

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

December 29, 2014

Kenneth Gomez
4 CR 5095
Bloomfield, NM 87413

RE: Burns, et al., v. California, et al.,

Dear Mr. Gomez:

Your motion for leave to file an original proceeding under Article III of the Constitution was received December 23, 2014 and is hereby returned for the following reason(s):

The original jurisdiction of this Court does not extend to a suit by an individual against a State. The original jurisdiction of this Court generally extends only to cases or controversies between two or more states or between the United States and one or more states. See 28 U.S.C. 1251 and Rule 17 of the Rules of this Court. The Eleventh Amendment amends the language of the Constitution and holds that the Judicial Power of the United States does not extend to any suit commenced or prosecuted against a state by a citizen of another state. The Supreme Court has subsequently held numerous times that states cannot be sued without their consent and that the Eleventh amendment bars suits brought against a state by citizens of that state. *Hans v. Louisiana*, 134 U.S. 1 (1890).

Your claim that you are the Governor of New Mexico is false and therefore does not give the Court Original Jurisdiction over your case.

Sincerely,
Scott S. Harris, Clerk
By:

Cynthia Rapp
(202) 479-3031

Enclosures