

No. 18-1575

Supreme Court, U.S.
FILED

JUN 20 2019

OFFICE OF THE CLERK

In The
Supreme Court of the United States

-----♦-----
JERRY PRESTON MCNEIL,

Petitioner,

v.

THE STATE OF OKLAHOMA,

Respondent.

-----♦-----
**On Petition For A Writ Of Certiorari
To The Supreme Court Of Oklahoma**

-----♦-----
PETITION FOR A WRIT OF CERTIORARI

-----♦-----
JERRY PRESTON MCNEIL,
Pro Se
16902 East 80th Street North
Owasso, OK 74055
(918) 272-6019

QUESTIONS PRESENTED FOR REVIEW

This Petition for Certiorari to the Supreme Court of Oklahoma comes here for the second time as a Bill in Equity, in order to obtain a remedy for the Oklahoma government's persistent refusal to respect the decisions of this Court interpreting the Constitution of the United States of America.

The Supreme Court of Oklahoma is well apprised of the State government's continuing role of providing Aid and Comfort to the secret federal War against the several Union States that has been ongoing since before World War II.

The Oklahoma taxing laws, and recent express decisions of its Supreme Court, afford no legal remedy for removal of a cloud on the title to Real property caused by an invalid lien for its *ad-valorem* property tax. Nor is there any course of action available in Oklahoma for recovery of taxes illegally collected.

Whether the Supremacy Clause will be given its controlling effect in this extraordinary instance?

Whether judges of the Supreme Court of Oklahoma have acted in derogation of their duty as bailees of their People?

PARTIES TO THE PROCEEDING

Jerry Preston McNeil, American State citizen, Petitioner for himself.

The State of Oklahoma, Respondent.

Represented by the Supreme Court of Oklahoma
Oklahoma Judicial Center
2100 North Lincoln Blvd., Ste. 4
Oklahoma City, OK 73105
(405) 556-9400

TABLE OF CONTENTS

	Page
Questions presented for review	i
Parties to the proceeding.....	ii
Table of Contents.....	iii
Table of Authorities	v
Introduction	1
Opinions and orders below	3
Jurisdiction	3
Constitutional and statutory provisions involved	4
Incorporated material	5
Standing.....	6
Causes of action	6
Statement	7
Facts giving rise to this Petition.....	7
A. The Secret Federal War	7
B. Contempt for the supreme Law of the Land ...	11
C. The fiduciary duty.....	14
D. Treason <i>against Oklahoma</i>	15
E. Jurisdictional discretion	15
F. Repeal of Emergency Power Legislation.....	15
Argument.....	17
Conclusion and Prayer	21

TABLE OF CONTENTS – Continued

	Page
APPENDIX	
Oklahoma Supreme Court Order, April 23, 2019	App. 1
Oklahoma Supreme Court Order, June 10, 2019	App. 2

TABLE OF AUTHORITIES

	Page
CASES	
<i>American Insurance Company v. Canter</i> , 26 U.S.	
511 (1828)	2
<i>Cooper v. Aaron</i> , 358 U.S. 1 (1958)	7
<i>Cummings v. Missouri</i> , 71 U.S. 377 (1867)	4, 6, 12
<i>Driscoll v. Burlington-Bristol Bridge Co.</i> , 8 N.J.	
433, 86 A.2d 201, Sup. Ct. New Jersey (1952)....	6, 14
<i>Martin v. Hunter's Lessee</i> , 14 U.S. 304 (1816).....	4, 7
<i>McCulloch v. State of Maryland</i> , 17 U.S. 316	
(1819)	10, 14
<i>Montgomery v. Louisiana</i> , 515 U.S. ____ (2016) ..	4, 7, 12
<i>Shaffer v. Carter</i> , 252 U.S. 37 (1920).....	4, 6, 10, 13, 15
<i>Texas v. White</i> , 74 U.S. 700 (1868)	2
<i>The Legal Tender Cases</i> , 110 U.S. 421 (1884)	10
CONSTITUTIONAL PROVISION	
<i>Constitution of the United States of America</i>	<i>passim</i>
OTHER AUTHORITIES	
<i>Oklahoma Statutes and Court Rules</i>	5, 15
<i>Senate Report 93-549</i>	16
<i>Statutes At Large</i> , 91 Stat. 1626, Repeal of Emergency Power Legislation	5, 16

INTRODUCTION

Following this Court's denial of Certiorari to the Supreme Court of Oklahoma in Case No. 18-6, ante, Petitioner McNeil re-opened his Quiet Title Action in the Supreme Court of Oklahoma, seeking a state-wide permanent injunction against further collections of taxes laid against private property, and restitution of taxes illegally collected.

The character of Petitioner's brief in Case No. 18-6, June 29, 2018, has the character of a judgment on the merits but not a final disposition of it. *Black's Law Dictionary*, Rev. 4th Ed. P. 505.

Inferior Courts in Oklahoma are barred by Statute from enjoining the collection of its ad-valorem Tax; OS 12 § 1389.

Claimants who seek injunctions must Petition the Supreme Court to accept original jurisdiction for their complaints.

The re-opening brief fully informed the Oklahoma Supreme Court of the surreptitious federal Treason *against the State of Oklahoma*; against the other Union States, and of the role of *State governments* in making the federal fraud possible.

The Oklahoma Supreme Court was provided a full and complete copy of Case No. 18-6, as docketed in this Court as an appendix to the re-opening brief.

Governments of the several Union States are presumed by Petitioner to have been unaware in 1935,

that in contemplation of law, there is no legal distinction between "*The Territory or other Property belonging to the United States*" and *Territory acquired by conquest using its power of making war*. In either case, "*the sovereignty of the United States over occupied Territory is absolute.*" Case No. 18-6, ante p. 9.

Indeed, the work of Doctor John Parks Trowbridge, as frequently recited to this Court, has exposed the true meaning and results of the Judiciary Act of 1948, as establishing federal Courts in each of the Union States to hear and decide questions in territory over which the Congress has Legislative jurisdiction.

The mere existence of Article IV *Territorial Courts*, enforcing federal Legislation in every federal judicial District within a Union State, proves that the federal government intended to consider every such District to be "*Territory or other property of the United States*" at all times subsequent to its enactment. See Case No. 18-6, App., Pp. 6-12.

"[T]hat government [The United States] has the power of acquiring territory * * *." *American Insurance Company v. Canter*, 26 U.S. 511, 542 (1828); 18-6, ante p. 8.

Moreover, Federal Regulatory Agencies make no distinctions between the federal Territories, subject to the legislative powers of Congress – and Union States possessed of a "*distinct and individual existence, or of the right of self-government.*" See Syllabus 2., *Texas v. White*, 74 U.S. 700 (1868).

Secrecy of the federal use of the Alien Registration Act of 1940, to register every State citizen as an *alien American enemy*, it was clearly intended, would prevent any future discovery of the federal Treason. See Case No. 18-6, ante Pp. 14-17, and App. 16-21, Proof of Cheats and Swindles.

In addition, the mis-perceived benevolence of the Social Security Act appears to have eliminated or overcome suspicions, even amongst learned judges in State and federal Courts.

Nevertheless, federal use of and manipulation of the municipal powers of the government of Oklahoma and the other Union States, in implementation of its silent War to consolidate all of America into a single overarching government exercising a federal Legislative jurisdiction, caused acts of the Oklahoma government to become "*aid and comfort*" to the enemies of its People; Oklahoma Constitution, Article II, Section 16.

OPINIONS AND ORDERS BELOW

The two Orders issued by the Supreme Court of Oklahoma appears at App. 1-2

JURISDICTION

The Constitution of the United States of America, at Article III, gives this Court Original Jurisdiction in all Cases in which a State shall be a party. See Article

III, Section 2, Clause 2, and *Martin v. Hunter's Lessee*, 14 U.S. 304, 327 (1816). The Eleventh Amendment does not restrain a citizen's Action against his own State when it violates rights in property. Case No. 18-6, ante Pp. 2-3.

In all other questions, excepting those in which a State shall be a party, jurisdiction is subject to such Regulations as Congress shall make. Emphasis added. The United States Code of Laws, at Title 28 U.S.C. § 1251(b), is here drawn into question as incomplete.

Title 28 U.S.C. § 1257(a) gives this Court Jurisdiction for Certiorari where a Statute of any State is drawn into question on account of its repugnancy to the Constitution of the United States.

This Court has jurisdiction to decide whether the Oklahoma Supreme Court correctly refused to give retroactive effect to *Shaffer v. Carter*, 252 U.S. 37 (1920); or to *Cummings v. Missouri*, 71 U.S. 377 (1867). See *Montgomery v. Louisiana*, 515 U.S. ___ (2016).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

A. The secret federal War against the Union States requires new "substantive rules" to end the federal Treason and to restore federal Legislative jurisdiction over the Union States and their people to those originally assigned to it by the People of the several States at Ratification in 1788.

B. The Supremacy Clause – State Courts are bound to take notice of the supreme Law of the Land as exposed in the decisions of this Court.

1. The Bill of Attainder.
2. What Oklahoma *can* Tax.

C. Oklahoma Supreme Court judges have acted in derogation of a fiduciary duty to Oklahoma citizens.

D. The Oklahoma Constitution contains a constitutional definition of Treason against it.

E. Contempt of the supreme Law of the Land; Original proceedings in the Supreme Court of Oklahoma are discretionary; Oklahoma Court Rules and Procedure, Part VI, Original Jurisdiction, Rule 1.190, et seq.

F. Repeal of Emergency Power Legislation.

INCORPORATED MATERIAL

Brief of Petitioner, Certiorari to the Oklahoma Supreme Court, June 29, 2018, Docket of this Court, No. 18-6, with its appendix is hereby incorporated into this Petition for Certiorari to the Oklahoma Supreme Court, as if fully replicated here in each particular. Particular notice is required of the record exhibited at Section D., “The Alien Registration Act of 1940,” Pp. 14-17, and App. 16-21, Proof of Cheats and Swindles.

STANDING

Petitioner McNeil reiterates the statements made in Case No. 18-6, alleging standing in the equity jurisdiction of this Court, as a Party whose title to Real Estate has been slandered by a State government, and there is no adequate remedy at Law. See Case No. 18-6, ante p. 5.

Petitioner McNeil has standing as an American whose property has been taken by a Union State under force of a State Statute that inflicts criminal punishment without a judicial trial. Case No. 18-6, ante Pp. 10-12.

McNeil has standing to challenge the Supreme Court of Oklahoma for its *Ultra Vires* breach of its fiduciary duty. See *Driscoll v. Burlington-Bristol Bridge Co.*, 8 N.J. 433, 86 A.2d 201 (1952).

CAUSES OF ACTION

After careful deliberation, the Supreme Court of Oklahoma has intentionally refused to be bound by the Supreme Law of the Land as established by the holdings of this Court in *Shaffer v. Carter*, 252 U.S. 37 (1920); in *Cummings v. Missouri*, 71 U.S. 377 (1867); or to give either retroactive application.

Both of the above decisions of this Court have the character of "*Laws of the United States made in Pursuance*" of the Constitution; Article VI, Clause 2, and "the Judges in every State shall be bound thereby." See

Martin v. Hunter's Lessee, 14 U.S. 304, 340-342 (1816); *Cooper v. Aaron*, 358 U.S. 1, 18 (1958); *Montgomery v. Louisiana*, 515 U.S. ___, 5 (2016).

The Supreme Court of Oklahoma has breached its fiduciary duty to the citizens of the State by accepting a new and altered form of government for the State of Oklahoma, altered without the consent of its people, and accomplished by surrender of State sovereignty to the military and legislative jurisdictions of a foreign principal.

The Supreme Court of Oklahoma is well informed of the federal War being carried out *against it* for the purpose of expanding federal Legislative jurisdiction without limit.

STATEMENT

Facts giving rise to this Petition

A. Treason against the United States, shall consist only in levying War *against them*, or in adhering to *their enemies*, giving them Aid and Comfort. Article III, Section 3, Clause 1. Implicit in this language is the adjective “several,” modifying the compound plural noun “United States.”

Treason against the State of Oklahoma “shall consist only of levying war against it or in adhering to its enemies, giving them aid and comfort.” See Oklahoma Constitution, Bill of Rights, Section II-16.

The secret federal War against the Union States and the unconstitutional expansion of federal Legislative jurisdiction requires new “substantive rules” to restore federal powers over the Union States and their people to those originally assigned to it by the People of the several States at Ratification in 1788.

The effects of the surreptitious federal War *against them* [the several Union States] are ubiquitous. There are Alien Enemy Registration Cards in every American purse and wallet. There is a federal Agency presence in every Town, Hamlet, and private home. Even the most minute events in the lives of State citizens have come under federal scrutiny. Take for example, the content of Public School curricula, and even the content of school lunches, both of which are federally regulated. The existence of this altered *State government* caused in Oklahoma by an all encompassing federal presence, and its overarching control of State Legislation, *resulting from the exercise of* the exclusive federal power to make War, is simply undeniable.

This is however, no *public War* engaged between governments, to resolve a military conflict *jus belli*.

It is instead a federal War undertaken in secret without the knowledge of the other governments involved, and undertaken with the sole objective of eliminating constitutional restraints on the Legislative jurisdiction of the government of the United States.

This new American Civil War was not required to protect the Union from dissolution. It was not necessary to enable the general government to exercise its

legitimate constitutional functions, for which the Constitution provides ample means.

It is simply a terrible fraud, undertaken in secret, so as to create and install a federal tyranny over the several Union States, and to generate an illicit profit, as is stated clearly at 49 Stat. 620, August 14, 1935; “*to raise revenue and for other purposes.*”

Unstated in the enabling Statute is the implicit fact that the increased revenue was to come from *taxation or confiscation of the private property of the New American alien enemies of the general government.* And, that among the “*other purposes*” to be accomplished, was a complete recasting of the governments of the Union States, from governments created by consent of the governed and limited by a written Constitution – into one unitary consolidated government *created by the federal government itself to suit its own purposes.*

Two of the crowning achievements of the tyrannical fraud are thought by Petitioner to be federal acquisition of Legislative jurisdiction over crimes committed within a Union State, and an unlimited power to take private property, by taxation or by confiscation.

Before the start of this fraud, this Court said: “[*T*here is no such thing as a power of inherent sovereignty in the government of the United States. It is a government of delegated powers, supreme within its prescribed sphere but powerless outside of it. In this country, sovereignty resides in the people, and Congress can exercise no power which they have not, by their

Constitution, entrusted to it; all else is withheld." See *The Legal Tender Cases*, 110 U.S. 421, 467 (1884).

Before the start of this fraud the Constitution provided: "*The trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the [Union] State where the said Crimes shall have been committed.*" Article III, Section 2, Clause 3.

And before the start of the fraud this Court and the supreme Law of the Land provided: "*Consequently, [consequent to State ratification of the Constitution] the people of a single State cannot confer a sovereignty which will extend over them.*" *McCulloch v. State of Maryland*, 17 U.S. 316, 429 (1819). The *McCulloch* Case, decided in 1819, was cited to by this Court in the *Shaffer* Case, decided in 1920.

The Judiciary Act of 1948, and federal insertion of territorial Article IV Courts by a Congress having unlimited legislative jurisdiction over Crimes committed in the Union States, was essential to the success of the secret federal Treason, and should have set off alarm bells in State governments.

Happening as it did in 1948, following a prolonged state of extreme National military emergency during World War II, the Judiciary Act of that year seemingly passed without notice or complaint. The silent, secret federal usurpation of Criminal jurisdiction in Union States resulted from the illicit use of its power to make War.

If Congress cannot by ordinary legislation, alter, abrogate, or amend the Constitution, then certainly nothing done by the Executive Branch in secret, can permanently alter or amend it. Else the American Union of separate and distinct States, each "*foreign and independent from each other*," is itself lost to a federal tyranny imposed against them as an act of War.

This federal exercise of its power to make War, so as to acquire powers within the Union of states expressly denied to it at ratification, is the Treason committed against Oklahoma by making War against it.

It is the secret federal enemy of the State to which the Supreme Court of Oklahoma has "adhered to, giving it Aid and Comfort" by its denial of jurisdiction over an injunction to end illegal State taxation of private property.

B. The Supremacy Clause: State Courts are bound to take notice of the supreme Law of the Land. Article VI, Clause 2.

1. Oklahoma ad-valorem Statutes work a Bill of Attainder, by inflicting punishment by the State Legislature for non-payment of property taxes. See 18-6, ante Pp. 10-12.

The constitutional bar against Legislative punishment at Article I, Section 9, Clause 3, and the decisions of this Court cited to ante, are substantive criminal rules. Bills of Attainder and ex post facto Laws are criminal proceedings in civil form; Syllabus No. 11.,

Cummings v. Missouri, 71 U.S. 277, 323 (1867). Quoting Mr. Justice Field:

"In these cases the legislative body, in addition to its legitimate functions, exercises the powers and office of judge; it assumes, in the language of the text-books, judicial magistracy; it pronounces upon the guilt of the party, without any of the forms or safeguards of trial; it determines the sufficiency of the proofs produced, whether conformable to the rules of evidence or otherwise; and it fixes the degree of punishment in accordance with its own notions of the enormity of the offence." Underlines added.

Moreover, the Oklahoma ad-valorem Statutes violate due process requirements Section one of the Fourteenth Amendment. There is in fact, a provision in the Law allowing for protest of the value assessment; there are no provisions in State Statutes allowing for protest of the fact of the assessment.

A scant three years have passed since this Court *held*, and not for the first time, that States have no authority to leave in place a conviction or a sentence that violates a substantive rule regardless of whether it became effective before the rule was announced. *Montgomery v. Louisiana*, at page 5, contains the following language:

*"States may not disregard a controlling, constitutional command in their own courts. See *Martin v. Hunter's Lessee*, 14 U.S. 304, 340-341, 344 (1816); see also *Yates v. Aiken*, 484 U.S. 211, 218 (1988)."*

By its refusal to accept jurisdiction of a Quiet Title Action, permanent injunction, and restitution of taxes illegally collected, the Supreme Court of Oklahoma holds the supreme Law of the Land, as expressed in the Constitution of the United States, and the rulings of this Court in contempt.

2. What Oklahoma *can* Tax. After more than two Centuries before the *New Deal* frauds, of answering the question of which activities and property of their people the States can lawfully tax, this Court addressed the Supreme Court of Oklahoma in the Case of *Shaffer v. Carter, State Auditor, et al.* Quoting:

"The power of taxation, however vast in its character and searching in its extent, is necessarily limited to subjects within the jurisdiction of the State. These subjects are persons, property, and business. . . . It [taxation] may touch business in the almost infinite forms in which it is conducted, in professions, in commerce, in manufactures, and in transportation. Unless restrained by provisions of the Federal Constitution, the power of the State as to the mode, form, and extent of taxation is unlimited, where the subjects to which it applies are within her jurisdiction." Brackets in original. Emphasis added.

Private property, the Constitution provides, shall not be taken without just compensation. Case No. 18-6, ante p. 24. The 5th Amendment puts no more restraint on federal power than the 14th Amendment does on State power; Case No. 18-6, ante p. 24.

The clear distinction for purposes of taxation being the difference between business property or property used to advance a business interest, and private property. The latter being property over which Oklahoma has never had jurisdiction, because belonging to those people who cannot confer a sovereignty which would extend over them; *McCulloch*, *supra*, at p. 429.

So accustomed is the government of Oklahoma, to living large on taxes illegally assessed against the private property of its people, it has refused to be bound by constitutional restraints and has elected to continue the illegal federal tyranny and the *State* government thefts of private property described *supra*.

C. Oklahoma Supreme Court judges have acted in derogation of a fiduciary duty to Oklahoma citizens.

The members of the Supreme Court of Oklahoma stand in a fiduciary relationship to the people they were elected or appointed to serve; *Driscoll v. Burlington-Bristol Bridge Co.*, 8 N.J. 433, 86 A.2d 201, p. 24 (1952), and cases cited to therein; 42 *Am.Jur.*, *Public officers* § 8, p. 885; 43 *Id.* § 260 pp. 77-78; 67 *C.J.S. Officers*, § 6 p. 118.

As fiduciaries and trustees of the public weal they are under an inescapable obligation to serve the public with the highest fidelity. 43 *Am.Jur.*, *Public Officers*, § 260-261, pp. 77-78; 43 *Id.* 267 p. 82; 67 *C.J.S. Officers*, § 114 p. 402.

Nonetheless, the judges of the Supreme Court of Oklahoma have refused to accept jurisdiction of a Quiet Title Action commenced and prosecuted to accomplish what the judges themselves are bound by solemn oath to accomplish: To conform their decisions agreeably with the Constitution of the United States of America.

D. The Oklahoma Constitution contains a constitutional definition of Treason *against it*. See Oklahoma Constitution, Bill of Rights, Section II-16.

Judges of the State of Oklahoma Supreme Court, undeniably, have given aid and comfort to its enemies.

E. Original proceedings in the Supreme Court of Oklahoma are discretionary; Oklahoma Court Rules and Procedure, Part VI, Original Jurisdiction, Rule 1.190, et seq.

McNeil's Quiet Title Action was renewed in the Oklahoma Supreme Court, on April 23, 2019, by a complaint that fully explained the federal Treason, and respectfully reminded the Court of this Court's holding in *Shaffer v. Carter*, *supra*.

Six weeks after its original order noticing the re-opening of McNeil's Quiet Title Action for injunction and restitution, the Oklahoma Supreme Court denied the Application to Assume Original Jurisdiction. See App. p. 2.

F. Repeal of Emergency Power Legislation. On January 21, 1975, Senator John Pastore introduced a resolution to establish a select committee to

investigate federal intelligence operations and determine "the extent, if any, to which illegal, improper, or unethical activities were engaged in by any agency of the Federal Government." The Senate approved the resolution, 82-4.

In the course of their work, investigators identified programs that had never before been known to the American public. After holding 126 full committee meetings, 40 subcommittee hearings, interviewing some 800 witnesses in public and closed sessions, and combing through 110,000 documents, the committee published its final report on April 29, 1976. See Senate Report 93-549.

On December 28, 1977, at page 91 Stat. 1626, the Congress of the United States repealed all prior laws dealing with Emergency Power Legislation and enacted into positive law "International Economic Emergency Powers Act."

SEC. 203. (a)(1) At the times and to the extent specified in section 202, the President may, under such regulations as he may prescribe, by means of instructions, licenses, or otherwise (A) investigate, regulate, or prohibit (i) any transactions in foreign exchange, (ii) transfers of credit or payments between, by, through, or to any banking institution, to the extent that such transfers or payments involve any interest of any foreign country or a national thereof, (iii) the importing or exporting of currency or securities; and (B) investigate, regulate, direct and compel, nullify, void,

prevent or prohibit, any acquisition, holding, withholding, use, transfer, withdrawal, transportation, importation or exportation of, or dealing in, or exercising any right, power, or privilege with respect to, or transactions involving, any property in which any foreign country or a national thereof has any interest by any person, or with respect to any property, subject to the jurisdiction of the United States.

Congress thus in 1977, limited federal control over internal State Banking – to transfers of credit or payments which involve any interest of any foreign country or a national thereof.

Judicial Notice is demanded OF THE FACT: Neither the Social Security Act of 1935; the Alien Registration Act of 1940; nor the Judiciary Act of 1948 was considered by the Church Commission. This, notwithstanding that the Commission's *raison d'être*, its reason for being, was to "*Terminate National Emergency Legislation.*"

ARGUMENT

Because of the secret federal War, the International Economic Emergency Powers Act has produced no changes in federal control of Banking, nor has it reduced property seizures, either by the Internal Revenue Service, or by State governments.

"Since March 9, 1933 the United States has been in a state of declared National Emergency."

SO BEGINS the Foreword of *A Working Paper Prepared by The Special Committee on The Termination of The National Emergency*, Senate Report No. 93-549.

In his first important official act, President Roosevelt proclaimed a National Bank Holiday on the basis of the 1917 Trading With the Enemy Act – itself a wartime delegation of power. New Deal historian William E. Leuchtenburg writes:

“When he sent his banking bill to Congress, the House received it with much the same ardor as it had greeted Woodrow Wilson’s war legislation. Speaker Rainey said the situation reminded him of the late war when “on both sides of this Chamber the great war measures suggested by the administration were supported with practical unanimity. . . . Today we are engaged in another war, more serious even in its character and presenting greater dangers to the Republic.” After only 38 minutes debate, the House passed the administration’s banking bill, **sight unseen.**”

Against that background the Commission Report begins:

“Nowhere in the government, in either the Executive or Legislative Branches, did there exist a complete catalog of all emergency Statutes. Many were aware that there had been a delegation of an enormous amount of power but, of how much power no one knew.” Id. p. IV.

Subsequent to their assignment, the Committee would identify 470 provisions of federal law which delegate to the President extraordinary powers, ordinarily exercised by the Congress, which affect the lives of American citizens in a host of all-encompassing manners.

"This vast range of powers, taken together, confer enough authority to rule the country without reference to normal constitutional processes. Under the powers delegated by these Statutes, the President may: seize property; organize and control the means of production; seize commodities; assign military forces abroad; institute martial law; seize and control all transportation and communication; regulate the operation of private enterprise; restrict travel; and, in a plethora of particular ways, control the lives of all American citizens." Id. p. III.

Repeating for effect: Nowhere to be found in the Committee Report, Senate Report or its Summary Report No. 93-549, which was concluded in 1973, is there any mention of either of the Social Security Act of 1935; the Alien Registration Act; the Judiciary Act of 1948, nor of cooperative federalism.

The Congress therefore, has never formally recognized, if it ever knew, that any of these conditions have played a role in the creation of a silent federal War against State and citizen sovereignty.

Congressional repeal of all Emergency Power Statutes following the completion of the Committee work in 1977 **cannot** have had any effect on the root

causes of the federal fraud. It was caused by a clandestine use of its exclusive power to make War, in order to acquire an "absolute sovereignty" over the geography and people of the Union States, including Oklahoma, by permanently expanding the legislative jurisdiction of the Congress without limit.

Names are of no legal consequence. Whether federal usurpations of State sovereignty be designated a Civil War or Emergency Power, the result has been a *clandestine, permanent and unauthorized expansion of federal legislative jurisdiction, together with elimination of State and citizen sovereignty*.

By both legitimate and by illegitimate means, The Constitution of the United States of America has been reduced to a hollow and meaningless recitation of Rights and Privileges reserved by the whole people of the United States, for themselves and their posterity.

Private property of every loyal American is forfeit to federal overreach, at times by federal Statutes enacted to protect legitimate defensive federal concerns. And at times by furtive secret processes concealed by the Executive Branch, even from the other co-equal Branches.

It will remain so unless this Honorable Court intercedes.

In Oklahoma, the highest Court of that State has chosen to deny that its people have rights in private property which the government is required to take notice of.

Criminal punishment by legislative decree does not offend it.

Oklahoma's ad-valorem taxes assessed against private property and collected, either by compelled payment or by a Sheriff's sale of the property for delinquency, those rights in property reserved to the people by ratification of the Constitution of the United States of America, have been intentionally eliminated by the highest Court in Oklahoma.

CONCLUSION AND PRAYER

The 110,000 documents examined by the Church Committee did not include those, if any exist, used by members of the Executive Branch between 1933, and the Banking Holiday, and creation of the Judicial Act of 1948.

This respectful Petition seeking protection of private property of a loyal American State citizen makes no claim of having consulted all possible documentary sources in support of it.

The Clause in Article I, Section 8, authorizing the Congress to "pay the Debts and provide for the common Defense and general Welfare of the United States," contains an exclusive federal power to make War.

Before and during World War II, President Franklin Roosevelt decided on his own to use that power to reinvent the entire Nation. The United States today is controlled by a single overarching government,

regulating the people and governments in every Union State, by exercising that exclusive federal power. Since 9 March 1933, the United States has not been "an indestructible Union of indestructible States" – it has been an overarching government regulating the geography and people of Union States that have no separate and distinct existence, and no right to self government.

Petitioner McNeil asks this Court for new substantive rules aimed at restoration of the American Union of States. And, further asks that the government of Oklahoma submit in its own Courts to the supreme Law of the Land, as exposed in the previous rulings of this Court of last resort.

Unless this Court of last resort intervenes, the Legislature of Oklahoma will compel the Rogers County Sheriff to sell my home as a criminal punishment for failure to pay the illegal taxes which the Assessor claims to be due. The Oklahoma Supreme Court will voice no objection.

Respectfully submitted,

JERRY PRESTON MCNEIL,
Pro Se
16902 East 80th Street North
Owasso, OK 74055
(918) 272-6019