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IN THE  
Supreme Court of United States of America

DAVID G. JEEP, (PRO SE)

*Petitioner,*

v.

GOVERNMENT OF THE UNITED STATES OF AMERICA, ET<sup>1</sup> AL.,

*Respondents.*

**An Emergency Motion for  
Rehearing  
And / Or Reconsideration  
of**

No.18-5856 Petition for Writ of Certiorari to the Supreme Court  
of United States of America  
from

Eastern District of Missouri - St. Louis (4: 17-cv-02690-AGF)  
and The Eighth Circuit (17-3681)

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<sup>1</sup> The full list of respondent is several pages and is a part of the original petition in Eastern District of Missouri - St. Louis (4: 17-cv-02690-AGF) see is an appendices E-pages 1-4

1. Petitioner is and has been **criminally** incarcerated behind the deprivation of his inalienable constitutional paternal, property and liberty rights since the inception of this issue - 15 years.
2. As a primary reason for rehearing/reconsideration, per Supreme Court Rule 44.2 Rehearing - petitioner's response to the order of dismissal dated October 29, 2018 petitioner rebuts Martin v. District of Columbia Court of Appeals, 506 U.S. 1 (1992) as inapplicable. Martin is clearly limited to the "abuse of the writ of certiorari has been in **noncriminal cases**, and so **we limit our sanction accordingly.**" Petitioner asserts this issue is and has been criminal in all its phases

- origination,<sup>2</sup> persecution<sup>3</sup> and creation.<sup>4</sup> Again, the petitioner suffers from the results of the proverbial incarceration of a man without paternity, property and liberty rights as guaranteed inalienable by the Constitution for the United States of America.

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<sup>2</sup> Traffic ticket in Osage Beach Missouri May 18, 2003 - Originally presented as United States District Court for the Western District of Missouri Federal Court 4:07-cv-506-SOW (WD) - 8th Circuit 08-1823 and subsequently combined, because the criminal unreasonable, and thus unconstitutional, combination is the issue, in Petition for Certiorari 11-8211, 13-7030, 13-5193, 14-5551, 14-10088, 15-8884 and 18-5856.

<sup>3</sup> See Federal Criminal Case #4:09-cr-00659-CDP dismissed **without prejudice**. I feel confident, I am still under watch because of unaddressed and unresolved issues today.

<sup>4</sup> The extra-judicial (coram non judice) Article III Judiciary's (18 U.S. Code § 241) criminal conspiracy against rights to unreasonable and thus unconstitutionally combine TWO unrelated issues, an alleged CRIMINAL misdemeanor traffic violation and an ex parte order of protection. 1.

Petitioner is and has been criminally incarcerated behind the deprivation of his inalienable constitutional paternal, property and liberty rights since the inception of this issue - 15 years.

3. The Petitioner notes the extra-judicial court criminally (18 U.S. Code § 241) combined an unconstitutional criminal conviction<sup>5</sup> as the UNREASONABLE, and thus unconstitutional (18 U.S. Code § 241), probable cause for the ex parte of protection dated November 3, 2003 in furtherance of a criminal fraud (18 U.S. Code § 1341) for two of the initial respondents (S. Jeep and Capps).
4. This was all presented as reasonable probable cause of "**under color of law**" crimes against rights (18 U.S. Code § 241) to the USAG/Holder, FBI/STL and USMS/STL in letters **and interviews** in February and early

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<sup>5</sup> Originally presented as United States District Court for the Western District of Missouri Federal Court 4:07-cv-506-SOW (WD) - 8th Circuit 08-1823

March 2009.<sup>6</sup> This was before being arrested and held without bail for 411 days for the same. You do not believe me see probable cause statement for Criminal Case #4:09-cr-00659-CDP.

5. Because of the Court's extra-judicial (coram non judice) "**under color of law**" order of dismissal, dated October 29, 2018, attempts to self-servingly deny the many "**under color of law**" unconstitutional crimes (18 U.S. Code § 241) of the extra-judicial (coram non judice) Article III Judiciary, I feel it necessary to more clearly restate,

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<sup>6</sup> See probable cause **published online** in Federal Criminal Case #4:09-cr-00659-CDP based on letters (as published on online) dated Monday, February 02, 2009 US AG/Holder, Tuesday, February 10, 2009 BLOG post, Sunday, March 01, 2009 to FBI, Friday, Wednesday March 4, 2009 USMS and Friday March 06, 2009 FBI, again, see Federal Criminal Case #4:09-cr-00659-CDP.

for the record, the "**under color of law**" crimes (18 U.S. Code § 241 - Conspiracy against rights) of the Article III Judiciary and others as proven by the undisputed ongoing facts of the case. The Petitioner still suffers from the effects of the states' ongoing proverbial incarceration via the denial of rights under "color of law" the result of a criminal conspiracy against rights (18 U.S. Code § 241 - Conspiracy against rights) and a criminal fraud (18 U.S. Code § 1341) for the two initial respondents (S. Jeep and Capps):

- a. For the record, as documented by evidence as maintained online, I note the TWO major "**under color of law**" crimes of the extra-judicial (coram non

judice) Article III judiciary  
were initiated on May 18, 2003  
with the "under color of law"  
incompetent arrest and  
subsequent unconstitutional  
persecution and conviction  
(United States v. Agurs, 427  
U.S. 103 (1976)) by Mr. Alex  
Little, Officer Badge #920 and  
Mr. Tim Taylor Officer Badge  
#913 in Osage Beach, Missouri -  
the 26<sup>th</sup> Circuit Court State of  
Missouri. All of which was  
then unreasonably, thus  
unconstitutionally, criminally  
(18 U.S. Code § 241 -  
Conspiracy against rights) and  
extra-judicially (coram non  
judice) incorporated "**under**  
**color of law**" into the

subsequent fraudulent<sup>7</sup> petition  
for an **ex parte** order of  
protection dated November 3,  
2003 in St. Louis County,  
Missouri.

b. a fraud (fraus omnia  
corrumpit<sup>8</sup>) on the court "**under  
color of law**" by an officer of  
the court (FRCP 60(d)(3))<sup>9</sup>

c. again, a fraudulent<sup>10</sup> "**under  
color of law**" NOT "facially  
valid court order"<sup>11</sup> (Stump v.

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<sup>7</sup> 18 U.S. Code § 1341 - Frauds and swindles

<sup>8</sup> fraus omnia corrumpit - "Fraud corrupts all." -  
A principle according to which the discovery of  
fraud invalidates all aspects of a judicial  
decision or arbitral award.

<sup>9</sup> Rule 60(d)(3) of the Federal Rules of Civil  
Procedure - "set aside a judgment for fraud on  
the court"

<sup>10</sup> 18 U.S. Code § 1341 - Frauds and swindles

<sup>11</sup> The assertion of a misdemeanor traffic  
violation does not provide REASONABLE probable  
cause for an ex parte order of protection.  
Clearly based on the original SERVED handwritten  
petition dated 11-03-03, THERE WAS A COMPLETE  
ABSENCE OF JURISDICTION for the stated charge.

Sparkman, 435 U.S. 356-57 (1978)  
PENN v. U.S. 335 F.3d 790  
(2003)) -

- d. that was reckonably<sup>12</sup> issued  
"under color of law" "in the  
"clear absence of all  
jurisdiction," (Mireles v.  
Waco, 502 U.S. 9, 11-12, 112  
S.Ct. 286, 116 L.Ed.2d 9 (1991)  
(per curiam) PENN v. U.S. 335  
F.3d 790 (2003))
- e. "under color of law" "beyond  
debate" (Ashcroft v. al-Kidd,  
563 U. S. 731, 741 (2011),  
Mullenix v. Luna 577 U. S.  
\_(2015))

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<sup>12</sup> If reason (reckonability) does not limit jurisdiction with probable cause, nothing can. "reckonability" is a needful characteristic of any law worthy of the name." Antonin Scalia: The Rule of Law as a Law of Rules, 56 U. Chi. L. Rev. 1175, 1175-81 (1989)

f. "under color of law"

"sufficiently clear that every reasonable official would have understood that what he is doing violates that right" (Anderson v. Creighton, 483 U. S. 635, 640 (1987), Ashcroft v. al-Kidd, 563 U. S. 731, 741 (2011)).<sup>13</sup>

g. "under color of law" **THE GRAVITAS OF THE PERSONAL**<sup>14</sup>

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<sup>13</sup> "To this day, I am haunted by the vivid memory of the confirming shrug from the Police Officer when I questioned it as served on November 3, 2003. I am further haunted by the memory of the same confirming shrug when Commissioner Jones first saw the absurdity of the court order on the bench November 20, 2003 as my attorney then highlighted as he repeated his prior objections." Lisa Nesbit c/o OFFICE OF THE CLERK Thursday, June 15, 2017, 10:23:36 AM

<sup>14</sup> While the petitioner asserts this is not necessarily an isolated Jane Crow issue, it is a uniquely flagrant "first impression" and PERSONAL for the petitioner. Per McCabe v. Atchison, T. & S.F. Ry. Co., 235 U.S. 151 (1914) " The essence of the constitutional right to equal protection of the law is that it is a personal one, and does not depend upon the number of persons affected, and any individual who is denied by a common

ISSUE IS BEYOND QUESTION, IT  
TOOK AWAY PETITIONER'S SON,  
HOME, CAR AND EVERYTHING HE  
ONCE HELD DEAR IN THE WORLD.

Thus the issue could never be  
construed as merely vexatious<sup>15</sup>  
nor is the fight against  
ongoing flagrant injustice a  
"continual Calumniation"<sup>16</sup> nor  
could a 15 year struggle  
against injustice be construed  
as an inconsequential "short  
ride."<sup>17</sup>

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carrier, under authority of the state, a facility  
or convenience which is furnished to another  
under substantially the same circumstances may  
properly complain that his constitutional  
privilege has been invaded."

<sup>15</sup> Bradley v. Fisher, 80 U.S. 335 (1871), Page 80  
U. S. 348 and 349

<sup>16</sup> Floyd and Barker. (1607) Easter Term, 5 James I  
- In the Court of Star Chamber. - First Published  
in the Reports, volume 12, page 23.

<sup>17</sup> Tennessee Supreme Court, which reversed the  
lower court's ruling in 1887. It concluded, "We  
think it is evident that the purpose of the  
defendant in error was to harass with a view to  
this suit, and that her persistence was not in

h. Petitioner was then forced  
"under color of law" into the  
extra-judicial (coram non  
judice) domestic relations  
court where the court's "under  
color of law" fraud, fraus  
omnia corrumpit,<sup>18</sup> had deprived  
the petitioner of resources and  
the psychological capacity  
(Post-Traumatic Stress  
Disorder). He had fewer rights  
than an African American in a  
"Jim Crow" jail shot dead in  
the back for trying to resist  
arrest for merely looking at a  
white woman

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good faith to obtain a comfortable seat for the  
short ride." (Southwestern Reporter, Volume 4,  
May 16-August 1, 1887).

<sup>18</sup> fraus omnia corrumpit - "Fraud corrupts all." -  
A principle according to which the discovery of  
fraud invalidates all aspects of a judicial  
decision or arbitral award.

i. On November 3, 2003 "**under color of law**" Judge Joseph A. Goeke III clearly had no "subject matter" jurisdiction for the statute's stated "subject matter," i.e., "An immediate and present danger of domestic violence."

j. On November 3, 2003 "**under color of law**" Judge Joseph A. Goeke III ruled ex parte, by definition, without personal jurisdiction of the petitioner. And the referenced alleged misdemeanor traffic violation, was already under the BONDED personal jurisdiction of another judge, Associate Circuit Judge Jack A. Bennett of 26th District of Missouri. Petitioner was ultimately found

to be innocent in due course at a jury trial of the then prior driving while suspended.<sup>19</sup>

k. On November 3, 2003 "**under color of law**" Judge Joseph A. Goeke III ruled ex parte, by definition, without geographic jurisdiction of the petitioner. Judge Joseph A. Goeke III was a part of the 21st District of Missouri in St. Louis County some 170 miles away from the site of the alleged BONDED misdemeanor traffic violation

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<sup>19</sup> It should be noted, that the petitioner was found guilty of DWI. Although the petitioner contests this conviction too, with this petition. The conviction was a violation of petitioner's' constitutional rights i.e., "The rule of Brady v. Maryland, 373 U. S. 83, arguably applies in three quite different situations. Each involves the discovery, after trial, of information, which had been known to the prosecution but unknown to the defense." - United States v. Agurs, 427 U.S. 103 (1976). This can be documented, with the trial transcript and outside confirmation of standards, requested but never provided pretrial.

and Associate Circuit Judge Jack A. Bennett in the 26th District of Missouri, Osage Beach, Camden County Missouri. Petitioner was ultimately found to be innocent in due course at a jury trial of the then prior driving while suspended.<sup>20</sup>

- l. Since the "***under color of law***" extra-judicial (coram non judice) hearing on November 20, 2003, nearly 15 years total, with 11 years homeless, 411 days in federal custody, ago

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<sup>20</sup> It should be noted, that the petitioner was found guilty of DWI. **Although the petitioner contests this conviction too, with this petition.** The conviction was a violation of petitioner's' constitutional rights i.e., "The rule of Brady v. Maryland, 373 U. S. 83, arguably applies in three quite different situations. Each involves the discovery, after trial, of information, which had been known to the prosecution but unknown to the defense." - United States v. Agurs, 427 U.S. 103 (1976). This can be documented, with the trial transcript and outside confirmation of standards, requested but never provided pretrial.

the petitioner has been  
RELENTLESSLY appealing the  
undisputed and unsustainable  
extra-judicial (coram non  
judice) fraud on the court by  
an officer of the court, fraus  
omnia corrumpit,<sup>21</sup> with eight  
trips through the conspiring  
extra-judicial (coram non  
judice) Federal (district and  
circuit) Courts and seven  
docketed and denied petitions  
for writ of certiorari to the  
co-conspiring extra-judicial  
(coram non judice) Supreme  
Court (07-11115, 11-8211, 13-  
7030, 13-5193, 14-5551, 14-  
10088 and 15-8884).

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<sup>21</sup> fraus omnia corrumpit - "Fraud corrupts all." -  
A principle according to which the discovery of  
fraud invalidates all aspects of a judicial  
decision or arbitral award.

6. As a secondary reason for rehearing/reconsideration, per Supreme Court Rule 44.2 Rehearing, of the "motion for leave to proceed in forma pauperis is denied, and the petition for a writ of certiorari is dismissed." I want to assert facts not in evidence at the time of the original petition for reconsideration per Rule 44.2 Rehearing. Petitioner states Donald J. Trump is in office the result of a CRIMINALLY FRAUDULENT ELECTION, and/or is physically incapable of reasoned thought. Trump's two appointments to the Supreme Court bench, are a criminal result of the fraud.

7. As a tertiary reason for rehearing/reconsideration, per Supreme Court Rule 44.2 Rehearing

petitioner submits this is "first impression" of a major justice / social issue in the #metoo and #himtoo "twitter" universe and RIPE for the Supreme Court's review.

8. Additionally Supreme Court Rule 39.8 "If satisfied that a petition for a writ of certiorari, jurisdictional statement, or petition for an extraordinary writ is frivolous or malicious, the Court may deny leave to proceed in forma pauperis."

a. The original petition for a writ of certiorari clearly is not frivolous, nor malicious nor inconsequential - as stated the GRAVITAS OF THE PERSONAL<sup>22</sup>

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<sup>22</sup> While the petitioner asserts this is not necessarily an isolated Jane Crow issue, it is a uniquely flagrant "first impression" and PERSONAL for the petitioner. Per McCabe v. Atchison, T. & S.F. Ry. Co., 235 U.S. 151 (1914) "The essence of the constitutional right to equal protection of the law is that it is a personal one, and does

ISSUE IS BEYOND QUESTION, the  
state of Missouri 21<sup>st</sup> Circuit  
Court, acting extra judicially  
(*coram non judice*) "under color  
of law" through an Associate  
Circuit Judge and a Family  
Commissioner TOOK AWAY  
PETITIONER'S SON, HOME, CAR AND  
EVERYTHING HE ONCE HELD DEAR IN  
THE WORLD at the most  
vulnerable time in his life.  
Thus the issue could never be  
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not depend upon the number of persons affected,  
and any individual who is denied by a common  
carrier, under authority of the state, a facility  
or convenience which is furnished to another  
under substantially the same circumstances may  
properly complain that his constitutional  
privilege has been invaded.

Congressman Beatty of Ohio claimed that it was  
the duty of Congress to listen to the appeals of  
those who,

"by reason of popular sentiment or secret  
organizations or prejudiced juries or bribed  
judges, [cannot] obtain the rights and privileges  
due an American citizen. . . ."

it vexatious<sup>23</sup> nor is the ongoing fight against flagrant injustice a "continual Calumniation"<sup>24</sup> nor could a 15 year struggle against injustice be construed as an inconsequential "short ride."<sup>25</sup> While the "Jane Crow" proponents of the current domestic relations court want to assert that men have always been the ones to leave, I, for

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<sup>23</sup> Bradley v. Fisher, 80 U.S. 335 (1871), Page 80 U. S. 348 and 349

<sup>24</sup> Floyd and Barker. (1607) Easter Term, 5 James I - In the Court of Star Chamber. - First Published in the Reports, volume 12, page 23.

<sup>25</sup> Ida B. Well v. Chesapeake & Ohio Railroad - Tennessee Supreme Court, which reversed the lower court's ruling in 1887. It concluded, "We think it is evident that the purpose of the defendant in error was to harass with a view to this suit, and that her persistence was not in good faith to obtain a comfortable seat for the short ride." [Southwestern Reporter, Volume 4, May 16-August 1, 1887.

one<sup>26</sup> object. I demand "due process" and "equal protection of the law" before I relinquish my constitutional paternity, property and liberty rights "**under color of law**" (i.e., 18 U.S. Code § 241 - Conspiracy against rights and Title 42 § 1983. Civil action for deprivation of rights).

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<sup>26</sup> While the petitioner asserts this is not necessarily an isolated Jane Crow issue, it is a uniquely flagrant "first impression" and PERSONAL for the petitioner. Per McCabe v. Atchison, T. & S.F. Ry. Co., 235 U.S. 151 (1914) " The essence of the constitutional right to equal protection of the law is that it is a personal one, and does not depend upon the number of persons affected, and any individual who is denied by a common carrier, under authority of the state, a facility or convenience which is furnished to another under substantially the same circumstances may properly complain that his constitutional privilege has been invaded.

Congressman Beatty of Ohio claimed that it was the duty of Congress to listen to the appeals of those who,

"by reason of popular sentiment or secret organizations or prejudiced juries or bribed judges, [cannot] obtain the rights and privileges due an American citizen. . . ."

9. Supreme Court Supreme Court Rule 38(a) does not apply as substantiated as an unchanged FACT numerous times, most recently by the Eighth Circuit in 17-3681.

10. Supreme Court Rule 33.1 does not apply because of the petitioner's pro-se and indigent status as confirmed by precedent of the prior petitions 07-11115, 11-8211, 13-7030, 13-5193, 14-5551, 14-10088 and 15-8884 in this matter.

11. Per Supreme Court Rule 44.2 Rehearing and the aforementioned dismal dated October 29, 2018 this is very much **NOW** and always has been a **criminal matter** as Petitioner asserts it as a crime under 18 U.S. Code § 1341 - Frauds and swindles, 18 U.S. Code § 241 - Conspiracy against rights and the 15

year struggle makes it, ADDITIONALLY,  
a crime under 18 U.S. Code Chapter  
96 - Racketeer Influenced and  
Corrupt Organizations Act.

The Petition and Motion should be  
granted.

Respectfully submitted, **Wednesday,**  
**November 07, 2018,**

A handwritten signature in black ink, appearing to read 'David G. Jeep', with a large, sweeping initial 'D'.

**David G. Jeep**

General Delivery

Saint Louis, MO 63155-9999

**314-514-5228 - Dave@DGJeep.com.**

**The plaintiff is homeless because of this  
issue.**

Wednesday, November 07, 2018

Clerk of the Court, via USPO "Priority Mail 2-Day™ Flat Rate Envelope"  
Supreme Court of the United States  
One First Street N.E.  
Washington, DC 20543-0001

Re: An Emergency Motion for Rehearing And / Or Reconsideration of No.18-5856 Petition for Writ of Certiorari to the Supreme Court of United States of America

Dear People,

What you have to ask yourselves is this, possibly, another Ida B. Wells we are dealing with or Rosa Parks? As to the facts, the only actual physical difference between Wells and Parks was the length of the "short rides" in question, intercity or intra-city. The injustice of racial discrimination was and is facilitated by the Article III judiciary's self-serving grant of absolute immunity, in direct opposition to We the People's democratic jury based constitutional system of justice, law and equity.<sup>1</sup>

It is inevitable that justice of the people, by the people and for the people will prevail. I feel confident, I am not only one that refuses to accept "judges, under all circumstances, no matter how outrageous their conduct, are immune from suit under 17 Stat. 13, 42 U.S.C. § 1983. The Court's ruling is not justified by the admitted need for a vigorous and independent judiciary, is not commanded by the common law doctrine of judicial immunity, and does not follow inexorably from our prior decisions."<sup>2</sup>

Now Well's and Parks' reaction to the government actors was different, it took the conductor and two men to drag Wells out of the car, while Parks went quietly with the officers. I aspire to being every-bit as dogged as Wells while maintaining the relentless legality and pacificity of Parks.

The Judicial results were not much different. Wells was ultimately ordered to pay court costs for the privilege of her "short ride," while Parks was fined \$10 plus \$4 in court costs. Precedentially, Ida B. Wells' ride was at the beginning of nearly a century of Jim Crow Lynching; while Rosa Parks' signaled the end of Jim Crow Lynching. Otherwise, the only difference between the beginning and the end is the judicial sophistry used.

While I am more like Wells, in that, I am proverbially kicking and screaming about the Horrors of Jim Crow and now Jane Crow<sup>3</sup>: Lynch Law in All Its

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<sup>1</sup> Article III Section 2 "*Trial of all Crimes... shall be by Jury*" and VII Amendment – "*In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.*"

<sup>2</sup> MR. JUSTICE DOUGLAS, dissenting Pierson v. Ray, 386 U.S. 558 (1967)

<sup>3</sup> "Jane Crow" era - 1974 forward - where "MEN ARE DISFAVORED BY AMERICAN DOMESTIC RELATION LAW."

Page 1 of 5

**David G. Jeep**

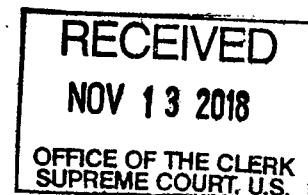
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2018 11-01-18 Transmittal Motion for Reconsideration Writ 18-5856 The Supreme Court REV 00



Phases, I am also like Parks chasing the legal remedy, hopefully, to new ground!

The end of Jim Crow was inevitable; similarly, the end of Article III "absolute immunity" is in sight. The world is getting to be too small a place to maintain the illusion of a necessity for absolute immunity. To quote Abraham Lincoln:

**"You can fool all the people some of the time and some of the people all the time, but you cannot fool all the people all the time."**

Intelligent persons are self-realizing that they know how to deal with the differences between honest good faith error and malicious-corruption of rights.

To believe the Article III judiciary's self-serving malicious corruption - **"We the People" have, all evidence to the contrary "sub silentio,"<sup>4</sup> traded the "King can do no WRONG" for the ABSOLUTELY IMMUNE actions of the "malicious or corrupt" judges,<sup>5</sup> "malicious or dishonest" prosecutor,<sup>6</sup> "knowingly false testimony by police officers",<sup>7</sup> corrupt, malicious, dishonest, sincerely ignorant and conscientiously stupid actions of federal, state, local, and regional legislators<sup>8</sup> and the malicious, corrupt, dishonest, sincerely ignorant and conscientiously stupid actions of "all persons (spouses) -- governmental or otherwise -- who were integral parts of the judicial process"<sup>9</sup> acting "under color of law" to render ABSOLUTE CORRUPTION of our inalienable constitutional rights.**

***"We have long enough suffered under the base prostitution of law to party passions in one judge, and the imbecility of another. In the hands of one the law is nothing more than an ambiguous text, to be explained by his sophistry into any meaning which may subserve his personal malice"*** (Thomas Jefferson, To John Tyler - Monticello, May 26, 1810)

How can an Article III Court, a delegated authority, acting under a sworn to constitutional commission, **awarded themselves** and others "**absolute immunity**"<sup>10</sup> from their constitutional commission to "**do not only what their powers do not authorize, but what they forbid**"<sup>11</sup> i.e., the "*deprivation of any rights, privileges, or immunities secured by the Constitution and laws of the United*

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<sup>4</sup> *Briscoe v. LaHue*, 460 U.S. 362 (1983)

<sup>5</sup> *Bradley v. Fisher*, supra, 80 U. S. 335, 80 U. S. 349, note, at 80 U. S. 350, *Pierson v. Ray*, 386 U. S. 57 (1967) *Stump v. Sparkman*, 435 U.S. 349 (1978)

<sup>6</sup> *Imbler v. Pachtman*, 424 U. S. 428 (1976)

<sup>7</sup> *Briscoe v. LaHue*, 460 U.S. 345 (1983)

<sup>8</sup> *Bogan v. Scott-Harris* - 523 U.S. 44 (1997) *Tenney v. Brandhove*, 341 U. S. 367, 372, 372-376; *Amy v. Supervisors*, 11 Wall. 136, 138

<sup>9</sup> *Briscoe v. LaHue*, 460 U.S. 345 (1983)

<sup>10</sup> "**absolute immunity** from subsequent damages liability for all persons -- governmental or otherwise -- who were integral parts of the judicial process." *Briscoe v. LaHue*, 460 U.S. 325 (1983) @ Page 460 U. S. 335

<sup>11</sup> Alexander Hamilton June of 1788 at the ratification of the Constitution for the United States of America, *The Federalist Papers* No. 78, "The Judiciary Department"

**David G. Jeep**

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*States of America*<sup>12</sup> "under color of law?" Even the statement of the premise is self-contradictory.

As past, present and possible future repeating of specific uncivilized examples of the Article III Judicial sophistry,<sup>13</sup> that has and possibly will corrupt ***We the People's*** unalienable democratic rights "***under color of law***," I submit, *Randall v. Brigham*, 74 U.S. 7 (1868)<sup>14</sup> the origin of judicial criminal sophisticated "***under color of law***" "absolute immunity," *Bradley v. Fisher*, 13 Wall. 335 (1872)<sup>15</sup> origin of sophisticated "***under color of law***" Judicial civil "absolute immunity," *Blyew v. United States*, 80 U.S. 581 (1871) sophisticated "***under color of law***" "absolute immunity" for racially motivate mass murder, *United States v. Reese*, 92 U.S. 214 (1875) sophisticated "***under color of law***" deprivation of the 15<sup>th</sup> Amendment's Voting Rights protection with the subterfuges of poll taxes, literacy tests, and grandfather clauses, *United States v. Cruikshank*, 92 U.S. 542 (1875) sophisticated "***under color of law***" "absolute immunity" for racially motivated massacre (Colfax Riot/pogrom), *United States v. Harris*, 106 U.S. 629 (1883) sophisticated "***under color of law***" "absolute immunity" for the state's sanctioned kidnapping, assault and murder without regard to the 14<sup>th</sup> Amendment's security, *Civil Rights Cases*, 109 U.S. 3 (1883) creating sophisticated "***under color of law***" racial segregation and the ongoing Jim Crow discrimination over the "necessary and proper" "Act to protect all citizens in their civil and legal rights." 18 Stat. 335, enacted March 1, 1875, *Plessy v. Ferguson*, 163 U.S. 537 (1896) separate and UNEQUAL, clarifying sophisticated<sup>16</sup> segregation over the necessary and proper "Act to protect all citizens in their civil and legal rights." 18

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<sup>12</sup> Title Criminal 18, U.S.C. § 241 & 242, and Title Civil 42 U.S.C. § 1983 & 1985 **The absence of exigent circumstances should be noted.**

<sup>13</sup> "***We have long enough suffered under the base prostitution of law to party passions in one judge, and the imbecility of another. In the hands of one the law is nothing more than an ambiguous text, to be explained by his sophistry into any meaning which may subserve his personal malice***" (Thomas Jefferson, To John Tyler - Monticello, May 26, 1810)

<sup>14</sup> *Randall v. Brigham* was the first precedent empowering criminal immunity, just two years after the passage of the Civil rights Act of 1866 that had hoped to statutorily establish the rule of law in front of "***any person who, under color of law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right***." Where "any person" clearly included Judges. I mean why even write any criminal laws if those tasked with their judicial enforcement are not bound by the same laws.

*Randall v. Brigham*, asserting *Floyd & Barker* (Star Chamber 1607), was a criminal subterfuge to give the judiciary ABSOLUTE immunity from the UNQUALIFIED criminal liability for "the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States" enacted by the Civil Rights Act of 1866, now codified into the U. S. Code of law 18 USC §241 and §242.

<sup>15</sup> Likewise *Bradley v. Fisher*, 80 U.S. 335 (1871), also asserting *Floyd & Barker* (Star Chamber 1607), was a criminal subterfuge to give the judiciary ABSOLUTE immunity from the UNQUALIFIED civil liability for "the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States" enacted by the Civil Rights Act of 1871 (42 USC §1983-§1985).

<sup>16</sup> Judicial sophistry is the "**ABSOLUTE**" WORST kind of sophistication, *ibid*.

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Stat. 335, enacted March 1, 1875, Pierson v. Ray, 386 U.S. 547 (1967) reaffirmed Judicial sophisticated "***under color of law***" "absolute immunity," Imbler v. Pachtman, 424 U. S. 409 (1976) prosecutorial sophisticated "***under color of law***" "absolute immunity," Stump v. Sparkman, 435 U.S. 349 (1978) sophisticated "***under color of law***" "absolute immunity" for forced sterilization, and Briscoe v. LaHue, 460 U.S. 325 (1983) sophisticated "***under color of law***" "absolute immunity" for "knowingly false testimony by police officers," and "all persons that were integral in the Judicial Process." If that is not ABSOLUTE CORRUPTION of We the People's intent to establish justice, I cannot imagine what is?

**I am living proof of what the Article III corruption can do** after 15 years of struggle, 11 years homeless, 411 days in custody and not to mention EIGHT Petitions for Writ of Certiorari (07-11115, 11-8211, 13-7030, 13-5193, 14-5551, 14-10088 and 15-8884) to the Supreme Court DENYING the constitutional assurance of governmental accountability with 1<sup>st</sup> and 7<sup>th</sup> Amendment Justice, law and equity,<sup>17</sup> **with undisputed proof of Article III judicial corruption in hand - it is has been an all-consuming inescapable death sentence.** Unlike in the Jim Crow Era when, white robed and hooded, the criminal actors took their victims in the dark of night into the woods to lynching them, the Article III black robed criminal actors in today's Jane Crow era do it in the broad daylight of a courtroom and there is not a DAMN THING ANYBODY CAN DO ABOUT IT!

The Article III Court's assertion of "***under color of law***" "absolute immunity" is only reconcilable with the absurdity "***explained by his sophistry into any meaning which may subserve his personal malice***"

**The idea of "*under color of law*" "absolute immunity" for Judges,<sup>18</sup> Prosecutors,<sup>19</sup> Police<sup>20</sup> and much less all Persons<sup>21</sup> for the "un-**

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<sup>17</sup> Justice without regard to equity impoverishes the victim at the expense of the evil they have suffered. I have been forced into poverty, homelessness for 5.69 years!!!! (as of Saturday July 13 2013 02:30 PM) The 1<sup>st</sup> Amendment secures the constitutional right to **a lawfully un-abridgable justifiable redress of grievance** from the government: "Congress shall make no law abridging the right of the people to petition **the Government** for a redress of grievances." The 7<sup>th</sup> Amendment secures the right to settle all suits: "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of **trial by jury shall be preserved**, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law" assures justice as regards equity.

<sup>18</sup> "This immunity applies even when the judge is accused of acting ***maliciously and corruptly***, and it "is not for the protection or benefit of a ***malicious or corrupt*** judge, but for the benefit of the public, whose interest it is that the judges should be at liberty to exercise their functions with independence and without fear of consequences.'" Pierson v. Ray, 386 U.S. 554 (1967)

<sup>19</sup> "To be sure, this immunity does leave the genuinely wronged defendant without civil redress against a prosecutor whose ***malicious or dishonest*** action deprives him of liberty. But the alternative of qualifying a prosecutor's immunity would disserve the broader public interest. It would prevent the vigorous and fearless performance of the prosecutor's duty that is essential to the proper functioning (Page 424 U. S. 428) of the criminal justice system." Imbler v. Pachtman, 424

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**der color of law" "deprivation of any rights, privileges, or immunities secured by the Constitution and laws of the United States of America"<sup>22</sup> is COMPLETELY ABSURD!**

I sometimes feel like the waif in "The Emperor's New Clothes." AM I THE ONLY ONE THAT CAN SEE IT?

**ANY assertion of personal ABSOLUTE IMMUNITY, without proof of divinity, is a fraud, by any standard of Justice, law and equity,<sup>23</sup> in a government of free and equal humanly fallible persons on THIS PLANET!!!!**

If there is anything further, I can do for you in this regard, please let me know.

Thank you in advance.

"Time is of the essence"



David G. Jeep

enclosure

- a. "An Emergency Motion for Rehearing And / Or Reconsideration of No.18-5856 Petition for Writ of Certiorari to the Supreme Court of United States of America"

cc: My Blog ([www.DGJeep.blogspot.com](http://www.DGJeep.blogspot.com)) - Wednesday, November 07, 2018, 3:58:38 PM

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U. S. 428 (1976)

<sup>20</sup> There is, of course, the possibility that, despite the truthfinding safeguards of the judicial process, some defendants might indeed be unjustly convicted on the basis of ***knowingly false testimony by police officers***. (Briscoe v. LaHue, 460 U.S. 345 (1983))

<sup>21</sup> "In short, the common law provided absolute immunity from subsequent damages liability for all persons -- governmental or otherwise -- who were integral parts of the judicial process." Briscoe v. LaHue, 460 U.S. 335 (1983)

<sup>22</sup> Title Criminal 18, U.S.C. § 241 & 242, and Title Civil 42 U.S.C. § 1983 & 1985 **The absence of exigent circumstances should be noted.**

<sup>23</sup> Justice without regard to equity impoverishes the victim at the expense of the evil they have suffered. I have been forced into homelessness for 11 YEARS! The 1<sup>st</sup> Amendment secures the constitutional right to a lawfully un-abridge-able redress of grievance from the government: "Congress shall make no law abridging the right of the people to petition the Government for a redress of grievances." The 7<sup>th</sup> Amendment's secures the right to settle all disputes/suits: "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law" assures justice as regards equity.

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