

No. _____

In The
Supreme Court of the United States

ALICE BURNS, LAURENCE GOODMAN, RONALD
PORATH, MARZELLA PORATH, and KENNETH
GOMEZ, GOVERNOR OF NEW MEXICO,

Plaintiffs

v.

STATE GOVERNMENTS OF CALIFORNIA,
COLORADO, and NEW MEXICO; and IMPOSTER
FEDERAL OFFICERS ASSIGNED DUTIES IN
THE NINTH AND TENTH CIRCUITS,

Defendants

COMPLAINT

Kenneth Gomez,
Governor of New Mexico
4 CR 5095
Bloomfield, NM 87413

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COMPLAINT

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Plaintiffs, with leave of the Court, files this Bill of Complaint against the Defendants, the Governments of California, Colorado, New Mexico, and selected federal officers within the Ninth and Tenth Circuits.

Thereunder, Plaintiffs are held permanently subjugated against their free will and subordinate to the effects of a hybrid type peonage situation which, at citizens' expense, deceptively obligates their health, safety, and welfare to the imposed interests of insurgent Defendants Government forces. The Plaintiffs are obligated by persons feloniously holding state and federal offices substituting their own versions of insurgent law for duly constituted law with the readily available armed might of allied government force to compel their obedience.

The expenditure of public funds during the Respondent Governments' election processes not only denies the Plaintiff their *political voice* on a long term basis for preventing insurgents from controlling their course of conduct, such expenditures for the election processes provide for the insurgents to then enter, hold, and perform the duties of public office, both unconstitutionally and feloniously; thereby, Plaintiffs are deprived of their irrevocable undivided interests in their long term *economic stake* in such funds. Thereby, said legal measures violate Plaintiffs' integrity and simultaneously impinge upon their ability to access judicial resources for justifiable remedies.

The hybrid peonage situation is established, maintained, and enforced by the insurgent forces generating active, continuous, and resolute acts of treason against the Plaintiffs within the Defendants' governmental arenas, and the said acts of treason are supported with Plaintiffs' irrevocable undivided interest in the publicly appropriated funds acquired from them over time by various tax and fee schemes.

Plaintiffs are held contrary to the self-executing provisions of Section 3, Fourteenth Amendment where criminal insurgents maintain amenable relationships with allied oligarchical forces¹ which commit offenses against the United States, the States of California, Colorado, and New Mexico, and the Plaintiffs' humanity.

Therefore, Plaintiffs declare their Ninth and Tenth Amendment powers, retained or reserved for them in the constitution, are not available for civil and criminal remedies in the subordinate state and federal courts without their becoming principals and accessories in the above cited criminal insurgent activities as addressed under provisions of 62 Stat. 684 as amended by 65 Stat. 717, 100 Stat. 3601, 104 Stat. 4291, and 108 Stat. 2145, 2148 (18 U.S.C. §§ 2 and 3); and without their becoming vulnerable to the insurgents' armed might; forces which when

¹ Oligarchy consists of supportive state attorneys joined by persons posing as public officers as principals and accessories forces; said forces are feloniously empowered as officers and agents of government both by unconstitutional court rules and legislation of Defendant State Governments which, as insurgents forces, spend public appropriated funds, also feloniously, to grant such forces their authority.

employed, feloniously convert and spend publicly appropriated funds for that purpose as addressed in 62 Stat. 807, and 808 as amended by 108 Stat. 2147 and 2148, (18 U.S.C. § 2381 through § 2384).

Plaintiff Kenneth Gomez – the duly elected Governor of New Mexico and prevented from taking office by controlling insurgents supported with armed might - sought presidential authority under provisions of 70A Stat. 15 as amended by 120 Stat. 2404 and 122 Stat. 325, (10 U.S.C. § 333), to suppress the insurgency while the citizens therein were being denied due process of law and the equal protection of the laws. See Appendix No. 1, Pages 1 to 6; Appendix No. 2, page 3. Plaintiff Gomez received neither acknowledgment of his request nor a response of any kind.

The Plaintiffs now seek the Court's superintending control as the only remedy available to them for terminating their tragedy within the United States Government under and in accord with the Constitution of the United States of America.

COURT JURISDICTION AND VENUE

I.

The original and exclusive jurisdiction of the Court is invoked under Section 2, Article III and other powers of the Constitution of the United States of America, enactments made in pursuance thereof, and specifically: 62 Stat. 927 as amended by 92 Stat. 810, (28 U. S.C. § 1251(a)), as indicated below:

A. Article III, Section 2, Clauses 1 and 2, state:

The judicial powers shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made or shall be made, under their authority; -

To all Cases affecting Ambassadors, other public Ministers and Consuls; -

To controversies between two or more states.

B. Article III, Section 2, Clause 2 states:

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which States shall be Party, the Supreme Court shall have original jurisdiction.

C. 62 Stat. 927 as amended by 92 Stat. 810, (28 U.S.C. § 1251(a)) states:

The Supreme Court shall have original and exclusive jurisdiction of all controversies between two or more states.

II.

The First Amendment states:

Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for redress of grievances.

III.

The Preamble² of the Constitution reveals the United States Government is subordinate to the United States of America, the Nation; since, the United States Government was created by the constitution³.

Accordingly, the only person granted a power by that constitution is the President of the United States of America, (Section 1 Article II); all other federal public officers must perform only as a corporate body to possess and exercise a constitutional governmental power grant.

Therefore, all Congressional and Supreme Court governmental acts or performances not made as a corporate body in pursuance with a granted power of the Constitution, (Article VI, Clause 2), are null, void, and without legal effect at their inception, Marbury v. Madison, 5 U.S.137; and so are all corporate congressional enactments - including court rules - from whatever source which abridge the freedom of speech.

III.

The Ninth Amendment states:

² We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

³ The Plaintiffs demand the Court observe that the United States Government is subordinate to the Constitution of the United States of America, an instrument which created the Court.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others *retained by the people*. [Emphasis added.]

IV.

The Tenth Amendment states:

The powers not delegated to the United States by the Constitution, not prohibited by it to the States, are reserved to the States respectively, *or to the people*. [Emphasis added.]

V.

The Thirteenth Amendment states:

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

VI.

The Fourteenth Amendment states:

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

STATUS OF PARTIES**VII.**

Plaintiff Kenneth Gomez campaigned as a write-in candidate for Governor of New Mexico during the 2010 General Election; he campaigned against two persons who had been embezzling state public appropriations who also had falsified the Declarations of Candidacy, a fourth degree felony; and under such circumstances neither of them could be declared a winning candidate. A meeting was conducted by statutory canvas board meeting verifying the votes cast for each gubernatorial candidate; present were the Chief Justice, member, the Secretary of State, chairperson, two opposing candidates were not present, the Governor and member was not present and had been compelled to end his campaign for President of the United States of America on grounds a federal court case had been filed declaring he denied a power of Article XXII, Section 19, New Mexico Constitution to give a recognizance bond binding him to his oath of office; and thereby, he had been embezzling state public appropriations, a second degree felony.

A. Plaintiff Gomez presented each of those present including several witnesses with copies of a letter explaining the members of the canvassing board were not constitutionally holding office; the person posing as Chief Justice read the letter without effect.

a. The Secretary of State, an insurgent, also embezzling state public appropriations received as salary and converted for personal use, declared with the State Seal that the person who had been a State district attorney embezzling public funds with the majority votes to be the duly elected governor with an immediately assigned an armed state police officer for protection.

b. Governor Gomez was denied access to an armed state police officer for his protection, denied access to the Office of the Governor, denied state public funds to exercise office tasks and prevented from faithfully executing laws to suppress the insurgency. He informed President Obama of the insurgency against both constitutions without effect. See Appendix No. 1, pages 1 and 4 - 6, Appendix No. 2, pages 3 and 6, 7; Appendix 3, Pages 1, and 14 - 17.

c. Accordingly, Governor Gomez shall remain duly elected to the office under a provision of the New Mexico Constitution, (Section 2, Article XXI, Constitution of New Mexico) until constitutionally and lawfully replaced; he has standing as a party in the instant case to bring the original cause; the candidates currently campaigning for office have been embezzling state public appropriation, have filed falsified candidacy documents, and cannot be granted the Office of Governor vice Governor Gomez.

Plaintiffs Burns, Goodman, and the Porath have standing on grounds had their personal property holdings were forcefully taken from them on written orders of criminal insurgent force and they have standing as injured parties for being

denied access to competent lower courts of law, and as witnesses to the acts of treason.

STATEMENT OF THE CASE

VIII.

Plaintiffs cannot seek justice, which justifies this cause to be an original cause, for either civil or criminal remedies in available state or lower federal courts and then be compelled simultaneously, as subordinates, either voluntarily or involuntarily, directly or indirectly:

A. To conditions of servitude contrary to 14 Stat. 27, 14 Stat. 546, (42 U.S.C. § 1994 and 18 U.S.C. § 1581 *et seq.*) and 17 Stat. 13, (42 U.S.C. § 1981 *et seq.*), where Plaintiffs' special remedies exist, and

B. To any power or authority exercised by criminal insurgents committing offenses against Plaintiffs' humanity, the States of California, Colorado and New Mexico and their respective constitutions – States which all entered the Union on an “equal footing”⁴ - the United States Government and the Constitution of the United States of America without becoming principals and accessories under provisions of 62 Stat. 684 as amended by 65 Stat. 717, 100 Stat. 3601, 104 Stat. 4291, and 108 Stat. 2145, 2148, (18 U.S.C. §2, and

⁴ Since the State of New Mexico was the last of the applicable States to enter the Union, its entry was on an “equal footing” as contained in 36 Stat. 557 and amended by 37 Stat. 388, and its constitutional mandates shall be prevailing precedence for the prior State entries.

3), Colorado Revised Statutes (C.R.S.) 18-1-901 (2013), California Penal Code § 31, and in New Mexico, Section 30-1-13 NMSA 1978.

C. Accordingly, Plaintiffs are held, harmed and provided with available remedies under the said statutes at large in this Court for being in a subjugated state of the hybrid type of peonage:

a. By criminal insurgents who pose feloniously as public officers in government controlling their course of conduct;

b. While committing offenses against the United States, the States, and the Plaintiffs' humanity;

c. Who do so feloniously spending public funds; and,

d. Who are supported by the armed might force of Defendant Governments and the federal government.

In view of the foregoing, Plaintiffs are entitled to significant financial compensation for their injuries, damages, and sufferings imposed upon them from 1963 when the last required recognizance bonds were posted by all public officers in the State of New Mexico.

FIRST CAUSE OF ACTION

IX.

Plaintiffs reallege, as set forth in full, the allegations contained in Sections I through VIII.

X.

How Plaintiffs are held, harmed and subjected under a hybrid type peonage system.

XI.

Plaintiffs are permitted to vote in all general elections for public officers; however, the evidence is that individuals who prevail as the winning candidate or as a presidential appointee will not faithfully fulfil the constitutional mandate to 'be bound by oath'⁵ with a personal recognizance bond⁶; statutes, (62 Stat. 934 as amended by 94 Stat. 1743, (28 U.S.C. § 1352)), that enforce *binding* the commissioning oath taker to the promises contained in the commissioning oath⁷; which bond, in turn, would become available for public scrutiny in cases of verification needs or of persistent infidelity behavior.

Entering a public office without acquiring approval, posting, and recording valid evidence of their bonds with the applicable clerical officers within the allotted time of 30 days becomes proof the prospective office holder intended to substitute their own versions of law replacing the duly constituted laws, an act:

⁵ Article VI, Clause 3, Constitution of the United States of America.

⁶ (96 Stat. 1047, 1048, and 1049, 113 Stat. 1536, 116 Stat. 1300, 117 Stat. 2641, and 120 Stat. 2007, (31 U.S.C. 9301 *et seq.*))

⁷ (80 Stat. 424, (5 U.S.C. § 3331)), Art. XX, Sec. 1, NM Const.

A. Which made them an insurgent, *In re Charge to Grand Jury*, 62 F. 828 (ND Ill. 1894)⁸,

B. Which was evidence of a perjured commissioning oath,

C. Which dishonored the promises publicly and voluntarily made in a trust relationship with the public at large, and

D. Which denied a prospective office holder permissible entry to the office sought maintaining the office vacancy, and preventing possible decision making while vacant.

The foregoing is especially true for those federal office nominees who falsified the declaratory reports submitted under provisions of the Ethics in Government Act of 1978⁹, (5 U.S.C. Appendix 4, Section 101), by failing to reveal that the source of their income while posing as a state public officer for the previous twelve months was embezzled¹⁰ state publicly appropriated funds for not having a personal recognizance bond binding them to the promises contained in the state office oath, (See Paragraph VII above), and then spending publicly

⁸ *In re Charge to Grand Jury*: The open and active opposition of a number of persons to the execution of the laws of the United States of so formidable a nature as to defy for the time being the authority of the government constitutes an insurrection, though not accompanied by bloodshed, and not of sufficient magnitude to render success probable.

⁹ 92 Stat. 1824, 93 Stat. 37, 38, 40, 103 Stat. 1725, 104 Stat. 152, 105 Stat. 110, 106 Stat. 1356, and 120 Stat. 3241, (5 U.S.C. App. 4).

¹⁰ State embezzlement laws: Section 30-16-8F NMSA 1978; Article X, Section 13, Colorado Constitution - a felony; and California Penal Code, Part 1, Title 12, Section 424 and 425.

appropriated funds feloniously without being bound by their commissioning oath of office to enter, hold, and perform the duties of the state office.

Hence, their efforts fraudulently acquiring a federal civil commission thereafter compounded the felony when they simultaneously took and perjured the commissioning oath upon deceptively accepting the federal commission, then posing deceptively as lawful federal officer embezzling federal public appropriations receives as salary and converted for personal use.¹¹

Evidence and proof that Plaintiffs were subjugated under those imposed conditions of servitude by government forces and both the evidence and proof that the insurgencies subjecting them to conditions of servitude justified declaring the public offices involved to be vacated, justified voiding the effect of all criminal insurgent decisions orders, decrees, and judgments, and now justifies a Court decision, decree, judgment or order brought about by Plaintiffs' cause applicable to each and every government function nationwide, both state and federal, as a future preventive measure of equal significance and effect that Brown v. Board of Education had upon every corner of the nation, its culture, morals, and ethics, its politics, its economics, and the American citizenry. See Appendix No. 1, pages 1 to 6, and Appendix No. 2, pages 1 to 18, a series of applicable letters. All assistance sought in the two Appendices were futile.

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SECOND CAUSE OF ACTION

¹¹ 62 Stat. 725, 108 Stat. 2147, 110 Stat. 3511, 118 Stat. 833, (18 U.S.C. § 641): embezzlement of federal funds.

XII.

Plaintiffs reallege, as set forth in full, the allegations contained in Sections I through XI.

XIII.

How offenses were committed against the United States, and the Plaintiffs' humanity.

XIV

When two or more persons to conspire or defraud the United States in any manner for any purpose and at least one of them performs an act giving effect to the object thereof, they commit an offense against the United States¹².

A. Insurgent acts affecting the Plaintiffs' integrity are acts committing offenses against the Constitution of the United States of America denying the power of the Thirteenth Amendment, Section 3, Fourteenth Amendment, and the authorities of 14 Stat. 27, 14 Stat. 546, (42 U.S.C. § 1994, and 18 U.S.C. § 1581 *et seq.*: the latter where Plaintiffs' remedies lie), and 17 Stat. 13, (42 U.S.C. 1981 *et seq.*)¹³; such acts also simultaneously commit felonious offenses denying the power of the State Constitutions of California, Colorado and New Mexico and laws applicable and attendant thereto, See Footnotes 7, 8, 9, 10 and 12 above and 14 below).

¹² 62 Stat. 701 as amended by 108 Stat. 2147, (18 U.S.C. 371).

¹³ 14 Stat. 27 gave effect to the Thirteenth Amendment; it overrode a presidential veto; and was later re-enforced by 17 Stat.13 which also gave effect to the Fourteenth Amendment.

B. Insurgent acts deny Plaintiffs the power of the Bill of Rights of the Constitution of the United States of America and the Bill of Rights of the Constitutions of California, Colorado, and New Mexico were acts depriving them of their humanity. *Ibid.*

Attached hereto and made an integral part of this Complaint is a series of letters as Appendix No. 2, Pages 1 to 18.

THIRD CAUSE OF ACTION

XV.

Plaintiffs reallege, as set forth in full, the allegations contained in Sections I through XIV.

XVI.

How public funds were feloniously expended.

XVII.

Money collected from Plaintiffs in the form of taxes and fees by Respondent Governments simultaneously, irrevocably, and assertively grant Plaintiffs an undivided interests and an enduring economic stake in such money.

The expenditure of such funds during the Respondent Governments' election processes also denied Plaintiffs their *political voice* on a long term basis for preventing insurgents from controlling their course of conduct, Such expenditures for the election processes provide for the insurgents to then enter, hold, and perform the duties of public office, both unconstitutionally and feloniously; thereby, Plaintiffs are deprived of their irrevocable undivided interests in their long term *economic stake* in such funds, (see Footnotes 8 and 9 above).

Attached hereto and made an integral part of this Complaint is a series of applicable letters contained in No. 6, pages 1 to 18. Although the document represents conditions under the Respondent Government of New Mexico experienced by its citizens, the message is equally applicable to those citizens in the Respondent Governments of California and Colorado.

FOURTH CAUSE OF ACTION

XVIII.

Plaintiffs reallege, as set forth in full, the allegations contained in Sections I through XVII.

XIX.

How armed might give effect to the insurgency.

XX.

Plaintiffs are subdued to the will of the criminal insurgents with available armed might, when needed and sought by the insurgents, to compel their obedience. The insurgents have the armed might of the county sheriffs, the city and state police, and the United States Marshal Service when an insurgent need is established and that the armed might expends public appropriations feloniously in support of the insurgency to accomplish their dastardly deeds. See United States of America v. Goodman, Case Number: 1:11-CV-00274-RBJ-MEH (D. Colo.) and Tenth Circuit Appeal No. 132-1481 which permitted the U.S. Marshal and the Gilpin County Sheriff to display automatic weapons, presumed, at the time, to be loaded and unlocked, threatening Goodman not to go near his home and property holdings even while his unlawful district court case was on appeal in the Tenth Circuit from a

deceptive final judgment which was ordered seized by a known insurgent, one previously informed of the status in writing, and which denied him a constitutional jury trial¹⁴ using a statutory court rule which judicially amended the constitution¹⁵ unconstitutionally, (Article V, Constitution of the United States of America – the Nation - as justification.

A. The foregoing practice is an example of how the hybrid type system of peonage can be financially imposed upon a Plaintiff as a debtor in that being bound to a financial obligation which could be manipulated by an unknown, unauthorized, and unapproved organization at the debtors expense for the substantial and distinct advantage to yet another who was not and could not become the owner of the mortgage note under such circumstances. See: Burns v. First American Trustee Servicing Solutions, LLC, et al., Case No.: 4-11-cv-00023-CW (NE Div. DC Calif.), a case removed by Plaintiff Burns from the Defendant California Government court, where the peonage issue pled came from ¶ 20 of the mortgage note sold to others as new mortgage holders without the knowledge, permission, or acceptance of Burns family subordinating them to an impermissibly increased interest rate with great intolerable harm grounded upon the *irrevocable unnoticed whim* of an *unknown and unauthorized note holder*, where the court was informed but ignored the involuntarily imposed

¹⁴ The Seventh Amendment since the value of his property holdings at common law exceeded twenty dollars.

¹⁵ Article V, Constitution of the United States of America

condition of servitude, and where the result was the loss of her real property holdings. [Emphasis added.]

B. The local sheriff ordered her from her real property holdings within a time certain or be removed forcibly with armed might.

Also see United States of America v. Porath, Case Number 1:-CV-00901-LH-LFG (D. N.M.), and Docket Number 98, Tenth Circuit Case Number: 13-2131 which used a felonious Final Judgment and an affirmed Appeal to justify the seizure of their property holdings without notice by exercising the armed might of the U.S. Deputy Marshal and a derelict unbound – no recognizance bond - Bernalillo County, New Mexico sheriff. The latter refused their call for protection to prevent the robbery of their property holdings by participating criminal insurgents.

A. The Poraths were roused from their sleep early one morning by an armed deputy United States marshal supporting a criminal insurgent court order on a no-notice basis, whose office has been informed in writing of the insurgency; Mrs. Porath, an elderly person, was thrown to the ground upon answering the door by a deputy marshal; and both Poraths lost their real, personal, and private property holdings irrevocably; and,

B. Said Plaintiffs had their real, personal, and private property stolen from them by criminal insurgents posing as lawful federal judges in cases captioned as United States of America v. Goodman or Porath which also efficaciously used public appropriations feloniously.

In view of the foregoing, the Plaintiffs were held against their free will involuntarily to a hybrid

type of peonage by insurgents employing the armed might of state and federal law enforcement personnel who in-turn spent publicly appropriated feloniously in support of the active insurgency with impunity and implied immunity.

Said insurgent impunity and implied immunity would prevail against Plaintiffs since no competent court of law was available on an immediate basis for their cause.

Voiding insurgent judgments under Rule 60(B)(4) though attempted was futile and could not be made void by an insurgent oligarchical force on appeal.

See Appendix No. 6, pages 1 to 17 as evidence that a Colorado Grand Jury could not be employed to consider terminating the insurrection in the State and District of New Mexico against the Constitution of the United States of America and the Constitution of the State of New Mexico; moreover, the said grand jury could not intervene against the criminal insurgency. The inaction by the United States District Court for the District of Colorado implicated the State and District of Colorado as accessories after the fact in the New Mexico insurrection.

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FIFTH CAUSE OF ACTION

XXI.

Plaintiffs reallege, as set forth in full, the allegations contained in Sections I through XX.

XXII.

How a pleading caption denied justice.

The caption United States of America on federal court pleadings invoked and involved every American citizen, every judge and justice in every

court of the nation - including this Court – every state and federal legislature and each of its individual members, and every government executive in the United States - *it could not represent the President of the United States of America*¹⁶ *making that individual subordinate to the Congress and the Courts and be constitutional*¹⁷ - its territories, and the protectorates *nationwide* to oppose the Plaintiffs. [Emphasis added.]

XXIII.

No person, except the President of the United States of America who could not delegate that authority to anyone - be they lawyer, private citizen, business entity, public officer or lawful governmental entity - is empowered by any constitutional provision to employ the name: "United States of America" in a pleading against the individual sovereign citizen or any group of them to engage in a court pleading for such a task; no court within the United States of America, including this Court, has jurisdiction or venue within the nation¹⁸ to act thereon with the unlawful support of public appropriations; and no court within the nation had power or authority to employ armed might to enforce obedience of Burns, Goodman and the Poraths to that atrocity. See the Preamble of the Constitution of the United States of

¹⁶ See Section III above.

¹⁷ Section 1, Article II, Constitution of the United States of America as created in the Preamble.

¹⁸ Sections 1 and 2, Article III, Constitution of the United States of America reveals the Court is granted judicial power under the constitution, meaning it is limited to the statutes made in pursuance thereof, not power *in* the constitution as is the Congress; accordingly, the Court is not granted amendatory powers under Article V of the Constitution.

America which created the government employing such an unconstitutional pleading with the indicated caption. See Appendix No 6, pages 1 to 17 containing a pleading with the corrupted heading signed by an insurgent.

◆

SIXTH CAUSE OF ACTION

XXIV.

Plaintiffs reallege, as set forth in full, the allegations contained in Sections I through XXIII.

XXV.

How armed might supports the insurgency

XXVI.

Plaintiffs had, at all times pertinent, a civic duty to report such offenses against the United States to the appropriate United States Attorney and the United States Marshal for the Districts of California, Colorado, New Mexico, and the Ninth and Tenth Circuits (62 Stat. 684 as amended by 108 Stat. 2147, (18 U.S.C. § 4)),; they did so by sending them copies of court pleadings containing valid evidence of the offenses.

The evidence provided was ignored; the federal officers were under a commissioning oath to defend the United States Constitution, (80 Stat. 424, (5 U.S.C. § 3331)); and their attendant office entry oath, (80 Stat. 618, (28 U.S.C. § 544)) and (102 Stat. 4513, (28 U.S.C. § 563)), committed them with sworn or affirmed duties to act. Thereafter, armed might - available under the Offices of the United State Marshalls, 102 Stat. 4514 as amended by 121 Stat. 2534 and 126 Stat. 1492), 28 U.S.C. § 566(d) - within the Ninth and Tenth Circuits was exercised with intent to dishonor both their federal

commissioning oaths and their duty oaths in support of the insurgent forces with the local county sheriff's assistance when requested. See Append. No. 4, pages 1 to 5.

XXVII.

At least two independent Plaintiffs located in Colorado and New Mexico sent that misprision of felony information, at times pertinent, to Chief Judge Edith Jones of the Fifth Circuit Court of Appeals invoking provisions of 18 U.S.C. § 4 because neither the appropriate and applicable United States Attorney nor the United States Marshal would perform their bonded oath or duties of office. The reports to Judge Jones under provisions of said § 4 were ignored even though addressed on several repeated occasions to both the judge and the chief clerk. All efforts were futile. See Appendix No. 3, Pages 1 to 20.

XXVIII.

The cited United States Attorneys and Marshals were obviously spending federal public appropriations in support of the insurgents against the Constitution of the United States of America while dishonoring their oaths of office and statutory duty obligations, while simultaneously committing offenses against the United States, and while committing offenses against the Plaintiffs' humanity; thereby, they became principals and accessories to the criminal insurgencies under provisions of 18 U.S.C. §§ 2, 3, and 4 for which the recognizance bonds binding them to their oath of office were voided; their offices were vacated, and therefore any

and all subsequent actions taken by either or both of them, in concert or otherwise, justify liabilities to attach indisputably. See Appendix No. 4, Pages 1 to 5 as the evidence that federal officers under sworn oaths with duties to act against offenses being committed against the United States spent public appropriations refusing to do so.

◆

CONCLUSION

XXIX.

Plaintiffs are held continuously subjugated against their free will under conditions of various forms of peonage judicially, financially, deceptively and without recourse to judicial remedies in lower courts; they are so held under the heavy hand of insurgents within the Defendants States and Districts of California, Colorado, and New Mexico with the support of assigned persons with the Courts of Appeal for the Fifth, Ninth and Tenth Circuits where at least one member poses as a public officer while committing criminal offenses against the United States with abandon in a climate of self-imposed impunity, immunity exercised against Plaintiffs' humanity feloniously spending publicly appropriated funds while doing so. No constitutional power and no statutory authority exist anywhere nationwide for the United States of America or the Defendants State Governments to employ such condescending procedures and practices against any free citizen at any location where the American Flag is proudly unfurled.

XXX.

Plaintiffs declare that their retained and reserved Ninth and Tenth Amendment powers are

not available to them for remedies against the hybrid form of involuntary servitude being experienced by them under the imposed insurgency without the applied for superintending control of the Court, and without Plaintiffs becoming principals and accessories in the above cited criminal activities of the cited government functions as addressed 62 Stat. 684 as amended, (18 U.S.C. § 2 and 3).

The entire insurgency is supported with armed might as cited in 62 Stat. 807, and 808 as amended by 108 Stat. 2147 and 2148, (18 U.S.C. § 2181 through and including § 2384) as defined in Footnote 9; and the entire episode is accomplished using public appropriation unlawfully for which either the President of the United States of America or the applicable State Governor, upon approving the appropriations bills, become directly and inescapably responsible and accountable under the duties of their respective offices to prevent their unlawful expenditure and permitting such dastardly deeds.

The Defendant State Governments, both executive and judicial officers of the Ninth and Tenth Circuit, and attorneys authorized by the Defendant State governments are identified herein as members of a criminal oligarchy responsible for the harm and injuries imposed upon the Plaintiffs. See Appendix No. 7, pages 1 to 15 which attempted to end the insurgency.

◆

RELIEF DEMANDED

XXXI.

Plaintiffs demand Writs of Mandamus, Prohibition, Right, and Execution issue together with a Declaratory Judgment which are inexplicitly

intertwined and plausibly inseparable establishing the legal fact that a hybrid type of peonage is being imposed upon the citizens of the States and Districts of California, Colorado, and New Mexico with the support of the Ninth and Tenth Circuits by persons posing as feloniously as public officers without the means to terminate the tragedy without the absolute and resolute superintending control of this Court.

A. A Writ of Mandamus

Plaintiffs seek an extraordinary writ of mandamus ordering the President of the United States of America take immediate action to suppress the insurrection active within the States of California, Colorado, and New Mexico; an insurgency created with the felonious expenditure of public funds; organized as a criminal oligarchy whose members avail themselves to a constitutionally prohibited special and exclusive privilege which could then be used to qualify some of them to unconstitutionally and fraudulently acquire elective or presidential officer commissions by an oath of office without being subsequently bound with a personal recognizance; and a criminal oligarchy which denies the excluded residence an enduring political voice to determine by an election process who could enter office upon being commissioned, which also denies the excluded resident an enduring economic stake in the their irrevocably undivided and enduring interest in public funds collected from them in numerous imposed tax and fee schemes, and which permits the insurgents an elective or appointive commission prohibited under provisions of Section 3, x.

B. A Writ of Prohibition

Prohibit the use of publicly appropriated funds for unlawful purposes, prohibit the imposition of involuntary servitude conditions in mortgage contracts which permits one party a given financial advantage to sell the mortgage note at a discount and then impose upon the other party involuntarily a compelled obligation to satisfy the new note contract with a higher interest rate at its original outstanding value without their knowledge, permission or acceptance.

C. A Writ of Right

The Court issue a Writ of Right that no federal or state statute, however craftily worded, has sufficient authority to overpower the literal or textual interpretation of the Constitution of the United States of America or any of the State Constitutions of California, Colorado, and New Mexico without a favorable referendum vote of the applicable State electorate.

D. A Declaratory Judgment

Declare that a hybrid system of peonage being imposed upon Plaintiffs is active within the States and Districts of California, Colorado, and New Mexico and supported by the Ninth and Tenth Circuit Courts of Appeal decisions; said system of peonage is accomplished feloniously spending publicly appropriated funds; and the system is established, maintained, and enforced with armed might.

Declare that presidentially commissioned executive and judicial officers within the Ninth and Tenth Circuits pose and serve fraudulently in vacated offices with perjured and unbound oaths of

office in urgent need of immediate presidential corrective nominations.

Declare the American citizens are sovereign and not subordinate to any government official, whatever the source of authority, without written instructions provided to the individuals to whom it is directed before it can be given effect.

E. Writ of Execution

The Court issue a Writ of Execution authorizing any commissioned officer of the United States, civil or military, to spend any public money necessary under authority of Section 4, Fourteenth Amendment to enforce the decisions of the Court with due competence, arms if necessary, and due diligence.

◆

CERTIFICATE OF COMPLIANCE

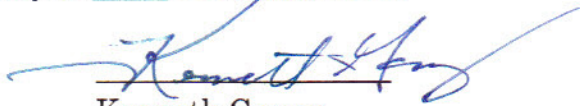
I certify that the total number of pages submitted in the Bill of Complaint using Microsoft Word 2013 has 30 pages and contains not more than 6,531 words.

◆

CERTIFICATE OF SERVICE

Three copies of the Motion for Leave to File together with the Brief in support and the Bill of Complaint were sent to the following: Offices of the President, the United States Attorney General and Solicitor General, Governor and Attorney Generals for the State of California, Colorado, and New Mexico, said offices being vacant; the Offices of, the Director of the Judicial Conference of the United States, (28 U.S.C. § 331); and the United States Marshal Services.

I declare that each of the foregoing were provided copies by United States Mail sent class, postage prepaid, this day of 19 December 2014.

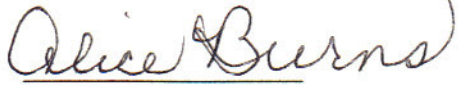


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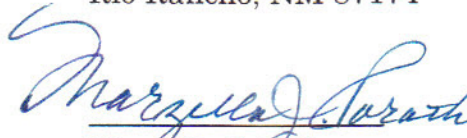
Respectfully submitted,



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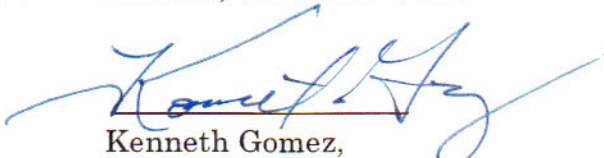


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