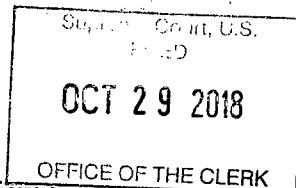


18-6790
IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully petition for a writ of certiorari to review a



decision of the United States Court of Appeals for the District of Columbia

OPINION BELOW

The opinion of the United States Court of Appeals

appears at Appendix A to the petition and is unpublished for good reason.

JURISDICTION

The date on which United States District Court Judge Christopher Reid “Casey” Cooper dismissed Clarence Otworth’s pro se case against defendant Donald Trump was December 12, 2017. Plaintiff’s timely Appeal of Judge Cooper’s Final Order was filed within 10 days. Judge Cooper refused to respond to the appeal of his Final Order because he did not want to admit that he had no grounds for dismissing the case; only judicial bias against indigent pro se litigants, so he unlawfully brought the case to the United States Court of Appeals for the District of Columbia for review. The date the Court of Appeals concluded on its own motion that oral argument would not assist the court in this case was May 15, 2018. The case was dismissed on May 29, 2018. Circuit Judges Beall Griffith, Padmanabhan Sirikanth “Sri” Srinivasan, and David Bryan Sentelle flat out lied when they wrote: “Appellant’s notice of appeal filed in district court brought the case before this court. See Fed. R. App. P. 3(a)(1) (an appeal ‘from a district court to a court of appeals may be taken only by filing a notice of appeal with the district clerk’).” Plaintiff did not file a notice of appeal with the district clerk. The plaintiff filed an APPEAL OF FINAL ORDER. These four judges should be fired for depriving Clarence Otworth of due process of law -- “Fair treatment through the judicial system, especially as a citizen’s entitlement.” The case is docketed in the court of appeals as No. 18-5011. The jurisdiction of the court of appeals cannot be invoked – it had no jurisdiction!

QUESTIONS PRESENTED

1. Is an appeal of a final order and a notice of appeal the same thing?
2. Did Judge Cooper have the authority to send plaintiff's dismissed case to a court of appeals?
3. Does a court of appeals lack jurisdiction if a notice of appeal is not filed with the district court clerk?
4. Did Brett Kavanaugh learn that he was nominated by defendant Trump before or after the court of appeals declined appellant's motion for rehearing en banc?
5. Clarence Otworth filed a complaint against Donald Trump, the President of the United States, the chief law enforcement officer in the United States, and alleged that he committed nonfeasance, a violation of his oath of office, which caused the plaintiff to suffer the loss of his constitutional rights under the 5th and 10th Amendments, and the loss of thousands of dollars, does the United States Supreme Court agree with Judge Cooper that this a frivolous complaint that lacks "an arguable basis either in law or in fact" ?

LIST OF PARTIES

1. Plaintiff will be 80 years-old in December 2018. He is a retired Railroad conductor, both freight and Amtrak. He lives at 187 East Daniels Road, Twin Lake, Michigan 49457. Telephone: (231) 292-1205.
2. Defendant is a 72 year-old businessman and television personality. He was elected President of the United States on November 8, 2016. He took office on January 20, 2017 after taking the following oath of office: "I do solemnly swear that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States." He violated his sworn oath when he committed nonfeasance and subjected himself to impeachment. He lives in the White House, 1600 Pennsylvania Avenue, N.W., Washington, D.C. 20500.

(Nonfeasance: "Failure to perform an act that is required by law.")

President Trump is the chief law enforcement officer in the United States. He committed nonfeasance when he failed to confront Attorney General Jefferson Sessions for committing nonfeasance. Jeff Sessions committed nonfeasance when he failed to confront Michigan's Attorney General William Duncan "Bill" Schuette for committing nonfeasance. Bill Schuette committed nonfeasance by repeatedly refusing to arrest and prosecute the operators of two criminal organizations (Dalton Township and the Village of Lakewood Club) that are pretending that their organization are incorporated so they can enact zoning ordinances, levy property taxes, receive a share of Michigan's tax revenue, and provide themselves with a lucrative income. Bill Schuette refuses to do what the law requires him to do because he would have to also arrest and prosecute his friends for perjury - the attorneys that represent Dalton Township and the Village of Lakewood Club. Bill Schuette wants to be Michigan's next Governor. President Trump has endorsed Bill Schuette. Over five thousand families in Muskegon County are the victims of these two criminal organizations. Judge Cooper, who doesn't know that the President of the United States is the chief law enforcement officer in the United States, couldn't understand why the plaintiff was suing President Trump.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Equal Protection Clause of Section 1 of the Fourteenth Amendment provides that no State shall “deny to any person within its jurisdiction the equal protection of the laws.”

42 U.S.C. Section 1981(a) states: All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, … and to the full and equal benefit of all laws and proceedings for the security of person and property.

42 U.S.C. Section 1983 states: Every person who, under color of any statute, ordinance, or regulation, custom, or usage, of any State … subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proceeding for redress.

The Racketeer Influenced and Corrupt Organization Act (commonly referred to as RICO ACT or RICO) is a United States federal law that provides for extended criminal penalties and a civil cause of action for acts performed as part of an ongoing criminal organization. RICO was enacted by section 901(a) of the Organized Crime Control Act of 1970 (Pub. L. 91-452, 84 Stat. 922, enacted October 15, 1970). RICO is codified as Chapter 96 of Title 18 of the United States Code, 18 U.S.C. Section 1961-1968. Under RICO, a person who is a member of an enterprise that has committed any two of 35 crimes -27 federal crimes and 8 state crimes – within a 10-year period can be charged with racketeering. Those found guilty of racketeering can be fined up to \$25, 000 and sentenced to 20 years in prison per racketeering count. In addition, the racketeer must forfeit all ill-gotten gains and interest in any business gained through a pattern of “racketeering activity.” RICO also permits a private individual, such as Clarence Otworth, plaintiff herein, harmed by the actions of such enterprise to file a civil suit; if successful, the individual can collect treble damages.

Theft of petitioner’s mortgage payments by Fifth Third Bank for the collection and payment of an unlawful debt (alleged delinquent property taxes) to Dalton Township and the Village of Lakewood Club is itself a RICO VIOLATION even without a “pattern of Racketeering Activity.”

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STATEMENT OF THE CASE

Shon Anne Cook, a former partner in the law firm of Williams, Hughes & Cook, the attorneys that represent the Village of Lakewood Club, claims that even if compulsory incorporations have been unconstitutional in Michigan since September 01, 1909, and the Muskegon County Board of Supervisors compulsorily incorporated the Village of Lakewood Club on June 28, 1967, the racketeers that run the village are entitled to continue doing business because they have been successfully operating for 51-years. That is really dumb! Successful criminals can be put out of business whenever their crimes are discovered. Willie Sutton (born William Francis Sutton) successfully robbed banks for forty years. He was not entitled to continue robbing banks – he was entitled to go to prison. The racketeers that operate Dalton Township and the village of Lakewood Club, and the attorneys that represent them, and the politicians that protect them (such as Attorney General Bill Schuette and Muskegon County Prosecutor D.J. Hilson) are entitled to go to prison.

FACTUAL BACKGROUND

On June 28, 1967, the Muskegon County Board of Supervisors compulsorily incorporated two square miles of land in the northwest section of Dalton Township (Sections 5 and 6 of Town 11 North, Range 16 West), under the General Law Village Act, Public Act 3 of 1895, and declared it to be an incorporated village to be known as Lakewood Club. This was a premeditated felony crime – fraud. Compulsory incorporations have been unconstitutional in Michigan since September 01, 1909, because Chapter One of the General Law Village Act, Public Act 3 of 1895, was superseded as to new incorporations by the Home Rule Village Act, Public Act 278 of 1909. The Home Rule Village Act requires an election to be held on the question of incorporation by the qualified electors affected by a proposed incorporation. The General Law Village Act, Public Act 3 of 1895, as amended, has no provisions for the incorporation of villages. The Home Rule Village Act is the only law in Michigan that has provisions for the incorporation of villages. The General Law Village Act, Public Act 3 of 1895, as amended, simply allows villages

incorporated before the Home Rule Village Act, Public Act 278 of 1909, went into effect on September 01, 1909, to adopt the amended Act as its village charter. Lakewood Club's village council adopted the amended Act as its village charter. This was another premeditated felony crime – fraud. The phony adoption deprived the qualified electors of their constitutional right to vote on a proposed village charter just as they were deprived of their constitutional right to vote on the question of incorporation.

THIS CASE PRESENTS ISSUES OF
FUNDAMENTAL NATIONAL IMPORTANCE

There can be no doubt that this case presents issues of great national importance. At the most fundamental level the question it raises is whether Americans that cannot afford to hire an attorney should be deprived of an opportunity to obtain justice. The courts belong to the America people, but only lawyers have access to courts – they have a monopoly on access. Not once in the United States in the last 150 years has a federal or state court judge allowed a non-lawyer pro se litigant in a civil action to have a jury trial or a bench trial.

CONCLUSION

For the foregoing reasons, Clarence Otworth respectfully requests the court to grant his petition for a writ of certiorari.

DATE: October 29, 2018.

Respectfully Submitted,



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APPENDIX A