

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Jaame Amun Re: EI[®] — PETITIONER
(Your Name)

VS.
UNITED STATES OF AMERICA,
U.S.D.C. Judge Amy Totenberg,
Warden Randy Tillman — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF GEORGIA - ATLANTA DIVISION
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Minister Jaame Amun Re: EI[®], USMS# 69854019, Unit A4, Rm 201
(Your Name)

Robert A. Depton Detention Facility
11866 Hastings Bridge Road
(Address)

Lawrence, Georgia 30250
(City, State, Zip Code)

(Phone Number)

Supreme Court Of The United States

Jaame Amun Re El ©
Petitioner, Litigant

vs

UNITED STATES OF AMERICA,
Assistant U.S. Trustee Lynsey Morris Barron

U.S.D.C. Judge Amy Totenberg,
Administrator For Prior Judgment

"Warden" Randy Tillman
Facility Respondent, Head Administrator

ACTION NO.

Petition For A Writ Of Habeas Corpus ✓

Per Const. Art. III, Amend. I, 28 USC § 2241, 6 Am Jd Attach-

§408, Fed. R. Civ. P. Rule 60(b)(5), Program Statements 5100.1 :

PETITION FOR A WRIT OF HABEAS CORPUS

- ① This court has jurisdiction pursuant to Const. Article III, Amendment I, and Program Statement 5100.1.
- ② Petitioner was involuntarily placed in the Robert A. Dayton Detention Facility on February 24th, 2016, by order of the United States District Court Northern District Of Georgia - Eleventh Circuit-Atlanta Division, in and for Fulton County.
- ③ Petitioner is being held involuntarily by United States District Court Judge Amy Totenberg (Court Administrator), assisted by Warden Randy Tillman at the Robert A. Dayton Detention Facility located at 11866 Hastings Bridge Road, Lovejoy Georgia 30250. Warden Randy Tillman is the Head Administrator at this Facility.
- ④ Petitioner believes that he is being deprived of his freedom for invalid and illegal reasons. Petitioner also holds that his experiences indicates "that adequate relief can not be obtained in any other form or from any other court," concerning appeal.
- ⑤ Petitioner knows that his confinement is illegal because: Discovered "variance(s)" are found evident within the cited "AFFIDAVIT IN SUPPORT OF AN APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT" (p.3#10) and Mr. El's charged indictment (p.7#13) count Eleven. The statements made within both documented instruments contrast. The "probable cause" itself (p.14 of doc. 251#3) is also flawed. Subsequently, the "search warrant" was granted by U.S. Magistrate Justin S. Anand, in violation of "Canon 5." (Ref. doc. 25 Exhibits) Fatally a reversible error. The same gave rise to "fruit of the poisonous tree," and is an "open end warrant" nullity.
In light of the above, Upon receiving the "True Bill," after it was read into the record (openly) in Court at the initial arraignment, Mr. El established a "qualified acceptance" of the bill and tendered it as a demand deposit, "special deposit" per 28 USC § 3002(e)(3)(B)/12 USC § 95a(c)/11 Am Jd B&N § 901.

[*Penal Statute Amount alleged. Ref. Doc. 16, 179, 186, 195, 196, 251, 262]

⑥ Petitioner proceeds [ProSe] actor in rem suam, nunc pro tunc.

WHEREFORE, Petitioner prays that this Court:

- ① Enter an order authorizing Petitioner's release from involuntary placement at the Robert A. Dayton Detention Facility; Or;
- ② Issue a Writ of Habeas Corpus commanding Warden Randy Tillman - Head Admin. of the Robert A. Dayton Detention Facility to produce the body of your Petitioner before this Honorable Court for a hearing on this Petition for Writ of Habeas Corpus; and
- ③ Petitioner proceeds alone.
- ④ For such and further relief as the nature of this cause may require.

Respectfully dated this 10th day August 2018.

By: Jaame Amun Re: El ^{Without Prejudice} EP

Minister Jaame Amun Re: El^o Ek, USMS# 69854019
Unit A4, Rm 201
R.A.D.D.E
11866 Hastings Bridge Road
Louisa, Georgia 30250

AFFIDAVIT

Petitioner Jaame Amun Re: El^o affirms the statements made in this "Petition For Writ of Habeas Corpus" is true, correct, and complete to the best of his knowledge.

Petitioner/Entitlement Holder: As good as a val ^{Without Prejudice} EP
Authorized Representative For BARRINGTON M. HAMILTON AND JAAME AMUN RE EL^o

Dated: 8/16/2018

Notary: Donald D. Wallace
Notary - Witness

Dated: 8-16-18

My commission ends: 7 Dec 21

QUESTION(S) PRESENTED

1. Question. Is it a judge's/administrator's duty to interpret a statute?

Answer. Yes. In a recent Eleventh Circuit case Eleventh Circuit case, Chief Justice Carnes, in his concurring opinion, outlined the role of the judiciary in statutory interpretation: There is more at stake here than an issue of statutory interpretation. The question is one of the proper role of the judiciary. As we have explained... "We are interpreting a statute, not designing one. Although we, like most judges, have enough ego to believe that we could improve a good many statutes if given the chance, statutory construction does not give us that chance if we are true to the judicial function. Our duty is to say what statutory language means, not what it should mean, and not what it would mean if we had drafted it."

Friends of the Everglades v. S. Fla. Water Mgmt. Dist., 570 F.3d 1210, 1224 (11th Cir. 2009)

2. Question. Are Banking statutes appropriate for alleged banking violations?

Answer. Yes. Although the case US v. BASS, 404 US 336, 92 Sct 515 (1971) may differ in elemental nature, the principle answer remains sufficient as follows:

"Rule that, where there is ambiguity in criminal statute doubts are resolved in favor of defendant, applies to criminal prohibitions as well as penalties."

"Criminal statutes should normally be construed strictly."

3. Can a Federal prisoner seek relief and redress by direct appeal to the Supreme Court due to constitutional violations?

Answer. Yes. According to the case KAUFMAN v. US, 394 US 217, 22 LEd2d 227, 89 Sct 1068 (1969)

"Federal Habeas Corpus relief is not to be denied to prisoners alleging constitutional deprivations solely on the ground that relief should have been sought by appeal."

4. Question. If a statement within an Indictment conflicts with an associated Affidavit In Support of a Warrant To Search, is that considered a "variance" by and or according to the language of "variance" defined?

Answer. Yes. According to BLACK'S LAW DICTIONARY THIRD POCKET EDITION it is defined...

"variance. 1. A difference or disparity between two statements or documents that ought to agree; esp., in criminal procedure, a difference between the allegations in a charging instrument and the proof actually introduced at trial."

5. Question. Is a variance a reversible error?

Answer. Yes.

6. Question. Is Title 28 USCS § 3002 active or repealed?

Answer. Active, not repealed.

7. Question. Is Fed. Rul. Civ. Proc. Rule E(5)(a)(c) repealed?

Answer. No.

8. Question. Is Title 28 USCS § 2464(a) repealed?

Answer. No.

9. Question. Is Title 12 USCS § 95a(2) or 50 USCS § 7(e) repealed?
Answer. No.

10. Question. Are state statutes and banking laws governed by the Uniform Commercial Code?
Answer. Yes. For example, UCC 3-603(b) = O.C.G.A. § 11-3-603(b), and UCC 3-604 = O.C.G.A. § 11-3-604.

LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- ☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

- UNITED STATES V. RUSSEL [13 Wall, 623, 627]
 "Private property, the constitution provides, shall not be taken for public use without just compensation. The right of subrogation is not founded on contract. It is a creature of equity; is enforced solely for the purpose of accomplishing the ends of substantial justice; and is independent of any contractual relations between the parties."
- UNITED STATES V. TWEEL, 550 F.2d 297, 299-300
 "Silence can only be equated with fraud when there is a legal or moral duty to speak, or when an inquiry left unanswered would be intentionally misleading... We can not condone this shocking conduct.... If this is the case we hope our message is clear. This sort of deception will not be tolerated and if this is routine it should be corrected immediately."
- BUTZ V. ECONOMOU, 98 S.Ct. 2894 (1978); UNITED STATES V. LEE, 106 U.S. at 220, 1 S.Ct. at 261 (1882)
 "No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government from the highest to the lowest, are creatures of the law, and are bound to obey it."
- ZELLER V. RANKIN, 101 S.Ct. 2020, 451 U.S. 939, 68 L. Ed 2d 326
 "A criminal suit is a table with four legs: two opposing parties (2 legs), Injured party / Damaged Property / Gross Fraud / Subject Matter Jurisdiction (1 leg), and a competent fact witness (1 leg). If any one of the legs are missing, the pleading fails to make the prima facie case. It is a fact of law that the person asserting jurisdiction must, when challenged, prove that jurisdiction exists; mere good faith assertions of power and authority (jurisdiction) have been abolished."

STATUTES AND RULES

• TITLE 28 USCS § 3002(a)(3)(B) ...

"(8) a judgment, order, or decree entered in favor of the United States in a court and arising from a civil or criminal proceeding regarding a debt."

"(3) Debt. (B)... fine, assessment, penalty..."

• TITLE 12 USCS § 950(a). BANKS AND BANKING...

"(a) Any payment, conveyance, transfer, assignment, or delivery of property or interest therein, made to or for the account of the United States, or as otherwise directed, pursuant to this subdivision or any rule, regulation, instruction, or direction issued hereunder shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same;

• TITLE 30 USCS § 746) LISTS OF ENEMY OR ALLY OF ENEMY OFFICERS, DIRECTORS...

"(e) ... Any payment, conveyance, transfer, assignment, or delivery of money or property made to the alien property custodian hereunder shall be a full acquittance and discharge for all purposes of the obligation of the person making the same to the extent of the same."

• FED. RUL. CIV. PROC. RULE 60. Relief from a Judgment or Order (b) Grounds for Relief from a Final Judgment, Order, or Proceeding.

"(5) the judgment has been satisfied, released, or discharged;"

OTHER Ballentines 3rd Edition Dictionary Applicable Terms.

• release. TEXT: 1. "The giving up or abandoning of the claim or right to the person against whom the claim exists or the right is to be enforced or exercised. The discharge of a debt by the act of a party in distinction from an extinguishment which is a discharge by operation of law. 45 Am J1st Rel § 2. Of interest of witness: -- anything that divests the witness of all interests in the event of the suit. Anno: 28 ALR 15, 16. A discharge from duty or from confinement as a prisoner. 2nd ed."

• release bond. TEXT: "A bond given to obtain the release of property held by an officer under levy of a writ of attachment or execution. 6 Am J2d Attach § 523; 30 Am J2d Exec § 277. A bond given to obtain the release of property under levy by releasing it, not merely from the custody of the officer who made the levy, but from the lien of the levy."

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☒ reported at Eleventh Circuit U.S. Court Of Appeals, Atlanta Division; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☒ reported at Eleventh Circuit U.S.D.C. Atlanta Division; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 12/20/2016 - 01/05/2018.
*A motion for leave was filed...

☒ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

• ARTICLE III

SECTION 1. The judicial Power of the United States shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

SECTION 2. [1] The judicial Power shall extend to all Cases in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — between a State and Citizens of another State; — between Citizens of different States; — between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

• ARTICLE IV

SECTION 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION 2. [1] The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

SECTION 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

• ARTICLE VI

[1] All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

[2] This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any state to the contrary notwithstanding.

• AMENDMENT I [1791]

“...to petition the Government for a redress of grievances.”

• AMENDMENT IV [1791]

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

• AMENDMENT V [1791]

“...nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

• AMENDMENT VI

“...to be confronted with the witnesses against him;”

• AMENDMENT VIII

“...nor cruel and unusual punishments inflicted.”

• AMENDMENT XI

“The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.”

• AMENDMENT XIII (*Original 1-20)

SECTION 1. Neither slavery nor involuntary servitude... shall exist within the United States, or any Place subject to their jurisdiction.

STATEMENT OF THE CASE

Petitioner - Laame Amun Re EI[®] and co-litigant Curtis Stuart (within the former Account-1:16-CR-72) were both arrested on February 24th 2016 and charged separately, for the following charges: "Count 1" - (18 U.S.C. § 2384) - Conspiracy to Commit Bank Fraud, "Count 2-5" - Bank Fraud, "Counts 6-10" - (31 U.S.C. § 5324) - Structuring to Evade Reporting Requirements, and "Count 11" - Retaliating Against a Federal Officer by False Claim.

After being detained and brought before U.S. Magistrate-Justin S. Anand, Curtis Stuart received an R.O.R. Bond and Petitioner-Laame Amun Re EI[®] was unfairly prejudiced to such extent (Ref. Doc. 18 and 26 for Account 1:16-CR-72) by being denied bond and knowingly misidentified as BARRINGTON M. HAMILTON.

However, Petitioner-Laame Amun Re EI[®] was detained since that time (Approximately 30 months), and his private property made SUBJECT to an open-end warrant, per the U.S. Magistrate-Justin S. Anand's Order (Ref. Doc. 18 and 26), under the support of a "probable cause" of "identity theft." Petitioner-Laame Amun Re EI[®] has since filed motions with the U.S. Magistrate-John K. Larkin Jr. III for the Eleventh Circuit, and even appealed with the Eleventh Circuit U.S. Appeals court regarding the initial "warrantless arrest" (Ref. Doc. 118 and 145) and bond (Ref. Doc. 153) in a timely manner by mail, citing issues that gave rise to a "variance," substantive rights violations, and even Const. Fourth Amend. violations to name a few.

Subsequently, Petitioner-Laame Amun Re EI[®] has requested for the bond in the action 1:16-CR-72 (Doc. 172, 173, 185-) to no avail, and was denied on other docket motions without and with counsel assistance. Petitioner-Laame Amun Re EI[®], entitlement holder, executor has since bonded the Account 1:16-CR-72, to which has not been adjusted. (Ref. Doc. 16, 179, 186, 195, 196, 251)

Petitioner-Laame Amun Re EI[®], entitlement holder, subrogee firmly believes that the remedial statutes "language" for the statutory law he invokes is evident in the recital for the bonds received by the court (Doc. 196 p. 15, 37-38, 61-64), published by the clerk on the said documents mandate Petitioner-Laame Amun Re EI[®]'s remedy, so stated.

Petitioner-Laame Amun Re EI[®], entitlement holder, subrogee, executor has found by past accounts, the one supreme court may be the "now-time" determining factor for him indisputably, with its ministerial body of justices to deliver a favorable remedy to him in good faith.

Further, Petitioner-Laame Amun Re EI[®] cites and redresses errors requiring a "hard look", not from the Eleventh Circuit, but rather a litmus adjustor from a headquarters familiar with vetting lower courts the "language" of the law ministerially, routinely overlooked within the Eleventh Circuit.

Petitioner-Laame Amun Re EI[®] further saith naught.

Respectfully submitted this 10th day August 2018.

By: Laame Amun Re EI[®]
without prejudice
EP

Minister Laame Amun Re EI[®], USMS # 19854619
Unit A # Rm 801
Robert A. Deyton Detention Facility
11866 Hastings Bridge Road
Lovejoy, Georgia 30250

REASONS FOR GRANTING THE PETITION

Litigant Minister Jaame Amun Re El[®] proceeds "actor in rem suam", Nunc Pro Tunc, and preserved his right to litigate every argument of document 251 and otherwise by an "ongoing-objection", per the record. Litigant (herein after Petitioner) Minister... El[®] also raises the issue U.S.D.C. Judge Totenberg erred in accepting the means of using the Sentencing Guidelines to arbitrate at sentencing on May 31st, 2016. Petitioner... El[®] cites that he was first made aware of an Addendum To the PSR (Presentence Report) on the said day of sentencing (5-31-16) and hadn't received the same from standby counsel- Molly H. Parmer nor the "sit-in" Standby Counsel- J. Wes Bryant 7 days in advance (via §6A1.2(c)). Therefore, "due process" failed to this extent. (F.R.C.P. (A-5))^{Rule 29}

The first time Petitioner... El[®] reviewed that particular PSR was after the sentencing, inclusive of another he signed for on 6/19/2018. Nevertheless, Petitioner... El[®] secured an "ongoing objection" as to judgment(s) for the record. It is evident I'm being deprived of life, liberty, and the pursuit of happiness.

As To Cited Variance

A contrast of differences are found in Petitioner... El[®] Indictment: the Addendum PSR instrument, and the Affidavit In Support Of An Application For A Search Warrant instrument. For starters, Columns A & B counts 6-10 found on pages 5-7 of the stated Charged Indictment 1:16-CR-72 references an actual loss amount: \$87,500.00 when added. This amount in contrast differs from the loss amount indicated on page 9 #29 of the Addendum PSR. This is a found variance, in lieu of the evidence used at trial (fruit of the poisonous tree). Nevertheless, moving forward. On page 4 of the said charged Indictment instrument, the calculated amount totals for "column D" indicate a total amount: \$770,475.31. This amount shown also contrasts with statements made on both page(s) 9 #29 of the said PSR, inclusive to the intended loss amount expressed on page 4 of the "Affidavit In Support Of An Application For A Search Warrant" instrument (doc. 251 P.17 #11), which reference a total: \$811,523.83. This is also another reversible error.

In any event, if by chance one calculated both, the actual loss amount of Columns A & B Counts 6-10 (p. 5-7 of charged Indictment Instrument) and page 4 Columns A & D Counts 2-5, one may calculate an exact subtotaled amount: \$457,975.31. Again, the calculated statement on Pages 4-7 are at odds to what are visibly stated in the "Addendum PSR" page 9 #29 and the "Affidavit In Support Of An Application For A Search Warrant" page 4 #11.

Added Variance

On page 3 #10 of the "Affidavit In Support Of An Application For A Search Warrant" instrument stands contrary to Petitioner... El[®] Charged Indictment page 7 #13 Count Eleven, which state... "Additionally, in 2012, the Internal Revenue Service ("IRS") began efforts to collect RE El's outstanding tax debt approximately \$105,000, including filing a tax lien on him in Gwinnett County..." (page 3 #10).

In contrast, Petitioner El's charged Indictment page 7 #13 states... "13. On or about December 27, 2012, in the Northern District of Georgia, the defendant BARRINGTON M. HAMILTON, a/k/a

JAAME AMUN RE EL. publicly filed with the Gwinnett County Superior Court, a false lien against the real and personal property of S.F., an Officer and employee of the United States Government..."

Although Petitioner EI managed to prove the difference at trial, finding such violated the changed Defendants Fifth Amendment right to indictment by grand jury and may stand meritful for reversal of sentence. Petitioner EI has been deprived of life, liberty, the pursuit of happiness.

Argument To Bankruptcy Protection Violation (*See Appendix-●C)

Litigant Minister Jaame Amun Re EI[®] cites, in reserving the **DEFENDANT'S** right to litigate the Judgment/Sentence (by way of an "ongoing objection" on record). he discovers the fact that Government Agent/U.S. Attorney- Lynsey Morris Barron willfully and knowingly conspired to detain/Kidnap him by misapplication identification of his former name held (i.e. Barrington M. Hamilton, changed in "2008." Ref. Doc. 90-94 case #1:16-CR-72) by him, excusefully charged in the indictment. Although too much of a coincidence, Petitioner... EI[®] filed a Bankruptcy action in 2011, which was "Discharged" on January 20th 2012. It appears the Government understood this fact and in turn opted to use the former to enable an excusable conviction collection account. However, the case may appear on pages 5-7 of Minister... EI[®] charged Indictment, the account ending in 6380 possessed only Minister EI's name, and was not a dual account with the name BARRINGTON M. HAMILTON[®] the U.S. Attorney Lynsey Morris Barron flagrantly used. The name of this account is "EI's TRUST" and no other. Not only is this a case of the "evil eye and uneven hand", this is an unfair prejudicial vindictiveness of prosecution.

This styled prejudice carried out by U.S. Attorney- Lynsey Morris Barron may be a "plain error" in the sight of an arbitrator viewing more prominent persons. Yet, the chance would be slim to none for you to see a suit styled as UNITED STATES AMERICA versus WELLS FARGO A/K/A WACHOVIA or USA v. COUNTRYWIDE A/K/A BANK OF AMERICA. It's more than unlikely to happen. However, what is evident now, in addition to the aforementioned and hereafter mentioned may be a bankruptcy protection violation. The principle of conduct is lost.

IN RE LAUGHLIN, 602 F3d 417 (5th Cir. 2010) "Property interests in bankruptcy are created and defined by state law, in absence of a controlling federal interest."

RISORP INC v NORMAN 915 So. 2d 1142, 1152-53 (Ala. 2005) "[t]he gist of the action is the wrongful exercise of dominion over property to the exclusion of or in defiance of Plaintiff rights, where the Plaintiff has a general or specific title to the property or the immediate right to possession."

SOUTH TRUST BANK v DONLEY, 925 So. 2d 934, 939 (Ala. 2005) "A common law action for conversion will lie for (1) a wrongful taking, (2) an illegal assumption of ownership, (3) an illegal use or misuse, or (4) a wrongful detention."

Minister EI[®] have raised the issue several times on record (Ref. Doc. 64, 90-94, 151 w/Transcripts, 182, 244) Minister... EI[®] has suffered "cruel and unusual punishment" in the capacity of the styled DEFENDANT and made subject to peonage, baratry, and human trafficking (in violation of 18USCS §1581, §1584, §1590) for approximately 30 months (2yrs 16months). The same violates the discovered "Bankruptcy Protection stay", the Eleventh and Thirteenth Amendment as well. Petitioner... EI[®] has knowingly deprived.

Applicable Grounds For Discharge

Petitioner Minister-Jaame Amun Re El[®] (entitlement holder, subrogee, executor) freeman has recently discovered the language found in Title 28 USCS § 3002(8), defining the term "judgment" and Title 28 USCS § 3002(3)(B), which defines the term "debt." As these two relevant terms are from a judiciary perspective, Minister El (entitlement holder, subrogee, executor) brings to light the connection here with the Title 28 USCS § 2241/Rule 60(b)(5) Fed.R.Civ.Proc., for good cause shown. Title 28 USCS § 3002(8) defines the term judgment to mean... "(8) a judgment, order, or decree entered in favor of the United States in a court and arising from a civil or criminal proceeding regarding a debt." Title 28 USCS § 3002(3)(B) defines the term debt to mean... "(3)(B) an amount that is owing to the United States, on account of a fee, duty, lease, rent, service, sale of real or personal property, over payment, fine, assessment, penalty"...

Research provides that this is an active statute. WHEREFORE, it is safe to say a "judgment" by its defined language in law regards a public debt owed to the United States.

Keeping this into perspective, Minister... El[®] (entitlement holder, subrogee, executor) calls to mind his "changed Instrument / True Bill / Bill of Lading." According to this bill / instrument, the following penal statute "charges" of each below apply to Action No. 1:16-CR-72:

| <u>Title & Section</u> | <u>Nature Of Offense</u> | <u>Count</u> | <u>Penal Sum Of Each Charge</u> | <u>Ref. docs.</u> |
|--------------------------------|--|--------------|---|--|
| 18 U.S.C. § 1349 | Conspiracy to Commit Bank Fraud | 1 | \$1,000,000.00 SPECIAL DEPOSIT/DEMAND DEPOSIT SF BOND | 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000 |
| 18 U.S.C. § 1344 | Bank Fraud | 2-5 | \$3,000,000.00 SPECIAL DEPOSIT/DEMAND DEPOSIT SF BOND | 262 |
| 31 U.S.C. § 5324 | Structuring to Evade Reporting Requirements | 6-10 | \$1,000,000.00 SPECIAL DEPOSIT/DEMAND DEPOSIT SF BOND | |
| 18 U.S.C. § 1521 | Retaliating Against a Federal Officer by False Claim | 11 | \$250,000.00 SPECIAL DEPOSIT/DEMAND DEPOSIT SF BOND | |
| Subtotal: \$5,250,000.00 x 2 = | | | \$10,500,000.00 | |

* Note. Document No. 196 verifies "3" separate STANDARD FORM BONDS WITH A "SPECIAL DEPOSIT" INSTRUMENT.

The "3" separately issued SF BONDS alone subtotaled a value: \$14,250,000.00. Notice there remains a balance of approximately \$3,750,000.00 "nonabandoned" * credit on account. All additional expenses are "setoff".

The bonds tendered to the court trustee(s) were/are supported by 12 USCS § 95a (2) / 50 USCS Appendix § 7 (c) and 6 Amudad Attach § 408.

* Please note that each issued "charge" is synonymous with the "statute" associated, accompanying names thereof, and the language Congress and the legislative branch of government uses to define and intended its meanings for. Petitioner... El[®] believes that by first defining specific key terms as such, ambiguity is lost. (Ref. KJV BIBLE JOHN 1:1)

In Black's Law Fourth Edition, Creedance is expressed through the term "statute", as to foreign matters... "statute... also sometimes means a kind of bond or obligation of record, being an abbreviation for "statute merchant" or "statute staple". Black's Law Fourth Edition define the term "statute staple" to mean... "It authorized a security for money, commonly statute staple, to be taken by traders for the benefit of commerce."

Hence, key descriptions of bonds and property are prevalent factors here.

In light of all the bonds and securities received by the court - Amy Totenberg of the Eleventh Circuit U.S.D.C. Atlanta Division, Action No. 1:16-CR-72-AT-JKL (Ref. Doc. 196) for purposes intended, the term "penal statute" is

defined from BLACK'S LAW DICTIONARY THIRD POCKET EDITION as ... "A law that defines an offense and prescribes its corresponding fine, penalty, or punishment."

In the Gregorian calendar year 1988, the United States willfully and knowingly became a party to the Uncitral Convention for (IBOE^s) "International Bills Of Exchange" and (IPN^s) "International Promissory Notes."

It is no coincidence the "True Bill" is named "True Bill." The "True Bill" bears the semblance of both an "International Bill Of Exchange" (IBOE) and an "International Promissory Note" (IPN), as described in Article 2 and 3 therein. Interestingly enough, Article 4 to the Uncitral Convention of 1988 Section 1. "General Provisions" states as follows:

"Article 4

In the interpretation of this convention, regard is to be had to its international character and to the need to promote uniformity in its application and the observance of good faith in international transactions."

As this statement above is a sure fact, each state is foreign to the other amongst the unified fold.

Article 5 of the said 1988 Uncitral Convention provides clarity with respect to the term "Bill."

"(a) "Bill" means an international bill of exchange governed by this convention ;"

The term "Bills" is not by coincidence, also identified under the United States Codes, via TITLE 18 CRIMES AND CRIMINAL PROCEDURE PART 1 CRIMES CHAPTER 1. "GENERAL PROVISIONS" § 8.

"Obligation or other security of the United States defined..." "includes all bonds... bills... drawn by or upon authorized officers of the United States... issued under any Act of Congress"...

The United States District ~~courts~~ are nonoblivious to this effect, in light of GSA departments therein, and "CRIS" whom interacts on a regular transaction basis with both the Federal Reserve Bank and Treasury, so researched. Counter issues occur when misappropriations arise.

There's rarely a litmus corrector for internal matters to provide one the results sought after in such matters. (See Appendix-D)

The "True Bill" Instrument was initially received and accepted by the "Drawer" - (Ref KJV BIBLE MAT. 5:25-26)

Petitioner-Laame Amun Re E1^o executor, entitlement holder, subrogee as a "qualified acceptance", in support with 17Am Jd Contr § 62/11 Am Jd B & N § 515, endorsed for deposit with the court-trustee (per 28 USCS § 583, Public Law 95-598, Canon 3(E)), Petitioner... E1^{so} "True Bill" instrument bears his stamps "Special Deposit" / "Commercial Paper" and was tendered to the court on different occasions to ensure good faith on his behalf, as cited on doc. 16, 179, 186, 195, 196, 251, 262. (Ref O.C.G.A. 14-3-604)

In the case COOKE V. UNITED STATES, 91 US 389, 23 L. Ed. 837; the court stated "...It must be conceded however that when the United States becomes a party to commercial paper, it impliedly consents to be bound by same rules governing private persons under the same circumstances"

*P Petitioner... E1^o not only tendered United States bonds to the non-performing court trustee - Judge Amy Totenberg, he also tendered to her a separate (IPN) International Promissory Note, in the amount: \$4,750,000.00, a Gwinnett County filed UCC Financing Statement, Form 4790, along with a photocopy of his private estate TIN for all purposes intended. (per 12 USCS § 95a(2))

[* Please view Appendix-D for a record.] Also, in light of the below Rule. Petitioner... E1^o Appendix-E . In support of the same, applicable to the Act of Congress, an inference is

drawn on the Federal Rules of Civil Procedure Rule E (5XaXc)... Release by Consent or Stipulation; Order Of Court or Clerk; Costs. ... "Any vessel, cargo, or other property in the custody of the marshal or other person or organization having the warrant may be released forthwith upon the marshal's acceptance and approval of a ... bond, or other security, signed by the party on whose behalf the property is detained... and expressly authorizing such release, if all costs and charges of the court and its officers shall have first been paid." ... "but such order may be entered as of course by the clerk, upon the giving of approved security as provided by law and these rules, or upon the dismissal or discontinuance of the action;"

UNITED STATES PARTIES BELOW WHO'VE RECEIVED

THE PENAL STATUTE BOND SECURITIES/SPECIAL DEPOSIT/COMMERCIAL PAPER

- ① Eleventh Circuit Administrative Office of the U.S.D.C. (Doc. 186 Tracking# RE177320635US)
Original Bond
- ② U.S.D.C. Judge - Amy Totenberg - (Doc. 196 p.61, 65, 37, 15, and p.21-31. Tracking# RE17288087US)
Original Bonds
- ③ Eleventh Circuit - Atlanta Div. - U.S. Marshal Matt Moschetta (Doc. 196 Tracking# 70171070 00002222.0016)
Photo Copy

Georgia State Law Requiring Discharge

The above referenced findings show that the named Federal Officials are now responsible recipients for the referenced Bond Securities/Commercial Paper received (per 28USCS § 3006 (5)(3)(B)) and are now subject to the Official Code Of Georgia Annotated governing law 11-3-603(b7)..

"If tender of payment of an obligation to pay an instrument is made to a person entitled to enforce the instrument and the tender is refused, there is discharge, to the extent of the amount of the tender, of the obligation of an indorser or accommodation party having a right of recourse with respect to the obligation to which the tender relates" ...

In accordance with the above Georgia state law follows O.C.G.A. § 11-3-604. Discharge by Cancellation or renunciation. "(a) A person entitled to enforce an instrument, with or without consideration, may discharge the obligation of a party to pay the instrument by (i) an intentional voluntary act such as surrender of the instrument to the party, destruction, mutilation, or cancellation of the instrument, cancellation or striking out of the party's signature, or the addition of words to the instrument indicating discharge; or (ii) agreeing not to sue or otherwise renouncing rights against the party by a signed writing."

Therefore, by the uniform law provided, the action 1:16-CR-72 is undenyably subjected to be discharged by this court's supervision and on these grounds, Petitioner Jaame Amun - Re EI® rests his case respectfully.

Respectfully executed this 10th day August 2018.

By: Jaame Amun Re EI®
Without Prejudice

Minister Jaame Amun Re EI®, USMS #69854019
Unit A4 Rm 201
R.A.D.D.F.
11806 Hastings Bridge Road
Lawrenceville, Georgia 30046

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Def: frame a re el ^{without prejudice} *EX* United States of America DEPARTMENT OF STATE Authentication Claimant #15035704-1

Date: *August 10th* 2018