challenges the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD, was for other purposes than upholding the spirit of the Criminal and Civil laws under the existing Laws of Moses in the books of Exodus, Leviticus, Deuteronomy in the Holy Bible, the Holy Torah and/or the existing Roman Laws..
3. THAT the Petitioner/ Applicant challenge the form of punishment meted out to the accused while undergoing judicial proceedings.
4. THAT the Petitioner/ Applicant challenges the substance of the information used to convict the accused in the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIESTS, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD.
5. THAT the Petitioner/ Applicant challenges and specifically seeks to find out what crime the accused charged was with and subsequently convicted of during the trial, prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD.
6. THAT the Petitioner/ Applicant challenges and seeks to establish under what law the accused sentenced.
7. THAT the Petitioner/ Applicant challenges and seeks to establish under what law the accused tried.
8. THAT the Petitioner/ Applicant seeks to establish the truth
9. THAT the Petitioner/ Applicant challenges and seeks a declaration that the proceedings before the Roman Courts in 42BC- 37AD were a nullity in law for they did not conform to the rule at the material time.
10. THAT by incorporating paragraphs 1 through 8 herein this applicants annexed application proposed ORIGINATING NOTICE OF MOTION to be filed by the Petitioner/Applicant ought to proceed for redress according to its merits by the well set fundamental principles of the Honorable Court to Supervise, interpret and make such orders, issue such writs and give such directions as it may consider appropriate for the purpose of ensuring that justice was duly administered by the trial, prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD that the Petitioner/Applicant seeks to challenge the legality of the foregoing proceedings.
11. THAT the ITALIAN GOVERNMENT upon attaining Independence has incorporated all the preceding laws that existed in the ROMAN EMPIRE at the time of the Trial in question.

12. THAT the REPUBLIC OF ISRAEL also upon attaining Independence has incorporated all the preceding laws that existed at the time of the Trial in question.

13. THAT this application is made in good faith and in the interest of justice.

AND further supported by the annexed affidavit of DOLA INDIDIS sworn on the day of 2007

DATED in Nairobi this the                      day of    AD 2007

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CHEMWOK & Co. ADVOCATES  
FOR THE PETITIONER AND THE INTERESTED PARTY

DRAWN AND FILED BY

CHEMWOK & Co. ADVOCATES  
10<sup>TH</sup> FLOOR BRUCE HOUSE  
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INTENDED SERVICE UPON

THE REPUBLIC OF ITALY  
THROUGH  
THE ITALIAN CONSUL  
NAIROBI

THE STATE OF ISRAEL  
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AND

THE KENYA CIVIL LIBERTIES UNION.....AMICUS CURIE'

AND

HUMPHREY ODANGA ACHALA ..... INTERESTED PARTY

## AFFIDAVIT

I, DOLA INDIDIS of Post Office Box Number 7248-00100 Nairobi Kenya do hereby solemnly make Oath and depone and follows:-

1. THAT I am the Petitioner/Applicant in these proceedings truly Conversant with the facts leading to this application thus seized of this matter and in conduct to swear this affidavit.
2. THAT I am also a member of the FRIENDS OF JESUS who under our Constitution we have bestowed upon ourselves the sole responsibility and duty of preserving and protecting the image, authority, teachings and dignity of our Lord Jesus Christ herein Jesus Christ of Nazareth according to the teachings of the NEW TESTAMENT of the Holy Bible, (See our Society Constitution herein marked as Annexure DI 1).
3. THAT I seek to challenge the mode of questioning used during the trial, prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD.
4. THAT I challenge the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PONTIUS PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD, was for other purposes than upholding the spirit of the Criminal and Civil laws under the existing Laws of Moses in the books of Exodus , Leviticus, Deuteronomy in the Holy Bible, the Holy Torah and/or the existing Roman Laws. D I ( 2 A, B, C and HOA 1)
5. THAT I challenge the form of punishment meted out to the accused while undergoing judicial proceedings
6. THAT I challenge the substance of the information used to convict the accused in the trial, prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF THE LAW and KING HEROD.
7. THAT I challenge and specifically seek to find out what crime was the accused charged with and subsequently convicted of during the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF LAW and HEROD.
8. THAT I challenge and seek to establish under what law was the accused sentenced under
9. THAT I challenge and seek to establish under what law was the accused tried under
10. THAT I seek to establish the truth
11. THAT I challenge and seek a declaration that the proceedings before the Roman Courts in 42BC- 37AD were a nullity in law for they did not conform to the rule of law at the material time and any time thereafter.
12. THAT if my Jurisdictional query stands I shall file an ORIGINATING NOTICE OF MOTION for redress according to its merits by the well set fundamental principles of the Honorable Court to Supervise, interpret and make such orders, issue such writs and



give such directions as it may consider appropriate for the purpose of ensuring that justice was duly administered by the trial prosecution, hearing and sentencing of JESUS CHRIST OF NAZARETH under the rule of TIBERIUS (EMPEROR OF ROME 42BC-37AD), PILATE (GOVERNOR OF JUDEA), ANNAS, CAIAPHAS (HIGH PRIEST), JEWISH CHIEF PRIEST, JEWISH ELDERS, JEWISH TEACHERS OF LAW and HEROD that I seek to challenge the legality of the foregoing proceedings.

13. THAT the ITALIAN GOVERNMENT upon attaining Independence has incorporated all the preceding laws that existed in the ROMAN EMPIRE at the time of the Trial in question.
14. THAT the GOVERNMENT of ISRAEL also upon attaining Independence has incorporated all the preceding laws that existed at the time of the Trial in question.
15. THAT I specifically make reference to the Holy Bible whose records have stood for Twenty Thousand and Seven years specifically in the New Testament books of Mathew, Mark, Luke, John and Acts of the apostles (Herein marked as annexure D I ( 3 A,B,C,D and E)..
16. THAT the Holy Bible states information I verily believe to be true that When Jesus went to wake his disciples the third time, a crowd came up to them armed with swords and clubs. Judas stepped forward and gave Jesus a kiss. At the signal several men approached to arrest Jesus.
17. THAT the Holy Bible states information I verily believe to be true that Peter jumped forward, swinging a sword and hit the ear of a servant of the high priest, a man named Malchus.
18. THAT the Holy Bible states information I verily believe to be true that Jesus stopped Peter, explaining that he could summon legions of angels if he wished.
19. THAT the Holy Bible states information I verily believe to be true that However, the arrest was something he was expecting. Jesus reattached Malchus' ear and went with the arresting officers while his captors, "Am I leading a rebellion, and that you have come out with swords and clubs to capture me? Every day I sat in the temple courts teaching, and you did not arrest me.
20. THAT the Holy Bible states information I verily believe to be true that all this has all taken place that the writings of the prophets might be fulfilled" (Matthew 26: 55-56)
21. THAT the Holy Bible states information I verily believe to be true that Jesus was taken to Annas, the father in law of Caiaphas, the high priest (John 18:12-14, then to Caiaphas himself, who questioned him about his teaching before a large assembly of "chief priests, elders, and teachers of the law" (Matthew 26:57-68).
22. THAT the Holy Bible states information I verily believe to be true that Caiaphas insisted he answer whether he was "the Christ, the Son of God," Jesus replied "Yes, it is as you say. But I say to all of you: In the future you will see the Son of Man sitting at the right hand of the Mighty One and coming on the clouds of heaven" (Matthew 26:64).
23. THAT the Holy Bible states information I verily believe to be true that At once Caiaphas pronounced him guilty of BLASPHEMY (emphasis being mine).
24. THAT the Holy Bible states information I verily believe to be true that Some of those present spat in his face, struck him with their fists, slapped him, taunted him, and pronounced him worthy of death.
25. THAT the Holy Bible states information I verily believe to be true that the next morning, the entire Sanhedrin- the highest court concurred.
26. THAT the Holy Bible states information I verily believe to be true that With Jesus pronounced guilty, the Jewish leaders took him to Pilate, the Roman governor of Judea, to ask for the death penalty.
27. THAT the Holy Bible states information I verily believe to be true that when they got there Pilate did not see how this Jewish quarrel had anything to do with him. Why did they



not sentence the prisoner themselves? Under Roman law, the Jews had no power to put someone to death.

28. THAT the Holy Bible states information I verily believe to be true that their charge of BLASPHEMY would not have meant much to Rome. So the told Pilate that Jesus claimed to be a king and opposed paying taxes to Caesar.
29. THAT the Holy Bible states information I verily believe to be true that Pilate summoned Jesus inside and asked Jesus if he was a king. Jesus replied, "My kingdom is not of this world." (John 18:36) Pilate took Jesus back to his accusers and told them he found no reason to kill him.
30. THAT the Holy Bible states that they were shouting out all sorts of charge, but Jesus did not say a word in response, which amazed Pilate.
31. THAT the Holy Bible states information I verily believe to be true that But when some let it slip out that Jesus was a Galilean, Pilate thought he discovered a loophole. Rather than sentencing Jesus, he sent him to Herod. Pilate was governor over all Judea, but Herod was the specific ruler over Galilee.
32. In response to Herod's questions, Jesus remained silent. At that point Herod and his soldiers began to ridicule Jesus.
33. THAT the Holy Bible states information I verily believe to be true that they dressed in a knightly robe and sent him back to Pilate. Pilate suggested that Jesus be flogged and then released.
34. THAT the Holy Bible states information I verily believe to be true that after all, it was traditional at Passover for the governor to pardon a prisoner as a gesture of goodwill.
35. THAT the Holy Bible states that but to Pilate's surprise, the crowd voted to release a convicted thief and murderer named Barrabbas rather than release Jesus.
36. THAT the Holy Bible states that Pilate turned Jesus over to his soldiers, who flogged him, dressed him in a purple robe, placed a crown of thorns on his head and placed a staff in his hand. Mockingly some bowed down as others struck him and spat in his face.
37. THAT the Holy Bible states information I verily believe to be true that Pilate then tried one final time to convince the crowd to leave Jesus alone. But when they threatened to go over Pilate's head to Caesar,
38. THAT the Holy Bible states information I verily believe to be true that Pilate finally relented and turned Jesus over to be crucified. Before doing so, Pilate washed his hand in front of the crowd and told them, "I am innocent of this man's blood. It is your responsibility!" (Matthew 27:24)
39. THAT the records clearly prove my allegations of Selective prosecution and equally protected rights violations.
40. THAT the records clearly prove my allegations of malicious prosecution
41. THAT the records clearly prove my allegations of prosecutorial misconduct
42. THAT the records clearly prove my allegations of judicial misconduct
43. THAT the records clearly prove my allegations of bias and prejudice
44. THAT the records clearly prove my allegations that the Mode of punishment was cruel and unusual
45. THAT the records clearly prove my allegations of Laws of Moses in Exodus, Leviticus and Deuteronomy teach that if one BLASPHEMES against God the punishment is death by stoning (see Annexure marked as exhibit DI 3)
46. THAT the records clearly prove my allegations of Jewish law as in the Holy Torah concurs as in the Laws of Moses in Exodus, Leviticus and Deuteronomy teach that if one BLASPHEMES against God the punishment is death by stoning.
47. Roman law the mode of punishment as in the New Testament specifically in Mathew, Mark, Luke, John and The Acts of the Apostles for crimes against the state, robbery and/or treason was by crucifixion as in the final mode used against Jesus Christ of Nazareth.

48. THAT I seek to challenge the legality of the foregoing proceedings.
49. THAT I seek to challenge the mode of questioning used during the aforementioned trial.
50. THAT I seek to challenge the form of punishment meted out to the accused while undergoing judicial proceedings
51. THAT I seek to challenge the substance of the information used to convict the accused.
52. THAT I seek to specifically find out what crime was the accused charged with and subsequently convicted of.
53. THAT I seek to establish under what law was the accused sentenced under
54. THAT I seek to establish under what law was the accused tried under
55. THAT I seek to establish the truth
56. THAT save for what is expressly stated and information disclosed I verily believe that what is deponed herein is true to the best of m knowledge information and belief.

SWORN by the said )  
 DOLA INDIDIS )  
 At NAIROBI )  
 )  
 This                    day of                    2007 )  
 )  
 )  
 BEFORE ME )  
 )  
 )  
 COMMISSIONER FOR OATHS )

DRAWN AND FILED BY

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 NAIROBI

IN THE REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CONSTITUTIONAL PETITION NO 965 OF 2007  
IN THE MATTER OF APPLICATIONS UNDER SECTIONS 65 AND 67 OF THE  
CONSTITUTION OF KENYA

AND

IN THE MATTER OF THE TRIAL, CONVICTION AND SENTENCING OF JESUS CHRIST  
OF NAZARETH BY THE SANHEDRIN

AND

IN THE MATTER OF THE ROMAN LAW  
BETWEEN 42BC THROUGH 37AD

AND

IN THE MATTER OF THE TEN COMMANDMENTS IN THE BOOKS OF EXODUS,  
LEVITICUS AND DEUTERONOMY IN THE HOLY BIBLE

AND

IN THE MATTER OF THE HOLY TORAH

AND

IN THE MATTER OF THE NEW TESTAMENT OF THE HOLY BIBLE SPECIFICALLY THE  
BOOKS OF MATHEW, MARK, LUKE, JOHN AND THE ACTS OF THE APOSTLES

BETWEEN

FRIENDS OF JESUS SUING  
THROUGH DOLA INDIDIS..... PETITIONER

VERSUS

TIBERIUS (EMPEROR OF ROME 42BC-37AD) .....	1 <sup>ST</sup> RESPONDENT
PONTIUS PILATE (GOVERNOR OF JUDEA) .....	2 <sup>ND</sup> RESPONDENT
ANNAS.....	3 <sup>RD</sup> RESPONDENT
JEWISH CHIEF PRIEST.....	5 <sup>TH</sup> RESPONDENT
JEWISH ELDERS.....	6 <sup>TH</sup> RESPONDENT
JEWISH TEACHERS OF THE LAW.....	7 <sup>TH</sup> RESPONDENT
KING HEROD .....	8 <sup>TH</sup> RESPONDENT
THE REPUBLIC OF ITALY .....	9 <sup>TH</sup> RESPONDENT
THE STATE OF ISRAEL .....	10 <sup>TH</sup> RESPONDENT

AND

THE KENYA CIVIL LIBERTIES UNION.....AMICUS CURIE'

AND

AFFIDAVIT

I, HUMPHREY ODANGA ACHALA of Post Office Box Number 21361 ADAMS ARCADE do hereby solemnly make Oath and deposed and follows:-

1. THAT I am the interested party in these proceedings truly Conversant with the facts leading to the application before this Court thus also fully seized of the matter and in conduct to swear this affidavit.
2. THAT I profess the Catholic faith by baptism and confirmation thus bestowed unto me is the sole responsibility of upholding, preserving, testifying to the teachings of Jesus Christ of Nazareth, his dignity and authority thus entitles me to be interested in the outcome of these proceedings.
3. THAT in professing the Catholic faith I believe information I verily believe to be true that the law is clearly defined as taught in the catholic Church (see annexure marked as exhibit HOA 1)
4. THAT these proceedings have been brought about arising out of concern as to the legality of the trial, prosecution and sentencing of Jesus Christ of Nazareth in Sanhedrin.
5. THAT I challenge and seek to establish under what law the accused was sentenced under.
6. THAT I challenge and seek to establish under what law the accused was tried under.
7. THAT I seek to establish the truth.
8. THAT I challenge and seek a declaration that the proceedings before the Roman Courts in 42BC- 37AD were a nullity in law for they did not conform to the rule of law at the material time and any time thereafter.
9. THAT the ITALIAN GOVERNMENT upon attaining Independence has incorporated all the preceding laws that existed in the ROMAN EMPIRE at the time of the Trial in question.
10. THAT the STATE OF ISRAEL also upon attaining Independence has incorporated all the preceding laws that existed at the time of the Trial in question.
11. THAT I specifically make reference to the Holy Bible whose information I verily believe to be true and records have stood for Twenty Thousand and Seven years specifically in the New Testament books of Mathew, Mark, Luke, John and Acts of the apostles (marked as annexure DI 2 in the affidavit of the Petitioner/Applicant DOLA INDIDIS) which book also stands as an authority to these proceedings.
12. THAT the Holy Bible states information I verily believe to be true that as in the Holy Bible Old Testament in the book of

Deuteronomy 13. 2-12

"If there arises among you a prophet or a dreamer who promises you a sign or wonder, urging you to follow other gods, whom you have not known, and to serve them: even though the sign or wonder he has foretold you comes to pass, pay no attention to the words of that prophet or that dreamer; for the Lord, your God, is test you to learn whether you really love him with all your heart and with all your soul. The Lord, your God, shall you follow, and him shall you fear; his commandment shall you observe, and his voice shall you

heed, serving him and holding fast to him alone. But that prophet or dreamer shall be put to death because, in order to lead you astray from the way which the Lord, your God, has directed you to take, he has directed you to take, he has preached apostasy from the Lord your God, who brought you out of the land of Egypt and ransomed you from that place of slavery. Thus shall you purge the evil from your midst.

If your own full brother, or your son or daughter, or your beloved wife, or your intimate friend, entices you secretly to serve other gods, whom you and your fathers have not known, gods of any other nations, near at hand or far away, from one end of earth to the other: do not yield to him or listen to him, nor look with pity upon him, to spare or shield him, but kill him. Your hand shall be the first raised to slay him; the rest of the people shall join in with you. You shall stone him to death, because he sought to lead you astray from the Lord, your God, who brought you out of the land of Egypt, that place of slavery. And all Israel, hearing of it, shall fear and never again do such evil as this in your midst”.

Deuteronomy 21: 22-23

“If a man guilty of a capital offence is put to death and his corpse hung on a tree, it shall remain on the tree overnight. They shall bury it the same day: otherwise, since God’s curse rests on him who hangs on a tree, you will defile the land which the Lord, your God, is giving you as an inheritance”.

13. THAT the Holy Bible states information I verily believe to be true that as we note that the author has pressed the Jewish responsibility for the affair to the maximum: here (3-5) it is Herod and Pilate who gives the order for Jesus to be led away to execution. As for the Acts (of Pilate), we can echo the verdict of G.W.H.Lampe: ‘the Acts (of Pilate) draw most of their material from the canonical Gospels, using them eclectically, but depending.....mainly on the Fourth Gospel for the narrative of the crucifixion from Luke. The non-canonical material, which predominates in the first chapter and in the long section which deals with the resurrection
14. THAT the Holy Bible states information I verily believe to be true that the squad is said to have been sent, by the high priest, the scribes and the elders” (Mark 14: 33).
15. THAT the Holy Bible states information I verily believe to be true that Mark indicates this three more times (8.31; 14-53; 15.1), and we cannot doubt that where he abbreviates the list, he is following the same plan, everywhere with the intention of attributing responsibility for the death of Jesus to the supreme authority of Judaism.
16. THAT the Holy Bible states information I verily believe to be true that what corresponds in John to the nocturnal session of the Sanhedrin in the Gospels of Mark and Matthew is the presentation of Jesus to Annas (not his transfer to the house of Caiaphas).
17. THAT the Holy Bible states information I verily believe to be true that what corresponds in John to the nocturnal session of the Sanhedrin in the Gospels of Mark and Matthew is the presentation of Jesus to Annas (not his transfer to the house of Caiaphas).
18. THAT the Holy Bible states information I verily believe to be true that the Gospel narratives of the passion contain two scenes involving insults of which Jesus is the victim.
19. THAT the Holy Bible states information I verily believe to be true that One comes within the framework of the Jewish procedure, the other in its Roman counterpart.
20. THAT the Holy Bible states information I verily believe to be true that the latter episode can be found in Mark 9.16-200, Matthew (27.27-31) and John (19.2-30). Luke omits if

, but has kept traces of it in the interlude with Herod (22.11). the first scene is reported by Mark /914.650,

21. THAT the Holy Bible states information I verily believe to be true that Matthew (16.67-68) and Luke (22.63-650. as we have seen, John probably echoes it in 18.22.
22. THAT the Holy Bible states information I verily believe to be true that although these two episodes are very similar and lend themselves to some contamination, there is no need to derive them for a single original event.
23. THAT the Holy Bible states information I verily believe to be true that on the one hand, there are more differences than similarities, and on the other the respective details correspond to different types of situation.
24. THAT the Holy Bible states information I verily believe to be true that Mark gives us (14.65) is in fact disordered: Jesus is spat upon, his face is veiled, he is struck, he is asked to prophesy-all this by 'certain' members of the Sanhedrin; by way of an appendix we are told that the 'servants' intervene in turn.
25. THAT the Holy Bible states information I verily believe to be true that Matthew (26.67-68) brings some order to his source: Jesus no longer seems to be struck on a veiled face (this feature is suppressed) and the blows are only mentioned once. Luke (64-65) particularly stands out in offering an attenuated version along the line which he follows elsewhere in describing the passion.
26. THAT the Holy Bible states information I verily believe to be true that As we have seen, the account which mentions this (Mark 14.64. par Matt.26.66) is a development by Christians of the report of an informal audience in the house of Annas, who himself had no judicial power as an individual.
27. THAT the Holy Bible states information I verily believe to be true that whatever form the morning meeting may have taken, it is beyond question that Jesus was condemned to death by Pontius Pilate.
28. THAT the Holy Bible states information I verily believe to be true that On this point the evidence of the New Testament is confirmed by that of Tacitus, who reporting the execution of the Christians of Rome on the order of Nero, explains that the extreme penalty during the reign of 'Tiberius at the hand of one of our procurators, Pontius Pilate we may add an equally undisputed fact :
29. THAT the Holy Bible states information I verily believe to be true that Jesus was crucified.
30. THAT the Holy Bible states information I verily believe to be true that Now this form of execution was Roman, not Jewish, at least in the period with which we are concerned, and that presupposes that it was carried out on the orders of the Roman authorities.
31. THAT the Holy Bible states information I verily believe to be true that had Jesus been put to death by the Jewish executioners on the orders of a Jewish tribunal, he would have been stoned.
32. THAT the Holy Bible states information I verily believe to be true that First of all some general remarks about the political situation in Judea at the time. On the accession of Herod the Great to the throne in 40 BCE the Sanhedrin, the supreme council of the Jewish nation, had lost the authority which it had enjoyed in the time of the Hasmoneans.
33. THAT the Holy Bible states information I verily believe to be true that From now on the ancestral laws had given place to a new regime, that of the rex socius of the Roman empire.
34. THAT the Holy Bible states information I verily believe to be true that The Jewish authorities exercised what remained of local law only as a concession. The situation was the same under direct Roman administration, when Judea became a Roman province of the third class, ruled by a governor of equestrian rank. Local law, and especially penal law, existed only in the form of privileges graciously granted by the Roman authorities.



35. THAT the Holy Bible states information I verily believe to be true that Supposing that the Sanhedrin had had the freedom to put Jesus to death, it would have had to do so by stoning.
36. THAT the Holy Bible states information I verily believe to be true that Now Jesus was crucified, a Roman punishment.
37. THAT the Holy Bible states information I verily believe to be true that so it is concluded that there was no Jewish trial, and that the account of it in the Gospels is a fiction.
38. THAT the Holy Bible states information I verily believe to be true that some evidence in rabbinic literature suggests that jurisdiction in matters involving death sentences was exercised by the Sanhedrin down to the destruction of the temple. It is most probable here that the senior Jewish clergy of the time had been convinced they had this power. But to what degree was certainty translated into real practice?.
39. THAT the Holy Bible states information I verily believe to be true that the first stoning of James, 'brother of the Lord', and some other Christians on the authority of the high priest Annas (Hanan) II.
40. THAT the Holy Bible states information I verily believe to be true that As Josephus writes:
41. THAT the Holy Bible states information I verily believe to be true that He thought he had now a proper opportunity. Festus was now dead, and Albinus was but upon the road.
42. THAT the Holy Bible states information I verily believe to be true that So he assembled the Sanhedrin of judges
43. THAT the Holy Bible states information I verily believe to be true that brought before them the brother of Jesus who was called Christ, whose name was James, and some others.
44. THAT the Holy Bible states information I verily believe to be true that And when he had formed an accusation against them as breakers of the law, he delivered them to be stoned.
45. THAT the Holy Bible states information I verily believe to be true that but those who seemed the most equitable of the citizens, and accurate in legal matters, disliked what was done.
46. THAT the Holy Bible states information I verily believe to be true that They also sent to King Agrippa, desiring him to send to Annas that he should act no more; for that what he had already done was not to be justified. Indeed, some of them went also to meet Albinus, as he was upon his journey from Alexandria, and informed him that it was not lawful for Annas to assemble a Sanhedrin without his consent.
47. THAT the Holy Bible states information I verily believe to be true that Albinus was persuaded by what they said, and wrote in anger to Annas, threatened that he would bring him to punishment for what he had done. On which account King Agrippa took the high priesthood from him when he had ruled only three months, and made Jesus the son of Damneus high priest.
48. THAT the Holy Bible states information I verily believe to be true that there remains the illegality of the judgments itself, and this fits the previous context, in which Josephus is emphasizing the harshness of the Sadducees in exercising justice.
49. THAT the Holy Bible states information I verily believe to be true that Thus the first intervention.
50. THAT the Holy Bible states information I verily believe to be true that The second, that with Albinus, is motivated according to Josephus by the fact that the high priest could not convene the Sanhedrin without the authority of the procurator.
51. THAT the Holy Bible states information I verily believe to be true that this notice is curious for two reasons; first, that the Jews seem to be instructing Albinus on his own





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