

18-7548

No. \_\_\_\_\_

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_  
David Abiodun K.G.B. Onafeko — PETITIONER  
(Your Name)

vs.

Government of United Kingdom et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals For The Fourth Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

David Abiodun K.G.B. Onafeko  
(Your Name)

P.O. Box 33937  
(Address)

Washington DC, 20033  
(City, State, Zip Code)

+12022814463  
(Phone Number)



### QUESTION(S) PRESENTED

1. Whether the Appellant is entitled to rights afforded him under the United Nations Declaration of Human Rights whilst he is residing in the United States..
2. A Declaration by the Supreme Court as to which Court the case is supposed to be before, is a United States District Court is not an appropriate Court.
3. WHAT HAPPENS IN A SITUATION LIKE THIS, WHERE THERE MAY BE CLASHES BETWEEN NATIONAL LAW AND INTERNATIONAL TREATY. AND/OR WHEN LOWER COURTS' DECISION EXPOSES UNITED STATES TO LITIGATION FOR VIOLATION OF INTERNATIONAL TREATY.

## LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.

[X] 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:

Government of United Kingdom of Great Britain and Northern Ireland (1)

Ministry of Justice, United Kingdom (2)

Crown Prosecution Service, United Kingdom (3)

Federal Republic of Nigeria (4)

Director of Prosecutions, Nigeria (5)

David Olaniyi Oyedepo (6)

Faith Tabernacle Canaanland, Ota (7)

Winners Chapel (8)



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## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
"Argentina Republic v. Amerada Hess Shipping Corp., 488 U.S. 428, 434 (1989).	
Roeder v. Islamic Republic of Iran, 646 F. 3d 56, 58 (D.C. Cir. 2011)	
Peterson v. Royal Kingdom of Saudi Arabia, 416 F.3d 83 (D.C. Cir.2005).	
Republic of Austria v. Attmann 541 U.S. 677 (2004)	
Argentine Republic v. Amerada Hess Shipping Corp. 488 U.S. 428 (1989)	
Smith v. United States, 568 US 106 (2013)	
18 U.S.C 241 and 242	

## STATUTES AND RULES

1. FSIA
2. United Nations Universal Declaration of Human Rights
3. 28 U.S.C. § 1332

## OTHER

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 (1) to <sup>A (13)</sup> the petition and is

☐ reported at \_\_\_\_\_; 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 (1) to <sup>B (9)</sup> the petition and is

☐ reported at \_\_\_\_\_; 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 November 30th, 2018.

☐ 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).

(2)

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. There appear to be no precedence of this situation. Supreme Court of the United States need to make the position clear, so that different United State Courts of appeal are not interpreting laws differently in similar situations like this.

2. FSIA, U.S.C., plus Discrimination, Fraud, Conspiracy, Slander Laws etc

3. 28 U.S.C. § 1332



# STATEMENT OF THE CASE

① THE SIXTH DEFENDANT IS A NIGERIAN PARTNER, WHO ACQUAINTLY OWNS THE 7TH AND 8TH DEFENDANT RELIGIOUS OR CHARITABLE ORGANIZATIONS. THESE THREE DEFENDANTS EMPLOY VARIOUS NATIONALITIES IN UNITED KINGDOM, AROUND THE WORLD ETC. WHO MIGHT BE CONSIDERED AS WITNESSES TO DISPUTE, CLAIMS AND DIFFERENT NATIONALITIES. THERE ARE DIVERSE ISSUES. IN FACT, APPELLANT AND SIXTH DEFENDANT HAVE BEEN ACTIVELY DUE TO NEGLIGENCE, FAILURE TO ACT, FRAUDULENT EMPLOYEES' BETRAYAL, PART OF THE CASE INVOLVING MISUSE OF JUDICIAL POWERS ETC. INVOLVING MINIPULATION

COMPLETELY, CONSPIRACY, WITNESSES TAMPERING, MISUSE OF JUDICIAL POWERS ETC. INVOLVING MINIPULATION OF FACT, BETRAYAL OF EVIDENCE, BRIBERY, CONTEMPTMENT ETC. THE APPELLANT IS A SINGLE FATHER OF THREE CHILDREN, WHO AT ALL MATERIAL TIMES AS IN BUSINESS, WORKING IN ACCOUNTING, CONSULTANCY, PUBLIC RELATIONS, MEDIA ETC. THE DISPUTE AROSE OUT OF APPELLANT'S

PREVIOUS MEMBERSHIP OF THE 7TH AND 8TH DEFENDANT ORGANIZATIONS. ② ALTHOUGH FULLY PLEADED APPELLANT'S OF CLAIM HAS NEVER BEEN FILED/SERVED IN THIS DISPUTE COURT (CASE, UNRESOLVED ISSUES) RELATE TO JURISDICTION, THAT IS, WHICH COURT(S) HAVE JURISDICTION TO HEAR THESE TYPE OF CASES, MATTER INVOLVE STANDER/BETRAYAL, HARASSMENT, FRAUD, CONSPIRACY, TORTIOUS BETRAYAL, THEFT, TORTURE ETC. COMPLICATED BY BRIBERY, MINIPULATION, PERJURY, BLACKMAIL ETC.

③ THIS DISPUTE SPREAD IN THE UNITED KINGDOM, EXPANDING TO OTHER COUNTRIES SUCH AS UNITED STATES, CANADA, NIGERIA, KENYA, SOUTH AFRICA, ETHIOPIA ETC. IT IS AGREED THAT FIRST IS THE SOLE BASIS FOR OBTAINING JURISDICTION OVER A FOREIGN STATE. DUE TO THE EXCEPTION HAS BEEN ACHIEVED, THE UNITED STATES IS A PARTY TO, WHICH OFFERS APPELLANT FINANCIAL, THE RIGHT OF

THEY WHICH THE UNITED STATES IS A PARTY TO, WHICH OFFERS APPELLANT FINANCIAL, THE RIGHT OF EFFECTIVE REMEDY, PROHIBITION OF A STATE TRYING TO DESTROY EVIDENCE ETC. AS THE ONLY THING GOING ON NOW IS OUT JURISDICTION OF COURT, WITH ATTEMPT DISPUTE UNRESOLVED, THERE REMAIN A VIOLATION OF APPELLANT'S FUNDAMENTAL AND CONSTITUTIONAL RIGHTS.

④ THE DISTRICT COURT REFUSED APPELLANT RIGHT TO PLEADED IN FORM PAPER. THIS WAS REVERSED BY THE COURT OF APPEAL, THIS CASE IS SETTLED, HOWEVER, IT IS APPELLANT'S POSITION THAT BOTH LOWER COURTS MIS-INTERPRETED 28 U.S.C. § 1332. THIS MATTER IS MARKED FOR JURY, SIMPLY BECAUSE THE SECTION IS SILENT ABOUT "JURY TRIAL", DOES NOT MEAN IT DOES NOT HAVE JURISDICTION.

⑤ SUPREME COURT OF UNITED STATES IN THIS MATTER OF CERTIORARI, WILL HELP INTERPRET 28 U.S.C. § 1332 PROPERLY, AVOID VARIOUS COURT OF APPEALS RULING DIFFERENTLY, THEN ALL APPELLANT FILE A FULLY PLEADED APPELLANT OF CLAIM, WHICH WILL FULLY SET OUT FACTS, LAWS, CUSTOM ETC. THE APPELLANT DID NOT NEED TO WAIT INTO DECISION, WITH THE ONLY ISSUE BEFORE IT WAS A DECISION ABOUT APPELLANT'S FREE WITNESS APPLICATION. THIS CLAIM IS OVER \$75,000, WITH A DIVERSE NATURE. WITH RESPECT, IT WOULD AFFECT THAT DEFENDANT'S RIGHTS HAVE BEEN VIOLATED HERE, SINCE THEY HAVE BEEN DENIED OPPORTUNITY OF SEEING FULLY PLEADED PAPERS AND RESPONDING TO SAME.

⑥ APPELLANT FEELS THAT ANYTHING SHORT OF PROVIDING HIM EFFECTIVE REMEDY, WILL LEAVE UNITED STATES IN VIOLATION OF INTERNATIONAL TREATY.

## REASONS FOR GRANTING THE PETITION

1. In the interest of justice, to avoid different court of appeals deciding differently in similar future circumstances.

2. The lower Court has departed from the normal in this matter.

3. There is no basis for the lower court's opinion. It is clearly established in

a) Republic of Austria v. Attmann 541 U.S. 677 (2004) that FSIA standards of immunity and its exceptions apply.

b) Argentine v. Amerasia Shipping Corp. 488 U.S. 428 (1989) that FSIA is the exclusive means of suing foreign sovereign, not Alien Tort Statute.

c) Smith v. United States, 568 US 106 (2013) that the burden of proof shift to Defendants in a conspiracy situation or allegation.

④ APPELLANT IS ENTITLED TO EQUAL PROTECTION OF THE LAWS AND RESIDE IN THE UNITED STATES  
i) WITH PHYSICAL ADDRESS IN FORT BELVOIR, VIRGINIA  
ii) WITH CORRESPONDENCE ADDRESS (POST OFFICE BOX) IN WASHINGTON DC

THE RESPONDENTS HAVE VIRGINIA AND WASHINGTON D.C. ADDRESSES

⑤ ARTICLE III, SECTION 1, U.S.C. PROVIDES THAT JUDICIAL POWERS IS VESTED IN SUPREME COURT AND INFERIOR COURTS.

SECTION 2 PROVIDES THAT JUDICIAL POWERS EXTEND TO ALL CASES AND TREATIES, INCLUDING FOREIGN STATES, CITIZENS OR SUBJECTS. APPELLANT IS CURRENTLY A SUBJECT.

AMENDMENT VII PROVIDES THAT WHERE VALUE IN CONTROVERSY EXCEED TWENTY DOLLAR, THE RIGHT BY JURY SHALL BE PRESERVED. THE LOWER COURTS FAILED TO PRESERVE APPELLANT OR PLAINTIFF'S RIGHT TO JURY.

AMENDMENT XIV, SECTION 1 PROVIDES THAT NO ONE BE DEPRIVE OF LIFE, LIBERTY OR PROPERTY WITHOUT DUE PROCESS OF LAW OR EQUAL PROTECTION OF THE LAWS. THERE IS EFFECTIVELY STILL A BREACH OF THIS PROVISION.

⑥ FURTHER TO PARAGRAPHS 4 AND 5 ABOVE, APPELLANT CONTENTS THAT THE LOWER COURTS' DECISIONS ARE NOT ONLY WRONG, BUT A BREACH OF U.S. CONSTITUTION, INTERNATIONAL TREATIES, APPELLANT'S CONSTITUTIONAL RIGHTS ETC. SUPREME COURT OF THE UNITED STATES HAVE APPELLATE JURISDICTION AS TO LAW AND FACTS IN THIS CASE. THE INCIDENTS, CRIMES, BREACHES, WRONG COMPLAINED OF, OCCURED (AND CONTINUE TO DATE) IN UNITED KINGDOM, SEVERAL STATES WITHIN THE UNITED STATES, NIGERIA, CANADA, KENYA, PLUS A NUMBER OF OTHER COUNTRIES INVOLVING SEVERAL CHARITIES, MINISTRIES, GOVERNMENT EMPLOYEES (WITH VARYING NATIONALITIES), RESPONDENTS' EMPLOYEES (WITH VARYING NATIONALITIES), BANKING, INSURANCE, FINANCE CORPORATION EMPLOYEES AROUND THE WORLD (WITH VARYING NATIONALITIES). TO SAY THERE IS NO DIVERSITY ISSUE IN THIS MATTER IS BUT A MOOT.

⑦ PLEASE SEE APPELLANT'S LEGAL ARGUMENT OR SKELETON ARGUMENT FOR CERTIORARI, MARKED AS APPENDIX D.

⑤

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

David Abiodun K.G.B. Onafeko

Date: January 7th, 2019.

