

No.

IN THE  
Supreme Court of the United States

SEUNGJIN KIM,

*Petitioner*

v.

UNITED STATES CUSTOMS AND BORDER PROTECTION.

*Respondent*

On Petition for Writ of Certiorari  
To the United States Court of Appeals  
For the District of Columbia Circuit

A PETITION FOR WRIT OF CERTIORARI

SEUNGJIN KIM

35 Beolgyoyeondong-Gil,  
Boseong-Gun, Jeollanam-Do  
Republic of South Korea.

+82 10-8703-4350

[gudoshi@gmail.com](mailto:gudoshi@gmail.com)

## QUESTIONS PRESENTED

Under 8 U.S.C. §1225(b), inadmissible aliens who arrive at U.S. National borders must be detained, and the alien must be given a bond hearing every six months. *Jennings v. Rodriguez*, 583 U.S. (2018). In accordance with 8 U.S.C. §1158, Petitioner who is an immigrant victim of Qualifying Criminal Activity involving U.S. citizens has applied for Asylum before, But Petitioner was not allowed to board a flight to the United States. Because CBP does not approve of his ESTA visa under VWP without reasonable reason. Therefore, the person cannot arrive at U.S. National Borders seeking as a destitute asylum seekers. *Trump v. Hawaii*, No. 17-965, 585 U.S. (2018) The questions presented are:

1. Whether under 8 U.S.C. §1225(b)(1)(B)(ii), inadmissible aliens who are Asylum Seekers include immigrant victim who is not an applicant for, or is not granted, immigrant status under 8 U.S.C. §1101(a)(15)(U) of Qualifying Criminal Activity involving U.S. citizens, his prolonged or temporarily detention, or confinement and was not allowed to board a flight to the United States because the President of the United States ordered DHS under the circumstances are unlawful, or unconstitutional?

2. Whether ‘A substantial risk that physical force against the person or property of another may be used in the course of committing the offense’, 18 U.S.C. §16(b) includes “[invisible] potential or underlying Special Malicious Homosexual Rapist Master Murderers’ Criminal Activities”?

## LIST OF PARTIES

The petitioner in this action is Seungjin Kim.

Respondents were appellees in the court of appeals. They are President of the United States, Attorney General of the United States, Secretary of State of the United States, United States Congress, United States Governors, Federal Bureau of Investigation, Department of Homeland Security, and United States Citizenship and Immigration Services.

## TABLE OF CONTENTS

	Page
Question Presented .....	i
List of Parties .....	ii
Table of Contents .....	iii
Table of Authorities .....	iv
Opinions Below.....	1
Jurisdiction.....	1
Concise Statement of the Case.....	1
Introduction to Immigrant Victim Impact.....	2
The United States Federal District Court Errors.....	6
U.S. DHS's three problems .....	8
Invoked U.S. Constitutional Right .....	10
Equal Protection Doctrine.....	13
A Background to Apply for Asylum.....	14
Why Government Cannot Detain The Immigrant Victims of Crimes?.....	15
Conclusion of Releasing the Immigrant Victims....	17
A Very Important Punishment Issue of Underlying Special Criminals' Activities.....	19
Underlying Power Exist Actually.....	20
Why, Petitioner has filed this civil case really.....	24
Conclusion .....	32

## TABLE OF AUTHORTIES

## CASES

<i>Hylton v. United States</i> , 3 U.S. 171 (1796).....	7
<i>Marbury v. Madison</i> , 5 U.S. 137 (1803).....	7, 30
<i>Cook v. Tait</i> , 265 U.S. 47 (1924).....	11
<i>Jennings v. Rodriguez</i> , 583 U.S. ____ (2018).....	11
<i>Town of Greece v. Galloway</i> , 572 U.S.....	14
<i>Zobrest v. Catalina Foothills School Dist</i> , 509 U. S. (1993)...	15
<i>Larson v. Valente</i> , 456 U. S. 228, 244 (1982).....	24
<i>Church of Lukumi Babalu Aye, Inc. v. Hialeah</i> , 508 U. S. 520, 532 (1993).....	24
<i>Epperson v. Arkansas</i> , 393 U. S. 97, 106 (1968).....	24
<i>Trump v. Hawaii</i> , 585 U.S. ____ (2018).....	27

## Equal Protection Doctrine

<i>Yick Wo v. Hopkins</i> , 118 U.S. 356 (1886).....	14
<i>Hernandez v. Texas</i> 347 U.S. 475 (1954).....	14
<i>Plyler v. Doe</i> , 457 U.S. 202 (1982).....	14
<i>Skinner v. Oklahoma</i> , 316 U.S. 535 (1942).....	14
<i>Roe v. Wade</i> , 410 U.S. 113 (1973).....	14

## STATUTES

8 U.S.C. §1152(f).....	26
8 U.S.C. §1182(d)(5)(A).....	16
8 U.S.C. §1182(f).....	25, 26, 27, 28, 30
8 U.S. C. §1254a.....	3, 5
18 U.S.C. §1111.....	6
18 U.S.C. §1112 .....	6
18 U.S.C. §1113 .....	6
18 U.S.C. §1114 .....	6
18 U.S.C. §1115.....	6
18 U.S.C. §1116.....	2, 6, 13, 31
18 U.S.C. §1511.....	1, 11, 13, 24, 32
18 U.S.C. §1512.....	1, 11, 13, 24, 32
18 U.S.C. §1513.....	1, 11, 13, 24, 32
18 U.S.C. §3521.....	3, 5, 6, 10, 13, 18, 32
18 U.S.C. §3663A.....	24
18 U.S.C. §4001(a).....	16
26 U.S.C. §871.....	11
28 U.S.C. §2241.....	32

## ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT

Article 5(1)(b), Crimes within the jurisdiction of the Court...	17
Article 7(2)(e), Crimes against humanity.....	17
Article 15(3), Prosecutor.....	17
Article 19(3), Challenges to the jurisdiction of the Court or the admissibility of a case.....	17

## REGULATIONS

8 C.F.R. 217.4(a)(1).....	6, 7, 10
8 C.F.R. 217.4(b)(1).....	7, 10
8 C.F.R. 208(c)(1) and (c)(2).....	5
INA § 212(a)(9)(B)(iii).....	10

## TABLE OF APPENDICES

	Page
Appendix A - Decision of The United States Court Of Appeals for the District of Columbia.....	1
Appendix B - Decision of The United States Court Of Appeals for the District of Columbia.....	3
Appendix C – Decision of The United States District Court for the District of Columbia.....	5

## OPINIONS BELOW

The opinion of the United States Court of Appeals for the District of Columbia Circuit appears at Appendix “A” to the petition and is unpublished.

## JURISDICTION

The judgment of the court of appeals was entered on December 7, 2017. On January 26 2018, Chief Justice John G. Roberts extended the time within which to file a petition for a writ of certiorari to and including March 4, 2018. And Motion to file the petition for writ of certiorari out of time is submitted. The jurisdiction of this Court is invoked under 28 U.S.C. 1254(1).

## CONCISE STATEMENT OF THE CASE

This case focuses on Other groups of noncitizens held in confinement, immigrant victims of Qualifying Criminal Activities involving U.S. citizens. Petitioner believes that individuals believe he or she has the right or entitlement to enter or to remain within the United States. Because victims who are noncitizens of Qualifying Criminal Activities involving U.S. citizens must report the violent crimes to the U.S. law enforcement officer and judges of the United States. Because several statutory provisions of the Obstruction of Justice Act, 18 U.S.C. §1511, 1512, 1513 et seq, granting them report the violent crimes. And this is very important victim’s legal duty to make to block Other victims of Qualifying Criminal Activities and Serial Murder Crimes. Petitioner has the right or entitlement to qualified immunity here, where his actions did not violate clearly established statutory or constitutional rights of which a reasonable person would have known.



### Introduction to Immigrant Victim Impact

(1) The United States of America is a Nation built upon the promise of religious liberty. Our Founders honored that core promise by embedding the principle of religious neutrality in the First Amendment. First Purpose of this case is for the U.S. Immigration Reform, Second Purpose of this case is for the victims of Qualifying Criminal Activities, their fundamental right which are Victims have 'Impact Statement fundamental Right Verbally not only Written Statement' like a Miranda Principle. Third Further Purpose of this case is for Amending the U.S. Second Amendment right involving Gun control in the nearest future.

(2) The Petitioner, like Secretary-General of the United Nations, is "Internationally Protected Person" under international law. Because the Supreme Court of the United States has kept the petitioner under American criminal law to protect it with an international murder plot. The American Criminal Code is the U.S. Criminal Code 18 U.S.C. §1116 'Internationally Protected Person', and 18 U.S.C. §1512 (h) 'Extraterritorial Federal Jurisdiction'. The fact that the two provisions apply to the Petitioner means that no one can commit any bad offense to the Petitioner.

(3) In September 2017, the President issued Proclamation NO. 9645, seeking to improve vetting procedures for foreign nationals traveling to the United States by identifying ongoing deficiencies in the information needed

to assess whether nationals of particular countries present a security threat. The Proclamation placed entry restrictions on the nationals of eight foreign states whose systems for managing and sharing information about their nationals the President deemed inadequate. The Acting Secretary of Homeland Security concluded that eight countries - Chad, Iran, Iraq, Libya, North Korea, Syria, Venezuela, and Yemen - remained deficient.

(4) USCIS denied his interim relief issue of U Immigrant Visa and a Travel Document, and Attorney General also denied Witness Protection without rational basis under 18 U.S.C. §3521 although the alien is in the U.S. Supreme Court within the appeal period. But he/she has U.S. Constitutional right, Federal Right, and Victim Impact Statement Right Verbally under the due process clause? *See* 8 U.S.C. §1254a.

(5) Beginning with persecution for religious reasons in South Korea, the Petitioner began to travel to Germany, Finland, Australia, the United States, Canada and the United Kingdom to learn English from January 2012 and to inform the conspiracy to murder crime involving some U.S. citizens. Six years ago, In February, 2012, Petitioner has traveled in Australia, New South Wales for 9 months. At that time, Petitioner has visited Mrs Margaret Royds OAM, de Bohun House Bedervale PO Box 10 Braidwood NSW 2622. Her husband's name is Victoria Royds but he has passed away. Mrs Margaret Royds was very rich woman. She has 300 cows, 3 big houses, 1 castle, and approximately 100 Acre. Therefore, Petitioner got to know

that the her husband had a knighthood from the United Kingdom. Therefore, Queen Elizabeth II maybe knows about her, Mrs Margaret Royds well as a her friend. Petitioner has informed her about many bible laws and scriptures. Therefore, she will surely remember the Petitioner.

(6) Petitioner is an immigrant victim of Qualifying Criminal Activities involving some U.S. citizens. And Petitioner has been applied for Asylum and a Travel Document as a destitute asylum seekers in 2014 in the United States. It was very difficult to obtain a Travel Document in United States. Petitioner has created Bible Apps for educational purposes and spiritual purposes to distribute through Apple's online store and Google's online store like William Teendle. Hence, Petitioner was subjected to severe persecution by a religious organization, Jehovah's Witnesses religion. And Petitioner run out of his money in 2014 in the United States. Consequently, Petitioner has returned to South Korea to inform Korea Police and Seoul Central District Prosecutor's Office about underlying two Special Malicious Homosexual Rapist Master Murderers and some U.S. concealers to prosecute. Before that, Petitioner has applied for A Travel Document and paid all expenses, after that, Petitioner could not get a notice from USCIS and it could not be proceed with the Travel Document procedure. Because if it was related to DHS's three underlying problems that the Petitioner has revealed through the letters. And it has been sent to the Director of DHS, Kirstjen M. Nielsen on December 7, 2017. But there is no response letter from Director of DHS.

Because Petitioner seems that DHS unlawfully has concealed Petitioner's nonimmigration case.

(7) And petitioner who is victim of Qualifying Criminal Activities involving some U.S. citizens has applied for U visa himself because the FBI did not investigate the violent crimes for a long time and has not been issued the U visa for a destitute petitioner. So the Petitioner got to know that murder criminals in South Korea had been particularly harassing and trying to murder Petitioner repeatedly, and Petitioner felt his life really threatened. Therefore, petitioner really needed to apply for asylum again as a destitute asylum seeker in February 2018. Moreover, Petitioner cannot obtain a proper U visa in time. However, the Petitioner was not allowed to board a flight to the United States on February 12, 2018. The American Airline carrier at Incheon International Airport in South Korea was not allowed to board a flight to the United States because CBP does not authorized his ESTA visa under the Visa Waiver Program willfully. Petitioner has contacted American Airline regarding this issue, but American Airline said that we have no legal responsibility to resolve this matter and you must contact CBP agency. But CBP agency does not help Petitioner. But Petitioner believed he was entitled to be admitted into the United States as a destitute asylum seekers. See 8 U.S. Code §1254a, 18 U.S.C. §3521, and 8 C.F.R. 208(c)(1) and (c)(2).

(8) And when Petitioner has long been waiting for a long time to inform the FBI and the Local Police in New York State about certain heinous conspiracy to murder crime

involving U.S. Citizens in the United States, the President of the United States and U.S. Governors of States have not been properly assisted or thoroughly investigated. A Former President of the United States, William J. Clinton has defined the action of the U.S. administration as an abetting crime.

### **The United States Federal District Court Errors**

(1) As a destitute asylum seeker, The victim is an internationally Protected Person because petitioner is an immigrant victim of an international conspiracy to murder crime. And this case is a special crime, international criminal case. The underlying murderers have the capacity to develop the Specific Intent. Because they have an overriding objective in this case, and that's to avoid the opprobrium that comes with admitting that they killed innocent one spiritually. They did commit the Actus Reas. Underlying two Special Malicious Homosexual Rapist Master Murderers who are Korean Citizens and concealers who are U.S. citizens still many times Attempts to kill Petitioner on the sly to conceal something. See 18 U.S.C §1111, 1112, 1113, 1114, 1115, 1116.

(2) But the district court erroneously treated as 8 C.F.R. 217.4(a)(1) that if the alien is not granted asylum, he "can be removed without further proceedings." But in case of the alien is a reported immigrant victim of the Qualifying Criminal Activity involving some U.S. citizens, then alien [may] release by the Attorney General decision whether

his asylum granted or not. See 18 U.S.C. §3521. Asylum Applicants must be issued an ESTA visa under VWP before boarding his flight. If CBP did not approve his ESTA visa before his/her board on the flight, then the destitute asylum seeker cannot fly to the United States. This is an underlying crux problem in U.S. Immigration matter. But Britain allows destitute asylum seekers to board a flight to the UK without any Visa. Therefore, The District Court memorandum opinion is erroneously concluded. Because a destitute asylum seekers must be allowed to board a flight to the United States. And CBP must not block such a destitute asylum seekers' admission. See 8 C.F.R. 217.4(a)(1) and 8 C.F.R. 217.4(b)(1).

(3) In 2014, CBP wrongfully made a mistake that they have mistakenly detained Petitioner who is a reported immigrant victim of Qualifying Criminal Activities involving U.S. citizens which is an internationally conspiracy to murder crime. Then, DHS also must not deport the alien to his home country before investigation of the Crime, but they has mistakenly deported the alien to his home country, South Korea. Therefore, Petitioner has suffered tremendous persecution and harassment seriously from the conspiracy to murder criminals and many concealers. It was danger in his precious life. The Petitioner must leave the South Korea immediately again. But USCIS has not resolve his issue of A Travel Document until the time. And USCIS has also denied his applied for B1/B2 Visa. Consequently, Petitioner has found many DHS's problems. *Hylton v. United States*, 3 U.S. 171 (1796), *Marbury v. Madison*, 5 U.S. 137 (1803).

### U.S. DHS's Three Problems

(1) USCIS does not mail a notice [letter] regarding a Travel Document and Asylum Application outside the United States. However, there is no explanation on the USCIS homepage and any document in advance about this matter. Therefore I, as Petitioner, who is applicant, Do not know why I cannot get a notice on foreign addresses when I applied for it in the United States and was returned to my home country. But recently Petitioner got to know that if the foreigner files a Form G-639, then he may be can get a Notice very hardly. But until now Petitioner cannot get a notice. However, in order to receive a Travel Document afterwards, Petitioner must explain his exigent situation through the letters and must wait for the procedure for a long time. However, as you can guess, in case of a victim of a murder crime cannot wait for a long time. Because Petitioner must appear in the United States Federal Court for his civil cases and criminal cases. But there are no prudent DHS officers to foresee in this special matter and circumstance. And Petitioner has realized that they cannot understand that much. And Petitioner thinks that USCIS Office does not know how it can resolve this matter. But it is very outrageous because the United States Federal Courts mail every notices outside the United States always but USCIS does not.

(2) If an applicant who previously has applied for asylum in the United States without detention who is an immigrant victim of an international conspiracy to murder crime admit into the United States without A Travel Document, then CBP officers just detain the

person in the Detention Facility thoughtlessly. Because 8 U.S.C. §1225(b)(1)(B)(ii) Provides that "If the asylum officer determines at the time of the interview [upon arrival in the United States] that an alien has a credible fear of persecution..., the alien shall be detained for further consideration of the application for asylum, whether an alien is reported immigrant victim of Qualifying Criminal Activities involving U.S. citizens or not." But Travel Outside the United States says that "if you leave the United States without first obtaining advance parole from USCIS using Form I-131, Application for a Travel Document, we will presume that you have abandoned your application. If you obtain advance parole and [has] return to the country of claimed persecution, we will presume that you abandoned your application, unless you can show that there were compelling reasons for your return. So If you can show that there were compelling reasons for your return, then you would be admitted into the United States." But DHS's documents do not contain that "we will detain you in Detention Facility or you shall be detained in Detention Facility." But Petitioner has conjectured that it shows that if you can show that there were compelling reasons for your return, then We, [DHS Officers] can accept you to admit into the United States and will not detain you in the Detention Facility. But in case of petitioner, an applicant who previously applied for Asylum in the United States admitted to the United States without a Travel Document but Has explained that there are compelling reasons. But DHS Officers has detained him who is a victim of Qualifying Criminal Activities involving U.S. citizens in Detention Facility. There that person



suffered medical emergencies, For examples: difficult breath, suffering Trauma, and serious heart attack. So the ICE Officers and Detention Officers quickly released him to return his home country. They did not released him in the United States. So, if DHS had given this explanation in writing beforehand, the person would not have wasted time, money, and inconvenience. Therefore, this second problem has raised above legal and constitutional Questions. See 18 U.S.C. §3521 and 8 U.S.C. §1254a.

(3) A CBP officer, Eloy Palomino who is an immigration officer in 2015 has a record that the petitioner has applied Asylum in the United States. But the CBP officer has considered petitioner as a VWP Violator. This is CBP officer's erroneously decision. Because Petitioner never violated VWP. Because in accordance with the 8 CFR 217.4(a)(1), 217.4(b)(1), it shows to allow free scope for admission that destitute asylum seeker can admit in the United States as a Visa Waiver Program visitor anytimes. And the persons with pending asylum applications are shielded from accruing unlawful presence. See INA § 212(a)(9)(B)(iii).

### **Invoked U.S. Constitutional Right**

(1) Although foreign nationals seeking admission have no constitutional right to entry, this Court has engaged in a circumscribed judicial inquiry when the denial of a visa allegedly burdens the constitutional rights of a U.S. citizen.

(2) If nonresident victims of Qualifying Criminal Activities involving U.S. citizens report the underlying heinous conspiracy to murder crime to U.S. law enforcement officer and judges of the United States, then Petitioner thinks that it will invoke some U.S. constitutional rights to protect the person legally. 18 U.S.C. §1511, 1512, 1513.

(3) Because the United States is one of two countries in the world that taxes its non-resident citizens on worldwide income, in the same manner and rates as residents; the other is Eritrea. The U.S. Supreme Court upheld the constitutionality of imposition of such a tax in the case of *Cook v. Tait*. If non-resident alien individuals presented in the United States more than 183 days, then there is a constitutional obligation of tax on people and they should report their tax returns to IRS. Petitioner found that this is amazing U.S. constitutional right to the foreigners for the great future. See 26 U.S.C §871.

(4) But currently, U.S. Government view is that 8 U.S. Code §1225(b) class members include Petitioner, inadmissible aliens who arrive at U.S. national borders must be detained without a bond hearing, during proceedings to remove them from the country, and that aliens at the threshold have no constitutional rights under the due process clause. See 15-1204 *Jennings V. Rodriguez*, Argument Transcript in 2017, Page, 69, Line 4 and 5.

(5) But as such, victims of crimes are victimized in the United States, then they must start to have some U.S. constitutional rights at the threshold. Because if a victim of Qualifying Criminal Activities involving U.S. citizens report the underlying heinous conspiracy to murder crime to proper authorities in the United States, then the alien has had some U.S. constitutional rights. And it will not lose his right whether he leaves the United States or until punishing the perpetrators of the Qualifying Crimes involving U.S. Citizens. But if the victim of the Qualifying Crimes that have occurred in the United States left the United States, then do they lose their U.S. constitutional rights? Of course not. This class member under 8 U.S.C. §1225(b), aliens who are victims of crimes at the threshold have had some U.S. constitutional rights under the due process clause to punish underlying criminals. Therefore, this class member under 8 U.S.C. §1225(b), aliens who are immigrant victims of Qualifying Crimes, if they has returned or re-enter to the United States avoid persecution must not be detained in Detention Facilities if possible and must be offered an imminent bond hearing or conditional Parole or U [Non]immigrant Visa with 'Initial Accommodation' by the U.S. Government. Immigration Officer just ask to these victims that why we must not detain you? Then, victims will answer to them because we are victims of Qualifying Criminal Activities involving U.S. Citizens. Then, DHS like Home Office in England must not detain such persons and must be released. Because this is a very simple and good solution to resolve the part of immigration matters for immigrant victims of Qualifying Criminal Activities involving some U.S. Citizens.

(6) Petitioner sufficiently proved legally that Petitioner who is a victim of Qualifying Criminal Activities involving U.S. citizens is admissible alien and detaining or custody the victim of Qualifying Criminal Activity involving U.S. citizens in Detention Facility under 8 U.S.C. §1225(b) is unlawful [in part] or unconstitutionality [in part] under 18 U.S.C. §3521 and 18 U.S.C. §1511, 1512, 1513. Because U.S. Government must protect the victim of an internationally conspiracy to murder crime involving U.S. citizens as 'an internationally protected person.' *See* 18 U.S.C. §1116.

(7) Lastly, there is no threat to the U.S. National Security and Petitioner is not a flight risk or a danger to the community involving Petitioner's admission into the United States. Why destitute asylum seeker who is an immigrant victim of Qualifying Criminal Activity involving U.S. citizens cannot admit into the United States as a Visa Waiver Program visitor? It is related to important his rights as described the victim's statements in an understandable way in relation to their verbal rights and U.S. Executive Government's corruption. If so, Petitioner's admission into the United States must be granted and must be allowed to board a flight to the United States by the Supreme Court of the United States.

### **Equal Protection Doctrine**

(1) With the rise of equality in the flow of history, the United States Supreme Court has found that the object of

equality protection is not only alien, national origin, gender, age, sexual orientation, Mental ability and so on.

(2) Legal or illegal stay An alien or legal entity has also been challenged to assert equal protection of the power of the Commonwealth or of the State and the Supreme Court has ruled in various respects that foreigners or corporations and to be the subject of this right. *See Yick Wo v. Hopkins*, 118 U.S. 356 (1886), *Hernandez v. Texas*, 347 U.S. 475 (1954), *Plyler v. Doe*, 457 U.S. 202 (1982), *Skinner v. Oklahoma*, 316 U.S. 535 (1942), and *Roe v. Wade*, 410 U.S. 113 (1973).

(3) Therefore, "Even foreigners, like U.S. citizens must have absolute protection from violent crimes and criminals involving especially U.S. citizens."

### A Background to Apply for Asylum

(1) The First Amendment stands as a bulwark against official religious prejudice and embodies our Nation's deep commitment to religious plurality and tolerance. That constitutional promise is why, "for centuries now, people have come to this country from every corner of the world to share in the blessing of religious freedom." *Town of Greece v. Galloway*, 572 U.S., at \_\_\_\_ (KAGAN, J., dissenting)(slip op., at 1) Petitioner is a real victim of two Special Malicious Homosexual Rapist Master Murderers' Criminal Activities, suffering for 10 years in South Korea. And his Produced a Bible App for religious freedom on

Apple and Google, distributing like William Teendle, and was subjected to a serious persecution by Jehovah's Witnesses in the religious group and was falsely disfellowshipped. It was blamed on innocent one as a copyright infringement. Because several wicked members of the Governing Body of Jehovah's Witnesses who are U.S. Citizens really became as apostates in eyes of God and eyes of Anointed Resurrected Ones in heaven.

(2) As a conscientious objector, he was convicted in Korean society and lived in prison for 18 months. He was later subjected to discrimination and persecution in the Korean society. Petitioner has lived a very difficult and very hard life, and applied for asylum in the United States, where he has the example of the Statue of Liberty as a symbol of true religious freedom. *Zobrest v. Catalina Foothills School Dist.*, 509 U. S. 1, 8 (1993).

### **Why Government cannot Detain**

#### **The Immigrant Victims of Crimes?**

(1) Under 1225(b)(1), aliens are normally ordered to be removed "without further hearing or review," 1225(b)(1)(A)(i), but an alien indicating either an intention to apply for Asylum or a credible fear of persecution, 1225(b)(1)(A)(i), "shall be detained" while that alien's asylum application is pending, 1225(b)(1)(B)(ii). There is a victim of violent crimes involving U.S. citizens. Need another legal remedy. Because they have some U.S. constitution right and Federal right. See 8 U.S.C. §1158, 8 U.S.C. §1225(b).

(2) The court then construed 1226(a) to mean that an alien must be given a bond hearing every six months and that detention beyond the initial 6-month period is permitted only if the Government prove by clear and convincing evidence that further detention is justified. The Government cannot prove by clear and convincing evidence that further detention is justified if the alien is a reported immigrant victim of any Qualifying Criminal Activity involving U.S. citizens or a reported immigrant victim of an international conspiracy to murder crime involving U.S. citizens to the President of the United States, Barack Obama, Donald J. Trump, and William J. Clinton.

(3) There is also a specific provision authorizing temporary parole from 1225(b) detention “for urgent humanitarian reasons or significant public benefit.” 1182(d)(5)(A). Because petitioner has entitled to have first, Victim Impact Statement Verbally not only written statement like a Miranda Rule and second, Victims of the Qualifying Criminal Activities involinvg U.S. citizens Do not know how to issue somebody who has committed many murders that how to issue a U visa himself or herself because they need Certification from Certified Agencies: FBI, DEA, and Local Police or State of Police to be issued a U immigrant visa. *See* Non-Detention Act of 1971, 18 U.S.C. §4001(a)(forbidding the imprisonment or detention by the United States of any citizen absent an Act of Congress)

(4) Petitioner has informed Local Police and FBI. But they had not help him properly. There is no response. His criminal case in the United States Federal District Court of the District of Columbia Circuit as a civil case or send letters to the Court Judges and Justices of the Supreme Court of the United States. International Criminal Court has jurisdiction because both, South Korea and the United States did not investigate about it. Because somebody who are many murderers has conspired to conceal the murder crime by Government to kill the very important innocent person. Hence, This is an international conspiracy to murder crime. And Petitioner has informed this crime to the International Criminal Court for a long time. Then, it must be protected by the international Criminal Court. *See Rome Statute of the International Criminal Court: Article 5(1)(b), Crimes within the jurisdiction of the Court, Article 7(2)(e), Crimes against humanity. Article 15(3), Prosecutor, Article 19(3), Challenges to the jurisdiction of the Court or the admissibility of a case.*

(5) The Court reads the statute as forbidding bail, hence forbidding a bail hearing, for these individuals. In my view, the majority's interpretation of the statute would likely render the statute unconstitutional. Thus, I would follow this Court's longstanding practice of construing a statute "so as to avoid not only the conclusion that it is unconstitutional but also grave doubts upon that score."



### Conclusion of Releasing the Immigrant Victims

(1) These are bad things do to do a very important special victim who is a Nobelist in physics of Qualifying Criminal Activity involving U.S. Citizens. If the visitor is a immigrant victim of Qualifying Criminal Activity, he must be released even if his application for asylum has not been granted in accordance with 8 U.S.C. § 1226(c)(2) Release.

(2) The U.S. Attorney General may release an alien described in paragraph only if the Attorney General decides pursuant to section 3521 of title 18 that release of the alien from custody is necessary to provide protection to a witness, a potential witness, a person cooperating with an investigation into major criminal activity, or an immediate family member or close associate of a witness, potential witness, or person cooperating with such an investigation, and the alien satisfies the Attorney General that the alien will not pose a danger to the safety of other persons or of property and is likely to appear for any scheduled proceeding. A decision relating to such release shall take place in accordance with a procedure that considers the severity of the offense committed by the alien. Victim of an special murder crime can be murdered by Special Malicious Homosexual Rapist Master Murderers. Because Victims of crimes that have come in using VWP may apply for asylum. Then it should be Permitted to remain. His asylum status while application was pending, and while case is pending, the asylum applicant will be permitted to remain in the United States. (Reference I-589, Application for asylum and for withholding of removal Instructions, page 12; And 8

U.S.C. §1158(b)(1)(A)(i)

8 U.S. Code § 1182 - Inadmissible aliens (a)(4)(E)(ii) is an applicant for, or is granted, immigrant status under section 1101(a)(15)(U) of this title; or 1101(a)(15)(U)(i) subject to section 1184(p) of this title, an alien who files a petition for status under this subparagraph, if the Secretary of Homeland Security determines that—

- (I) the alien has suffered substantial physical or mental abuse as a result of having been a victim of criminal activity described in clause (iii);

**A Very Important Punishment Issue of Underlying  
Special Criminals' Activities**

(1) **Establish common ground:** Petitioner thinks that his letters and this case has meritorious reason. These matters are special crimes and special copyright case. Petitioner is a conscientious objection to military service. Because of this, Petitioner spent almost 14 months in prison in 2005. And Petitioner has served as an assistant at the corrections and rehabilitation department for inspecting, resorting, and delivering of all letters for the two thousand prisoners in South Korea.

(2) Almost conscientious objectors firmly were able to endure persecution and mental anguish in prison because at that time we were encouraged by reading books of the Victims of the Holocaust and Holocaust thousands of experiences in Germany of World War II.

(3) Petitioner has read that Jehovah's witnesses are persecuted and stand firmly and helped and rescued some dying Jews at the risk of their life in murderous Hitler's Europe. So some Jews remember this true story. So sometimes they express an appreciation and respect their true help in the past. And good some Jews expressed and manifested in their beauties of nature when they give a help them and recompense them for their good help in the past because Jehovah's witnesses still suffering difficulties from the persecution today than Jews.

(4) For a while Petitioner has lived in Brooklyn, New York. Many Jews live in there uncommonly. When I saw beautiful Jews girls who have big eyes and fair face at Marcy Av subway station. And my inner person have raged as a tutor for a hundred school children when I think about that how could the Hitler and his army slaughter even if children in the past.

(5) Petitioner's two aunts are devoted Roman Catholics. (Kodashim or Cardinal) And I partook of the emblems at 2012, 2013, and 2014 the Memorial of the death of Jesus Christ. Only anointed ones can partake of Memorial emblems in Jehovah's witnesses. And Catholic very sacred and respect anointed ones like saints. Because they sincerely believe God and his Divine laws. So anyone do not mock or violate holy ones. If don't bock it, it is blasphemy or a sacrilegious practice to God and the bible law and all religions which believe the Bible. Consequently, the special criminals should be punished. And Petitioner has realized that in eyes of Pope also should punish such special criminals.

(6) Purpose of Apps: Petitioner made religious Apps are based on his unique good conscience. The main purpose is that Apps can protect young ones' good consciences and mind really.

### Underlying Power Exist Actually

(1) The universe has generally known Four Fundamental Physical Forces. Electromagnetism, gravity, strong nuclear force, and weak nuclear force. But Petitioner knows another underlying power. It is God's active force or his energy. (Genesis 1:1, 2; Exodus 14:21~31; Pharaoh and Exodus; Acts 21:4b; Hence underlying Communication.) Almost people don't know it or know little. And this God's active force or his energy effecting our people minds or brains in any ways. People didn't know or don't know it well. How can it affect us? It was very a top secret until now. The scientists and wicked ones want to delve it to be specific.

(2) Eldest Son has been murdered by suicide or slight infringed copyright law, almost people and men of strict morals, often not used to the ways of the world will return its responsibility to his son. But one young man report that this is not my responsibility, some special criminals have controlled his mind and brain for funny or to kill him really do to get rid of evidence. And Petitioner didn't know it before well that somebody tried to kill me on the sly. And Petitioner has several alive witnesses. And the bible also written some traces. (Acts 21:4b) Then men of strict morals, often not used to the ways of the world like members of the U.S. headquarters of Jehovah's witnesses ask a question in return simply. "It's unseen and consequently you can't submit to any evidences... then

how can say that Special Malicious Homosexual Rapist Master Murderers who are Korean has controlled your mind or brain in a special way to kill you for their funny? Can you submit to evidences?" So two Special Malicious Homosexual Rapist Master Murderers has seriously assaulted and deceived a special victim in very special ways for a long time really. Because the Special Malicious Homosexual Rapist Master Murderers know the special kills very well. Because they can conceal many underlying serious matters to the end if they could be killed the special victim, Petitioner. But the prudent Justices of the Supreme Court of the United State may can discern their wicked intentions and purposes. And they want to say them that they are very stupid ones because we also can know it very well. But grandfather and grandmother who have insight and deep thinking ability also can check real facts and reasons on the bible. Then finally people will realize that it is really possible in such way. (Air -> Hurricane, magnet and compass because Electromagnetism, Gravity.) It's unseen but it can have written evidence through the special victims. So we can know that it can effects to material objects powerfully.

(3) So finally elderly people and the prudent justices can know that the Special Malicious Homosexual Rapist Master Murderers really try to kill a special victim through it. And they have deceived the young victims through it. But smart young one like Petitioner and his elderly bible teacher have changed direction and focus for defense his copyright infringement because he has had religious freedom. And the prudent Justices of the Supreme Court of the United States also want to prove the true facts for a special victim and this particular case.

Because we must punish the underlying two Special Malicious Homosexual Rapist Master Murderers.

(4) Petitioner would like the prudent justices to decide in this case: Petitioner beg to reverse and revoke his difsellowship through the court or the prudent Justices of the Supreme Court of the United States. Because it was fundamentally wrong. And Petitioner begs to classify me as an anointed one because malicious liars and apostates who are wicked members of the Governing Body of Jehovah's Witnesses in his religion in Jehovah's Witnesses. And they will continue to lie to people and the prudent Justices of the Supreme Court of the United States and will ignore this divine nature thing of religion. Then finally Petitioner can punish all underlying criminals and apostates in his religion rapidly. An apostate, Samuel F. Herd and Gerrit Losch must be sentenced for penalty of capital punishment.

(5) Currently Petitioner is a poor one economically but Petitioner has read many books. And Petitioner cannot live in South Korea. Petitioner want to live in United States forever. And if the Petitioner has a good chance, Petitioner want to enter to the Cornell University and Petitioner would like to become as an international lawyer. If so, Petitioner can help another victims of crimes. So Petitioner hope that the prudent Justices of the Supreme Court of the United States wish to bless Petitioner. Then Petitioner can live his life happily without suffering economic problem anymore. If published its judgment here, then the Justices of the Supreme Court of South Korea and the Justices of the Supreme Court of Canada and the Justices of the Supreme Court of

Australia will respect and follow the unanimous decision of the Justices of the Supreme Court of the United States. And they will unanimous agree to firmly execute two or three Special Malicious Homosexual Rapist Master Murderers and punish all concealers because this is a very vicious special crime in U.S. history.

(6) The Petitioner is confident that the Justices of the Supreme Court in the world will unanimous agree and support this decision of religious freedom in liberal democratic societies. Because it affects and maintains on our good consciences forever. Petitioner who is immigrant victim of Qualifying Criminal Activity involving U.S. Citizens has suffered a physical injury or pecuniary loss. Therefore, Supreme Court of the United States must be compensated the petitioner for the great damages. Because the victim has entitled to receive the compensations for the damages proximately caused by the offense of the U.S. Administrators, obstruction of justice. *See* 18 U.S.C. §3663A - Mandatory restitution to victims of certain crimes, 18 U.S.C. §1511, 1512, 1513.

#### **Why Petitioner has filed this civil case really?**

(1) A Former President of the United States, Barack Obama has committed three crimes, a serious dereliction of his duty, obstruction of Justice, and a disturbance of Petitioner's freedom of religion. The President of the United States has violated First Amendment to the U.S. Constitution by preventing the Petitioner from punishing idolaters, punishing apostates, and punishing two special homosexual rapist master murderers within his religion. *Larson v. Valente*, 456 U. S. 228, 244 (1982); *Church of Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U. S. 520, 532

(1993); *Epperson v. Arkansas*, 393 U. S. 97, 106 (1968) Petitioner thinks that First Amendment to the U.S. Constitution includes Bible and Bible Laws. So before that, President of the United States, Barack Obama did not know the Bible and Bible law well, and now Petitioner thinks he has learned his mistaken by studying the Bible. So, in the letter of the Petitioner, Chief Justice of the Supreme Court of the United States, John G. Roberts knew that the Petitioner would have already known 4 years ago that he was very familiar with the content of the Bible and the law of God. And that Petitioner was thoroughly well-versed in the Bible from his bible teacher, and that Petitioner is very good and brave, knowing God's law very well, that Petitioner is anointed as the King of David of the Bible, and King as Jehoshaphat and Solomon. So Chief Justice, John G. Roberts can see that Petitioner must be protected from being murdered. Because many U.S. Citizens include Presidents of the United States, Barack Obama and Donald J. Trump and their administrations have committed a conspiracy to murder crime and has tried to conceal it. Therefore, Now Chief Justice of the Supreme Court of the United States, John G. Roberts has serious legal liability and responsibility with associated justices of the Supreme Court of the United States sincerely to help the foreign immigrant victim of an internationally conspiracy to murder crime involving many U.S. citizens. Therefore, if the Court were to draw a good line for this particular case, it would certainly have some healthy pedigree in the Court's previous decisions.

(2) Because the U.S. Constitution and Acts of Congress do not confer on the President broad authority to prohibit or



restrict the entry of aliens outside the United States when immigrant victims of Qualifying Criminal Activities involving U.S. Citizens inform law enforcement or judges of the United States about the malicious international conspiracy to murder crimes. See 18 U.S.C. §1151, 1152, 1153. But in case of petitioner, Congress surely permits the entry of Petitioner who is victim of Qualifying Criminal Activities involving U.S. Citizens outside the United States because he has possess a lot of information about the new specific underlying federal crime and about the serial murderers who are U.S. Citizen.

(3) 8 U.S.C. §1182(f) to allow the President to suspend entry but only for a period of time long enough for congress to say yea or nay. Petitioner is not a danger to the United States because the person is a real victim of Qualifying Criminal Activities involving U.S. citizens. And it is one of our fundamental values that there is religious freedom here for everybody in that, number adherence to every religion are entitled to equal treatment. Petitioner question was whether or not the inhibition on the ability to enter one of the proclamations forever? No. Because Petitioner subject to an exception within proclamation, because he is a victim of Qualifying Criminal Activities involving U.S. citizens. If Petitioner, fine, and the proclamation never applies.

(4) 1152(a)(1)(A) addresses one thing, the issuance of immigrant visas. It doesn't address the broader question over whether somebody's allowed to enter in the first place. That's governed by 1182, including 8 U.S.C.

§1182(f). So, essentially, 1182 sets the universe of people who are eligible to come into the country in the first place. And that is often a foreign policy and national security judgment. 1152(a)(1)(A) is one of the rules that governs how we distribute visas amongst that group that's eligible to come in. And it's not just nationality-based distinctions that it applies to. It also applies to things like place of residence. So, once you have that universe of eligible people, 1152(a)(1)(A) governs how you distribute them. But let's assume that you disagreed with me. All it would really mean is that we have to implement this proclamation in a slightly different way.

(5) Petitioner would have to issue immigrant visas but not non-immigrant visas to people who aren't allowed to enter, but we wouldn't have to allow anyone to enter and we wouldn't have to issue any non-immigrant visas. So the bottom line is I think they're simply wrong on that case -- on that issue. Petitioner final point has to do with my brother's recognition that, if the President were to say tomorrow that he was sorry, all of this would go away. Well, the President has made crystal-clear on September 25 that he had no intention of imposing the 'Foreign Victim Ban'. He has made crystal-clear that members of Jehovah's Witnesses Religion who are Conscientious Objection to Military Service in this country are great Americans and there are some Victims of Qualifying Criminal Activities involving U.S. Citizens who love this country, and he has praised God as one of the great countries of the world. This proclamation is about what it says it's about: foreign policy and national security. The President of the United States has unlawfully exercised

the broad discretion granted to him under 8 U.S.C. §1182(f) to suspend the entry of a foreign victim into the United States to conceal something. The Proclamation's elaborate system of exemptions and waivers can and should help us answer this question. That system provide for visas despite the Proclamation's general ban. Those persons include nonimmigrant victims of Qualifying Criminal Activities involving U.S. Citizens, asylum seekers, refugees, students, children, and numerous others as a group (rather than case by case), would not seem to pose security threats. Therefore, Petitioner would ask that this Court grant his admission into the United States. See *Trump v. Hawaii*, No. 17-965, 585 U.S.

(6) Second, instead of banning the entry of nationals from particular countries, Congress sough to encourage information sharing though a Visa Waiver Program offering fast-track admission for countries that cooperate with the United States. See 1187 Plaintiff point to contradiction with another provision of the INA, the President has not exceeded his authority under 8. U.S.C. §1182(f). By their count, every previous suspension order under 1182(f) can be slotted into one of two categories. The vast majority targeted discrete groups of foreign nationals engaging in conduct "deemed harmful by the immigration laws." President Obama's suspension of immigration from South Korea for a victim of an international conspiracy to murder crime involving U.S. citizens because there is illegal something. Presidents (Barack Obama and Donald J. Trump) have repeatedly suspended Petitioner entry to conceal something that maybe gun control matter and do not want to punish

serious murder criminals who are many members of the Jehovah's Witnesses after knowing that. Then, this is a very serious crime and must be punished by the Supreme Court of the United States.

(7) Petitioner want Justices to consider the unlawfulness of President order on the assumption that there is a hidden crime to intent to kill Petitioner who is a victim of Qualifying Criminal Activities involving U.S. Citizens really. Petitioner is not going to enter the United States with chemical and biological weapons. Petitioner could not kill tens of thousands of Americans. Because Petitioner is a conscientious objector, he does not hurt or kill Americans. On the other hand, Petitioner will be rescued tens of millions Americans in the future because I have to plan to invent smart pills or devices involving nonblood management in a new Hospital which name is Gilead Hospital from the underlying diseases. And Petitioner has more very good intentions and has plans to work for many fine works. For example, helping to renew or redesign for New York City Subway System, building a Gilead Prison or Facility Correction to improve inmates' conducts and to train them as missionaries. If so, then they will not be committed any crimes again. Petitioner can build smart shelters to rescue Americans from the tornadoes and hurricanes, and has many fine works for penniless ones in the United States. And Petitioner can read criminals' thinking and wicked intentions and can punish underlying every crimes and every criminals because has special abilities. And Chief Justice knows that what is a crux role of an Anointed Ones? His duty is fighting against wicked ones and wickedness as recorded

in the Bible. See "For this purpose the Son of God was made manifest, namely, to break up the works of the Devil." - 1 John 3:8. Petitioner has sent this regarding important matters to the Associated Justice Ruth Bader Ginsburg. Therefore, Petitioner must be allowed to board a flight to the United States and must not be detained in any Detention Facility in the United States again. Because Congress is also prescient enough to address this particular factual situation that might arise involving this special foreign victim in the future. Therefore, the President's cabinet are responsible to the executive and they've been told what the outcome of their deliberations must be? The President's cabinet, just like all of us here, is duty-bound to protect and defend the constitution. If any cabinet member were given that order, that cabinet member would refuse to comply or resign in the face of a plainly unconstitutional order. So Petition thinks that would be the initial check.

(8) Justices of the United States Federal Court of Appeals for the District of Columbia Circuit also repeatedly informed Petitioner that U.S. Amendments does apply to Petitioner. If so, blocking admission into the United States for important civil litigations that Petitioner was not allowed to board a flight to the United States because President of the United States ordered DHS unlawfully are violates the "spirit" of the Petitioner's First amendment rights and Seventh amendment rights. Because the sole prerequisite set forth in 8 U.S.C. §1182(f) is that the President "find[]" that the entry of the covered aliens "would be detrimental to the interests of the United States." And Petitioner was not allowed to board a flight to the United States to punish and to prosecute

underlying special rapist master murderers and some U.S. concealers also violate the “spirit” of the Petitioner’s Fifth amendment rights and Six amendment rights. So the Petitioner’s last question is that whether Constitutional Laws and Criminal Procedures to punish and to prosecute underlying murderers and concealers for testimony of the multiple conspiracy to murder crimes involving U.S. Citizens are superior than Immigration Laws and Regulations? And there is no threat to the U.S. national security involving Petitioner’s admission into the United States. Because under these circumstances, the Government has not set forth a sufficient national security justification to survive rational basis review. If so, Petitioner must be allowed to board a flight to the United States by the Supreme Court of the United States’ Judgment because President of the United States has committed underlying crimes. *See Marbury v. Madison*, 5 U.S. 137 (1803).

(9) Absolutely, Petitioner, this immigrant victim of Qualifying Criminal Activities involving U.S. citizens have U.S. Constitutional rights, must be protected by U.S. Constitution, U.S. Laws, and U.S. Regulations. But DHS and AG did not want to protect him thoroughly until now. Namely, under these circumstances, detaining or custody the immigrant victim who is a destitute asylum seekers of Qualifying Criminal Activities involving U.S. citizens in Detention Facility in the United States under 8 U.S.C. §1225(b) and was not allowed to board a flight to the United States are unlawful [in part] or unconstitutionality [in part].

(10) U.S. Constitution demands, and United States deserves, a Judiciary willing to hold the coordinate branches to account when they defy our most sacred legal commitments. This Court tentatively must retain the requirement on stare decisis grounds. Because the Petitioner is an 'Internationally Protected Person' like Secretary-General of the United Nations in accordance with 18 U.S.C. §1116. Therefore, The Petitioner must be protected by the United States. Because, "There is extraterritorial Federal jurisdiction over an offense under this section" in accordance 18 U.S.C. §1512 (h). The fact that the two provisions apply to the Petitioner means that no one include the President of the United States can commit any bad offense to the Petitioner. And Petitioner is seeking an order instating him as the New President of Jehovah's Witnesses, as well as \$30,000,000,000, which he states is the "value of Divine Law and Religious Freedom. (Psalm 105:14, 15; Jude 14, 15; Re 7:3, 4) *See* Seungjin Kim v. Watch Tower Bible and Tract Society of Pennsylvania, Et Al, Compl. ¶ 16 [Dkt. # 16]. 1:18-cv-00609-UNA.

### CONCLUSION

Therefore, Petitioner must be allowed to board a flight to the United States and must not be detained in any Detention Facility in the United States by Orders of the Supreme Court of the United States. Because this Petitioner is a good solution of immigration policy and immigration victim's rights for the United States. *See* 18 U.S.C. §3521, 18 U.S.C. §1511, 1512, 1513, and 28 U.S.C. §2241 - Habeas Corpus.

This Court should grant the petition for a writ of certiorari.

Respectfully submitted.

SEUNGJIN KIM

*35 Beolgyoyeondong-Gil,  
Boseong-Gun, Jeollanam-Do,  
Republic of South Korea.  
+82 10-8703-4350  
gudoshi@gmail.com*

July 2018