

# The Preponderance of Evidence



By Dave Daubenmire

Preponderance of evidence—*Evidence that persuades a judge or jury to lean to one side as opposed to the other, during the course of litigation.*

*“Those who expect to be both ignorant and free, expect what never was and never will be.”* –Thomas Jefferson

Americans are so programmed. Their ability to think and analyze thoughts are almost non-existent. Knowledge is only power if you can apply it. Wisdom is not simply the accumulation of knowledge but the application of it.

Our educational system has failed us. The infiltration of socialism into the curricula of America’s government schools has brought us to the brink of revolution. As Ronald Reagan famously said, *“It isn’t so much that liberals are ignorant. It’s just that they know so many things that aren’t so.”*

Unfortunately, we have permitted them to teach lies and half-truths under the guise of “education” in our government schools.

They are government schools, not public schools. If the “public” was in control of education, then the schools would teach the values of the public and not the agenda of government leftists in Washington.

We need look no further than the recent scam passing as an election for evidence. A frighteningly large number of Americans have absolutely no idea how our government is

supposed to operate. We are nothing more than sheep led to the slaughter by the government-controlled media conglomerates who have convinced the sheeple that the election of a President is determined by network television projections.

All Americans need a good CIVICS class. I will do my best to help the cause here today.

There is much hullabaloo about the apparent lack of “evidence” presented by President Trump’s “legal” team. Because Rudy and his crew have not offered up PROOF of a crime Americans are being told by the State-sponsored media that there is no case for voter fraud. What exactly is evidence?

There are [four general types](#) of evidence: **Real evidence** (tangible things, such as a weapon), **Demonstrative** (a model of what likely happened at a given time and place), **Documentary** (a letter, blog post, or other document), **Testimonial** (witness testimony). All four of these were referred to by the President’s team.

Evidence is not PROOF of a crime; evidence LEADS to the proof. Read [more here](#). The burden of proof is more substantial in a CRIMINAL case.

*“In any court case, whether criminal or civil, the responsibility for proving that the allegations in the case are true rests on the individual who filed the lawsuit, or who is prosecuting a person accused of committing a crime. This responsibility is called the “burden of proof.” **In a criminal case, the prosecution must prove to the judge or jury that there is no doubt that the defendant committed the crime. This burden of proof is referred to as “beyond a reasonable doubt.”***

But what Rudy’s team is now dealing with is a CIVIL case where the BURDEN OF PROOF is much lower.

*In a **civil lawsuit**, the burden of proof is less stringent, with the plaintiff only being required to prove to the court*

that it is **more likely than not** that the defendant caused the Plaintiff's damages. This burden of proof is referred to as a "**preponderance of evidence.**" There are, in fact, three levels of proof required in different types of court cases.

**Preponderance of Evidence** – Used in **civil court** cases, this standard of proof must convince the judge or jury that the facts as presented by the plaintiff are more likely than not to be true. In most cases, this means that there must be **at least a 51 percent likelihood** that the facts are true.

**Clear and Convincing Evidence** – the standard of proof used in many equity cases, such as **paternity determination, child custody, juvenile delinquency, probate, and persons in need of supervision.** Evidence in this standard must be substantially more probable to be true, and give the judge or jury a firm belief that it is true. This is a higher standard of proof than preponderance of evidence.

**Beyond a Reasonable Doubt** – the standard of proof required in **criminal cases**, in which the prosecution must convince the judge or jury that the defendant's **guilt is so sure**, that there is no way a rational person could have any doubt.

Although CRIMINAL charges may eventually arise because of these cases, all cases before the courts at this point are CIVIL and simply require that a PREPONDERANCE, (more than 50%) likelihood something fishy took place. This is a VERY LOW bar. The media is treating the news as if FULL PROOF is required for the President to win his appeals. BEYOND A REASONABLE DOUBT DOES NOT APPLY to any of the filings Rudy's team has presented so far.

Courts are supposed to be unbiased. Lady Justice is supposed to be blind. The fact that we are even discussing Obama judges and Trump judges show just how far from TRUTH the standard of justice has wandered.

That is where the battle rages. Are standards by which we are

all judged based in law or in opinion? Does Truth have two sides...a liberal side and a conservative side...an Obama side and a Trump side? That belief system is the fruit of anti-Christian government-controlled schools.

Cheating and vote rigging should make ALL Americans angry. The ends never justify the means. Lying, cheating and stealing destroy the foundations upon which this nation was built. Since the Democrats have no message, they *always* revert to lying, cheating and stealing. Please don't vote for them no matter how good they sound, it's always a lie. There is no such thing as a good democrat, because if he or she were good they wouldn't be a democrat.

Truth is not an opinion. Too bad most Americans no longer understand that.