

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Ex Parte:

In re Melvin T. Bell, - Petitioner

vs.

A. Owens, Warden, et al., - Respondent(s)

ON PETITION FOR WRIT OF HABEAS CORPUS AD SUBJICIENDUM

TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT

OF ILLINOIS EASTERN DIVISION

PETITION FOR WRIT OF HABEAS CORPUS AD SUBJICIENDUM

In re Melvin T. Bell

c/o 71 West Van Buren Street

Chicago, Illinois [zip exempt]

7016 0600 0000 2507 6299

QUESTIONED PRESENTED

(1) Is the party complaining illegally deprived of his liberty; and (2) Is it lawful for the United States District Court to imprison Bell, who was not found within the limited-territorial jurisdiction of the territorial court?

LIST OF PARTIES

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

A. Owens, Warden, CEO
Metropolitan Correctional Center, (MCC) Chicago

David Harlow - Acting Director
United States Marshall Service - Chicago Division

Mr. Ankur Srivastava, AUSA Prosecutor
Assistant United States Attorney's Office - Chicago

Virginia M. Kendall, District Judge
United States District Court for Northern Illinois

TABLE OF CONTENTS

OPINIONS BELOW.....	<u>pg. 1</u>
JURISDICTION.....	<u>pg. 2</u>
Question 1.....	<u>pg. 3</u>
Question 2.....	<u>pg. 4-5</u>
Question 3.....	<u>pg. 6-7</u>
Question 4.....	<u>pg. 8</u>
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED.....	<u>pg. 9</u>
PETITION OF WRIT OF HABEAS CORPUS AD SUBJICIENDUM.....	<u>pg. 10-20</u>
REASONS FOR GRANTING THE WRIT.....	<u>pg. 21</u>
CONCLUSION.....	<u>pg. 22</u>

INDEX TO APPENDICES

APPENDIX A

Requisites for Federal Jurisdiction

Adams v. United States, 319 U.S. 312.....	<u>pg. 24</u>
Title 40 U.S.C. sec. 3112.....	<u>pg. 25</u>
Title 18 U.S.C. sec. 7(3).....	<u>pg. 26</u>

APPENDIX B

Commitment Warrant.....	<u>pg. 27</u>
Government Motion Denying Bell's Motion to Dismiss.....	<u>pg. 28-29</u>

APPENDIX C

Article 1; Section 8; Clause 17 of the Constitution of the United States.....	<u>pg. 30</u>
United States v. Penns, 48 F. 669, July 1880.....	<u>pg. 31</u>

APPENDIX D

Definition of "exclusive of".....	<u>pg. 32</u>
Courts sec. 227; Statutes sec. 178 - meaning of words "district court of the United States".....	<u>pg. 33</u>
Meaning of "United States District Court" Balzac v. Porto Rico, 258 U.S. 298.....	<u>pg. 34</u>
Title 18 U.S.C. sec. 3231.....	<u>pg. 35</u>
Definition of "State" Fed. R. Crim. P. Rule 1(b)(9).....	<u>pg. 36</u>

APPENDIX E

All Federal Crimes Acts of Congress Fed. R. Crim. P. Rule 26; Advisory Committee Notes; Paragraph 2.....	<u>pg. 37</u>
All Federal Crimes apply only within the territorial jurisdiction of the United States EEOC V. ARABIAN AMERICAN OIL CO.,.....	<u>pg. 38</u>

APPENDIX F

Letter from the Office of the Attorney General State of Illinois, Denying the possession of "Notice of Acceptance" [40 USC sec.3112].....	<u>pg. 39-41</u>
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TABLE OF CITED AUTHORITIES

Adams v. United States, 319 U.S. 312, 314, 87 LED 1421, 63 S.Ct. 1122.....	<u>Pg. 12, 13, 24</u>
Balzac v. Porto Rico, 258 U.S. 298, 66 LED 627 (1922).....	<u>Pg. 14, 34</u>
Bates v. United States, 552 U.S. 23, 30, 139 LED2D 214.....	<u>Pg. 16</u>
Burnet v. Coronado Oil & Gas Co., 285 U.S. 393, 407-408, 76 LED 815, 52 S.Ct. 443 (1932).....	<u>Pg. 20</u>
Ex Parte Bollman and Ex Parte Swartwout, 4 Cranch 75, 2 LED 554.....	<u>Pg. 3, 8, 19, 20</u>
Ex Parte McCardle, 7 Wall 506, 514, 74 U.S. 506 (1869).....	
Ex Parte Richard Quirin, 317 U.S. 1, 26, 87 LED 3.....	<u>Pg. 11</u>
Ex Parte Yarbrough, 110 U.S. 651, 653, 28 LED 274, 4 S.Ct. 152.....	<u>Pg. 22</u>
Harris v. United States, 404 U.S. 1232, 1233, 30 LED2D 25, 92 S.Ct. 10 (1971).....	<u>Pg. 18, 19</u>
Ins v. Chadha, 462 U.S. 919, 944 (1983).....	<u>Pg. 12</u>
Iselin v. United States, 270 U.S. 245, 251 (1926).....	<u>Pg. 17</u>
International L. & W.U. v. Juneau Corp., 342 U.S. 237, 96 LED 275.....	<u>Pg. 15</u>
Johnson v. Florida, 391 U.S. 596, 20 LED2D 838, 88 S.Ct. 1713 (1968).....	<u>Pg. 19</u>
Kern County L. Co. v. Occidental Petroleum, 411 U.S. 582, 608, 36 LED 503.....	<u>Pg. 16, 19</u>
Kokkonen v. Guardian Life Ins. Co., 571 U.S. 375, 377 (1994).....	<u>Pg. 11</u>
Kucana v. Holder, 558 U.S. 233, 431, 175 LED2D 694 (2009).....	<u>Pg. 17</u>
McNary v. Haitian Refuge Ctr. Inc., 498 U.S. 479, 496 (1991).....	<u>Pg. 12</u>
New Orleans v. United States, 35 U.S. 662, 10 Pet. 662, 736-737, 9 LED 573 (1839).....	<u>Pg. 14</u>
Northern Pipeline Co. v. Marathon, 458 U.S. 50, 73 LED 598.....	<u>Pg. 20</u>
Price v. Johnston, 334 U.S. 280.....	<u>Pg. 3</u>
Thatcher v. Powell, 6 Wheat 119, 5 LED 21.....	<u>Pg. 18</u>
Thompson v. Louisville, 362 U.S. 199, 4 LED2D 654 (1960).....	<u>Pg. 18</u>
United States v. Cruikshank, 92 U.S. 542, 557-559.....	<u>Pg. 18</u>
United States v. Fitzgerald, 15 Pet. 419.....	<u>Pg. 12</u>
United States v. French, 1 Gall. 1.....	<u>Pg. 2</u>

Vachon v. New Hampshire, 414 U.S. 478, 38 LED2D 666, 94 S.Ct. 664 (1974).....	<u>pg. 18</u>
Walker v. Johnston, 312 U.S. 275, 284, 85 IED 830, 834, 61 S.Ct. 574.....	<u>pg. 19, 22</u>
Wilcox v. Jackson, 13 Pet. 512	<u>pg. 12</u>

STATUTES AND RULES

Title 18 U.S.C. sec. 5	<u>Pg. 26</u>
Title 18 U.S.C. sec. 7(3)	<u>Pg. 26</u>
Title 18 U.S.C. sec. 3231	<u>Pg. 14, 15, 16, 17, 21, 29, 35</u>
Title 28 U.S.C. sec. 451	<u>Pg. 17</u>
Title 40 U.S.C. sec. 3112	<u>Pg. 13, 14, 25</u>
Federal Rules of Criminal Procedure; Rule 1(b)(9)	<u>Pg. 12, 15, 36</u>
Federal Rules of Criminal Procedure; Rule 26, Advisory Committee Notes; paragraph 2	<u>Pg. 37</u>

REFERENCE BOOKS

R. Hurd Treatise of Personal Liberty	<u>Pg. 22</u>
Reading Law: An Interpretation of Legal Text	<u>Pg. 12</u>
Webster' New Dictionary.....	<u>Pg. 15, 32</u>

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF HABEAS CORPUS AD SUBJICIENDUM

Petitioner respectfully prays that a writ of habeas corpus ad subjiciendum issue to review the jurisdiction below.

OPINION BELOW

The opinion of the United States District Court for the Northern District of Illinois appears at Appendix 8 to the petition and is

reported at Document #70 : Filed 10/24/14: Case#: 13-cr-00949.

JURISDICTIONAL STATEMENT

Jurisdiction is invoked by the Habeas Corpus Act of the United States, Section 751; by Article 1; Section 9; Clause 2 of the Constitution of the United States "Suspension Clause;" and Article 3; Section 1 of the Constitution, "all power is vested in one Supreme Court...."

It has been, held that you, the Supreme Court, in cases like the one before you, has the right to inquire into the cause of detention, and give relief if the detention was found to be illegal, by writ of habeas corpus, under the Judiciary Act of 1789.

Therefore, the authority of this court in such cases under the Constitution of the United States of America, and the fourteenth section of the Judiciary Act of 1789, to issue the writ to examine the proceedings in the inferior courts so far as may be necessary to ascertain whether that court has exceeded its authority is no longer an open question. [United States v. French, 1 Gal. 1]

Q1. How will the writ be in aid of the Court's appellate jurisdiction?

A: The writ aids the Courts's appellate jurisdiction to extend its reach to inquire into the total cause of Bell's detention. It also aids the Supreme Court's jurisdiction in the performance of its duties, that is, by permitting the issuance of the writ, in the sound judgment of the court, to achieve the calculated ends of justice. [Price v. Johnston, 334 U.S. 280]

In addition, it is clearly and obviously necessary, by the thoughts of Congress, that writs of habeas corpus should be issued, not merely to aid the [Supreme] court in exercise of its appellate jurisdiction, but for the general purposes of justice and protection.

Based on previous Supreme Court opinions, similar to this writ of habeas corpus, that is, the authority to issue writs of habeas corpus, shall we say, is positive and absolute; and not dependent on the consideration whether it might be necessary for the appellate jurisdiction of the courts. "To render them dependent on such occasion, would deprive the courts of many of the most beneficial and important powers which this court usually posses." [4 Cranch 83]

And finally, the writ aids the Supreme Court's appellate jurisdiction in exercising its supervisory jurisdiction to revise excess of jurisdiction of inferior courts, in furtherance of justice.

Q2: What exceptional circumstances warrant exercise of the
Court's discretionary powers?

A: In this unusual circumstance, it has been left-up-to supervisory
courts of record to determine, under the writ of habeas corpus,
the "matter of facts" whether the acts complained of were done
in pursuance of the law of the United States, or any order, process
or decree or judge or court thereof; and that in committing the
acts complained of, the United States District Court did not ex-
ceeded its authority of the process under which they acted.

And because, the United States District Court, a mere territorial
court, has proceeded in Bell's case in which it had no jurisdiction,
now you see that it clearly appears and shows that Bell's commitment
is being made by one who posses no jurisdiction over the cause.

When we question, where is the proof of authority required by the
constitution and statute to commit Bell to imprisonment, a right
every citizen has in pursuit of liberty. your jurisdiction, or discre-
tionary appellate powers from your court to issue the writ in such
case is necessary and must be clothed with supervisory powers for
the examination and review of that inferior court's judgment record.

In similar circumstances, such as Bell's, you, the Supreme Court made
available the remedy of habeas corpus when it was found that the
court which the petitioner was tried had exceeded its jurisdiction.

I don't think the language quoted [in the indictment] sufficiently
charges that the alleged crime was committed within the ceded

limited-Article 1-federal-territorial-jurisdiction of the court. The place of the commission of the alleged offense ought to be stated with such certainty that it may be seen that the court has jurisdiction of the charge.

I think that while its charged that Bell and others had their place of business in the division and district wherein the indictment in this case is found, it is not obvious, nor is it plainly charged that, the place of the alleged offense for which Bell's charged occurred in said division and district. Especially when we look upon and examine the clear and convincing evidence attached hereto.

It is fundamental, I think, that your discretionary powers are warranted to review and examine such exceptional circumstances.

Q3: Why adequate relief cannot be obtained in any other forum or from any other court?

A: First, it is a known fact that the original writ of habeas corpus is appellate in nature. So when we think about it, there is only one forum or supervisory court vested with appellate jurisdiction to entertain and issue this historical writ. That is you, the Supreme Court. It appears by the record expressly and by necessary implication that the cause of action against Bell was beyond the limited-territorial-jurisdiction of the court. When no presumption in favor of jurisdiction arise, the judgment be void.

So why would Bell submit a writ of habeas corpus to a court devoid of jurisdiction? He wouldn't and he didn't. Well, why not submit this writ to a Court of Appeal, they have appellate jurisdiction? That is true concerning their jurisdiction, however, the Habeas Corpus Act of the United States never vested Courts of Appeal with authority to issue such writ. Therefore, United State District Courts and Courts of Appeal have no judicial cognizance of the matter before us by virtue of any statute of the United States or by the Constitution.

Furthermore, jurisdiction in habeas corpus, as we know it, is, in its nature, appellate and belongs to the Supreme Court. When exceptional circumstances like this arise, all judicial actions from inferior courts created by Congress are subjected to review by the appellate jurisdiction of the Supreme Court. It is a safeguard to protect my liberty from oppression,

revenge, hate or evil from the enterprise of inferior courts, who may at times, swallow the pill of corruption to please their master. You place a barrier of safety around my liberty, as respectable as our good old friend the Constitution can make it. Matters of this nature, and of such seriousness, command a neutral, superior mind, vested with a power so great and ancient, to protect a power so great and ancient.

No other court has the vested power to inquire into this matter before us, or to grant relief of the acts herein complained of. It is your honorable duty to review lower courts proceedings to examine, with your pre-existing appellate jurisdiction, to see if there is proof, *prima facie*, to hold Bell in custody. And if there is no proof shown on the face of his proceedings, Bell be discharged. Only you, the Supreme Court can grant such extraordinary relief.

Q4: State the reasons for not making application to the district court of the district in which you are held?

A: First of all, a "United States District Court" is no court "ordained and established" by Article 3 of the Constitution. It is a mere territorial court "created" by Congress, acting as a local government court and can only act in cases where it exercises exclusive jurisdiction prescribed by Article 1; Section 8; Clause 17 of the Constitution. This issue, I believe, after reading some Supreme Court opinions, is within the province of your court, to which the application for habeas corpus has been made to examine the question of the claim of want of jurisdiction in the trial court, which is a valid claim, and issue the writ that you only have the power and duty to grant.

Furthermore, common law informs us that the power of issuing the writ of habeas corpus belongs incidentally to every superior court of record; it is part of your inherit rights and duties to watch over and protect Bell's liberty. [4 Cranch 82, Ex Parte Bollman]

To sum it all up, the lower court which detains Bell is no superior court of record endowed with Article 3 Constitutional powers to protect Bell from the evils of a clear usurpation of power. The lower court has no appellate jurisdiction to issue such writ of habeas corpus to inquire into the grounds of Bell's commitment.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Article 1; Section 8; Clause 17
of the Constitution pg. 14, 30

Article 1; Section 9; Clause 2 of the Constitution
"The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."

Article 3; Section 1 of the Constitution:
"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...."

Habeas Corpus Act of the United States;
Section 751:
"The Supreme Court and the circuit and district courts shall have the power to issue writs of habeas corpus."

Title 18 U.S.C. Sec. 5.....	<u>Pg. 26</u>
Title 18 U.S.C. Sec. 7(3).....	<u>Pg. 26</u>
Title 18 U.S.C. Sec. 3231.....	<u>Pg. 14, 15, 16, 17, 21, 29, 35</u>
Title 18 U.S.C. Rule 1(b)(9).....	<u>Pg. 12, 15, 36</u>
Title 18 U.S.C. Rule 26.....	<u>Pg. 37</u>
Title 40 U.S.C. Sec. 3112.....	<u>Pg. 13, 14, 25</u>

IN RE: THE SUPREME COURT OF THE
UNITED STATES OF AMERICA

Ex Parte: In re Melvin T. Bell

Petitioner,

v

Case No. _____

Ex parte: UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT
OF ILLINOIS; U.S. MARSHALL'S SERVICE,
CHICAGO; METROPOLITAN CORRECTIONAL
(MCC) CENTER CHICAGO,

Respondents,

PETITION FOR WRIT OF HABEAS CORPUS

AD SUBJICIENDUM

TO THE SUPREME COURT OF THE UNITED STATES OF AMERICA:

The petitioner of Ex parte: In re Melvin T. Bell shows:

1.) Petitioner makes this application for Writ of Habeas
Corpus Ad Subjiciendum on the grounds that Respondents broke
law by disobeying strict rules of procedure to unlawfully
take away Bell's liberty interest to detain him.

[Although this may necessitate an inquiry into the judicial
facts outside the record conviction, Bell asks you, the Supreme
Court justice, to inquire into the very truth and substance
that caused his detention.] ["We are not here concerned with
any question of the guilt or innocence of petitioner." We

consider here only the lawful power of the territorial court to detain and try Bell for the alleged offense charged.

Source: Ex Parte Richard Quirin, 317 U.S. 1, 24, 87 LED

3.]

2.) Bell, now in jail, in the custody of the Respondents: Metropolitan Correctional Center (MCC) Chicago located at 71 West Van Buren Street in Chicago, Illinois since 2014.

3.) The cause for Bell's detention and restraint: On December 11, 2013, the United States District Court for the Northern District of Illinois [federal territorial court] issued an order to detain Bell into federal custody. The federal territorial court alleged that Bell, after the deal-was-done, sometimes sent a signed copy, or receipt to his customers upon their request, violated the mail fraud statute. The problem is, the federal territorial court's record, stands totally devoid of any statutory or constitutional authority to enter any order or decree to detain Bell.

4.) The Respondent's authority to detain and restrain Bell's liberty interest is unlawful because: (i) You said, "Federal courts are courts of limited jurisdiction. They possess only that power authorized by Constitution and statute, which is not to be expanded by judicial decree. It is presumed that a cause lies outside this limited jurisdiction and the burden of establishing the contrary rests upon the party asserting [declaring] jurisdiction." Source: Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375, 377 (1994).

(ii) By contrast, there is no evidence proving federal jurisdiction over the geographical area where the alleged offense occurred within Illinois. Respondents "ought to be able to describe or indicate with reasonable certainty as the limits and range of the territorial jurisdiction, in some public document or record that should be noted on some type of public map or survey." Wilcox v. Jackson, 13 Pet. 512; United States v. Fitzgerald, 15 Pet. 419. Respondents operating their [territorial] court without the Illinois Legislature's consent is contrary to the Constitution. Source: Ins. v. Chadha, 462 U.S. 919, 944 (1983).

(iii) Judiciary history teaches us, "Statutes are confined to their own territory and have no extraterritorial effect. The legislature [Congress] need not qualify each law by saying 'within territorial jurisdiction of this State.' [Fed. R. Crim. P. Rule 1(b)(9)] "That's how statutes have always been interpreted, and it is presumable that Congress legislates with knowledge of our basic rules of statutory construction." Source: McNary v. Haitian Refuge Ctr. Inc., 498 U.S. 479, 496 (1991) (per Stevens, J) (from: Reading-Law: The Interpretation of Legal Text by the Honorable Antonin Scalia and Bryan A. Garner; pgs. 268-269).

(iv) Although some may assume federal installations automatically come with federal-jurisdiction, that thought is incorrect. You, the Supreme Court and other courts have held in various cases that the federal government lacked jurisdiction over certain military installations, post offices, and hospitals even though they were on federal land. Source: Adams v. United States, 319 U.S. at 313-15. The mere

fact the federal government owns or makes use of a parcel of land is not sufficient to establish federal-jurisdiction over that land.

(v) FACT: There is no evidence or any contention the United States [territorial court] ever filed with Illinois a formal "Notice of Acceptance" claiming exclusive or concurrent jurisdiction over case 13-CR-00949. And you know that, without such formal acceptance, exclusive or concurrent jurisdiction never vested. See: Adams v. United States, 319 U.S. 312, 314, 87 LED 1421, 63 S. Ct. 1122. It is this violation of the process that is due to me that makes my detention illegal, unlawful, and a violation of my guaranteed Constitutional rights you swore to protect!

(vi) And since the United States never accepted jurisdiction over the lands upon which the alleged offense occurred, the territorial [district] court is without jurisdiction and power to order Bell detained any longer.

(vii) Now, before Respondents can get the power to take way my liberty, they must first comply with 40 U.S.C. sec.3112. Respondents must first submit the "Notice of Acceptance" onto the court record in case 13-CR-00949. Respondents did not do that. Respondents did not apply for a "deed of cession" from the Illinois Governor. I wrote to Illinois Governor Bruce Rauner, asking him to furnish me with a certified copy of such "notice." But such "notice" does not exist, so he could not furnish me with a copy. <See Appendix:

F> Now, any average person on the street would think that, if anyone would have that "notice" the Governor would have it, and produce it, to show the world that I am

wrong. But they did not have it, nor did they refer me to any other agency that could produce my request.

(viii) "The Constitution made a special provision for the federal government for the cession of jurisdiction over places.... [Art. 1, Sec. 8, Cl. 17] And its only in these places where it [federal government] can exercise a general jurisdiction." Source: *New Orleans v. United States*, 35 U.S. 662, 10 Pet. 662, 736-737, 9 LED 573 (1893).

(ix) The Notice of Acceptance must be proven and appear on the judgment record in case 13-CR-00949. Respondents are not complying with the procedural requirement under the Act and Constitution. The territorial court has no bona fide authority over my proceedings. Conclusion: Bell's detention fails to satisfy the federal constitution's demands.

(x) FACT: You declared that "The United States District Court is not a true United States Court, established under Article 3 of the Constitution to administer the judicial power of the United States conveyed." "It is a mere territorial Court." Source: *Balzac v. Porto Rico*, 258 U.S. 298, 313, 66 LED 627 (1922). [See Appendix F]

(xi) A territorial court, not ordained by Congress, issued the order to detain Bell. There is no indication from Congress that territorial courts have jurisdiction beyond the boundaries of 40 U.S.C. sec. 3112. Nor were territorial courts indicated in the strict construction and fixed-meaning of 18 U.S.C. sec. 3231 either to legally try Bell for this alleged offense.

(xii) On October 24, 2014, the federal territorial trial court stated, 18 U.S.C. gives them the power to detain Bell; [See Appendix B], however, after careful research and

study, Bell found that 18 U.S.C. sec.3231 applies only to constitutional courts. [See Appendix D]

(xiii) In fact, when you read the text in 18 U.S.C. sec.3231, Congress expressly omitted territorial courts from that statute. Lets examine the text, shall we:

Fed. R. Crim. P. 18 U.S.C. sec 3231:

"The district courts of the United States shall have original jurisdiction, exclusive of the courts of the States, of all offenses against the laws of the United States."

"Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several states [Union States] under the laws thereof."

(ivx) Now, "the words 'district courts of the United States' commonly describe constitutional courts under Article 3 of the Constitution, not the legislative [territorial] courts which have been the courts of the territories." Source: International L. & W.U. v. Juneau Corp., 342 U.S. 237, 96 LED 275. Therefore, "district courts of the United States" are different than, "United States District Courts."

(xv) Under the supremacy-of-text-principle, the prepositional phrase "exclusive of" means "not including" to us. Source: Webster's New Basic Dictionary (2007).

(xvi) Congress did "not include" "the courts of the States" in 18 U.S.C. sec.3231. And Fed. R. Crim. P. Rule 1(b)(9) defines "State" to mean "District of Columbia, and any common wealth, TERRITORY, or possession of the United States . . ."

(xvii) So, on its face, 18 U.S.C. sec.3231 reads as such:

"The district courts of the United States shall have original jurisdiction, not including the courts of District of Columbia, and any common wealth, TERRITORY, or possession of the United States."

(xviii) The question now turns, not on the sufficiency of evidence of jurisdiction, but whether Bell's custody and continued confinement rests upon any evidence of federal jurisdiction at all? Title 18 U.S.C. sec.3231 can not award jurisdiction in case 13-CR-00949, because we just read that Congress omitted territorial courts from that statute. Congress crystallized its legislative intent clear and clearly. Without general jurisdiction, a federal court can not exercise power over me. So, where is the real evidence of general jurisdiction to detain Bell?

(ixx) If Congress meant to vest jurisdiction into federal territorial courts by 18 U.S.C. sec.3231, they certainly could have done so in clear language and terms. Source: Kern County L. Co. v. Occidental Petroleum, 411 U.S. 582, 608, 36 LED 2D 503. You, the Supreme Court, "ordinarily resist reading words or elements into a statute that do not appear on its face." Source: Bates v. United States, 522 U.S. 23, 30, 139 LED 2D 215. There is not a word in the language of 18 U.S.C. sec.3231 that expressly includes the "territorial court" that detains me. In fact, Congress barred territorial courts from that statute. "Where Congress includes a particular language in one section of a statute but omits it in another section of the same statute, it is generally

presumed that Congress acts intentionally and purposely in the disparate inclusion or exclusion." Source: Kucana v. Holder, 558 U.S. 233, 431, 175 LED2D 694, (2009).

(xx) Now, you see that, 18 U.S.C. sec.3231 transfers no federal jurisdiction to territorial courts, and, my [territorial] trial court lacks jurisdiction in all directions to order me detained.

(xxi) The omission of the phrase "United States District Court" from 18 U.S.C. sec.3231 renders Bell's detention void. There is no factual finding of territorial court jurisdiction on the record in case 13-CR-00949. Bell's trial court relied on 18 U.S.C. sec.3231 for jurisdiction. Absent jurisdiction, you must discharge Bell from federal custody immediately. "To supply omissions transcends the judicial function." Source: Iselin v. United States, 270 U.S. 245, 251 (1926)

(xxii) Also, the territorial court can not say or use Title 28 of the U.S. Code to confer federal criminal jurisdiction upon itself. The terms applicable to Title 28 U.S.C. apply only to Title 28 U.S.C. [See: 28 U.S.C. sec.451; definitions.] "The best evidence of congressional intent, however, is the statutory text Congress enacted." Source: Marx v. Gen. Revenue Corp., 568 U.S. 371, November 7, 2012. And here, the plain language of 28 U.S.C. sec.451: "as used in this title," makes it clear that Congress meant to foreclose other possible meanings.

(xxiii) The Due Process Clause of the Fourth and Fifth Amendment forbids Respondents to detain Bell without proving all the elements of the charge beyond a reasonable doubt. Your

Supreme Court precedents make it clear that Bell's detention and continued incarceration violates due process. Source: Harris v United States, 404 U.S. 1232, 1233, 30 LED2D 25, 92 S. Ct. 10 (19710).

(ivxx) Bell's confinement is so totally devoid of evidentiary-support of territorial jurisdiction as to render his confinement unconstitutional and a due process clause violation.

(xxv) This detention, violates the due process clause of the federal constitution's fourth and fifth amendment: failure to produce a basic element of the crime; federal jurisdiction, which deprives Bell of his liberty interest without just cause. See: United States v. Cruikshank, 92 U.S. 542, 557-559; Thomas v. Louisville, 362 U.S. 199, 4 LED2D 654 (1960); Vachon v. New Hampshire, 414 U.S. 478, 38 LED2D 666, 94 S.Ct. 664 (1974).

(xxvi) Here are the facts to which the law is applied in your process of adjudication: (1) Respondents assumed illegitimate power over Bell; and (2) Respondents lack any bona fide force to detain Bell. There is no controversy about these facts. There is no reason for you to depart from the apparent.

(xxvii) Furthermore, you, the Supreme Court, said, "to exercise power under a special statute which prescribes its course, that course must be strictly pursued, and the facts which give jurisdiction ought to appear on the face of the record; otherwise the proceedings are absolutely void." Source: Thatcher v. Powell, 6 WHEAT 119, 5 L.ED 21. For you to interpret anything different, shifts facts to reach a

fictional end. "If Congress intended to provide additional exceptions, it would have done so in clear language." Source: Kern County Co. v. Occidental Petroleum, 411 U.S. 582, 36 LED2D 503.

(xxviii) "The authority of Congress must be tested by the Constitution, and if they should appear to this [Supreme] court to have exceeded the limits there prescribed, this [Supreme] court must consider them void." Source: Ex Parte Bollman and Ex Parte Swartwout, 4 CRANCH 75, 2 LED 554. So I appeal to you, the highest court in the land, to acknowledge that all my court proceedings are void. The evidence, from the beginning of case 13-CR-00949, was not sufficient to satisfy the jurisdictional element to detain Bell. In the absence of such evidence, the law requires you to discharge Bell immediately from custody and confinement. Any other decision, violates Bell's due process rights. See: Harris v. United States, 404 U.S. 1232, 1233, 30 LED2D 25, 92 S. Ct. 10 (1971); Johnson v. Florida, 391 U.S. 596, 20 LED2D 838, 88 S. Ct. 1713 (1968). In these circumstances, the petitioner must be discharged. See: Walker v. Johnston, 312 U.S. 275, 284, 85 LED 830, 834, 61 S. Ct. 574.

(ixxx) Finally, we see that there is absolutely no proof available on the record, nor any law that proves, that the current United States District Court for the Northern District of Illinois, Eastern District derives judicial power from Article 3 of the Constitution or a statute, to issue an order to commit Bell's body to confinement.

(xxx) Therefore, Habeas Corpus Ad Subjiciendum is appropriate procedure to discharge Bell from unlawful

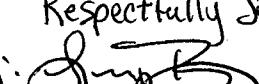
detention. Source: Ex Parte Bollman, 4 CRANCH 75, 2 LED 554. Discharging Bell from custody immediately, as law and justice requires, will not overrule all cases previously ignoring or distorting the statute; stare decisis suffices to preserve them. Source: Burnet v. Coronado Oil & Gas, Co., 285 U.S. 393, 407-408, 76 LED 815, 52 S.Ct. 443 (1932).

5.) Bell has no other remedy for release from the territorial court's unlawful detention, other than this petition for Writ of Habeas Corpus Ad Subjiciendum. Territorial courts can not hear constitutionally recognized rights because they are not Article 3 constitutional courts. Source: Northern Pipeline Co. v. Marathon, 458 U.S. 50, 73 LED 598. The Writ of Habeas Corpus Ad Subjiciendum is a recognized constitutional right. You are a constitutional court.

6) No other application for Writ of Habeas Corpus Ad Subjiciendum have previously been made to any court.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 20, 2018

Respectfully Submitted
By: 
MELVIN T. BELL
TRUST # 22485075
c/o 71 West Van Buren Street
Chicago, Illinois [zip exempt]
NON-DOMESTIC Mail, Foreign Mail w/o U.S.

AFFIDAVIT OF FACTS
REASONS FOR GRANTING THE WRIT

- 1.) The United States District Court of Illinois alleged by reference to 18 U.S.C. Sec. 3231 as the source of their power and authority to detain Bell;
- 2.) Respondents have failed to show exactly how 18 U.S.C. Sec. 3231 supplies their local government court judicial power, especially when, Congress expressly excluded territorial courts from that exact statute;
- 3.) That the lower inferior court has exceeded its jurisdiction and exercised a power not authorized by a statute or the Constitution;
- 4.) The record opposes affirmatively to show all the facts necessary to create federal jurisdiction. The obvious facts are such; petitioner's unlawful detainment violates rights secured by the Fifth and Sixth Amendment of the Constitution;
- 5.) Based on the obvious fact, that it clearly appears, on the face of the record or otherwise, that the lower inferior court was without jurisdiction and does not have jurisdiction of the offense charged in the indictment found against Bell, in the suit United States v. Bell, 13-CR-00949, therefore, it is historically accurate to order and grant relief as such described herein, and otherwise you deem just and right, and that Bell be discharged from his illegal imprisonment.

CONCLUSION

The grounds for relief [discharge] are, that the inferior court has exceeded its jurisdiction by detaining Bell with an act of force not authorized by the Constitution or statute.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 20, 2018.

Respectfully Submitted By:


MELVIN T. BELL TRUST # 22485-075
c/o 71 West Van Buren Street
Chicago, Illinois [zip exempt (DMM 122.32)]
United States of America
NON-DOMESTIC MAIL, Foreign Mail w/o U.S.

PRAYER FOR RELIEF

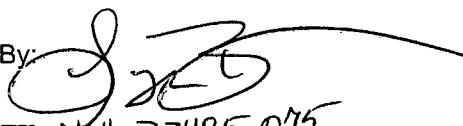
Wherefore, Petitioner prays that:

- 1.) Grant and issue the writ of habeas corpus, commanding respondents to produce to the body of the petitioner before the Supreme Court; together with the total cause of his detention, and;
- 2.) Arrest the power of the lower court to proceed to try, sentence, or detain Bell as if the indictment had been dismissed or nolle prosequi had been entered; and
- 3.) If there be nothing before you, the Supreme Court, showing an offense against the respondents, which Bell in the language of the Constitution can be "held to answer," then Bell be discharged for want of jurisdiction so far as the offense originally presented to the territorial court by the indictment is concerned. See: Walker v. Johnston, 312 U.S. 275, 284, 85 LED 830 834, 61 S. Ct. 574; Ex Parte Yarbrough, 110 U.S. 651, 653, 28 LED 274, 4 S. Ct. 152. (R. Hurd, Treatise on the Right of Personal Liberty, and On the Writ of Habeas Corpus and the Practice Connected With It; Ch. 2)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 20, 2018.

Respectfully Submitted By:


MELVIN T. BELL TRUST # 22485-075
c/o 71 West Van Buren Street
Chicago, Illinois [zip exempt (MM122,32)]
United States of America
Non-DOMESTIC Mail, Foreign Mail w/o U.S.

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from this filing is
available in the
Clerk's Office.**