

# ***United State Supreme Court***

**Emmanuel Adeyinka**

**Vs.**

**HARRIS COUNTY JAIL, TEXAS GOVENOR GREG ABBOTT,STATE OF  
TEXAS,TEXAS DEPARTMENT OF CRIMINAL JUSTICE,SENATOR JOHN  
WHITMIRE,SENATOR JOAN HUFFMAN,SENATOR KONNI BURTON,SENATOR  
BRANDON CREIGHTON,SENATOR SYLVIA GARCIA,SENATOR BRYAN  
HUGHES,SENATOR JOSE MENENDEZ, SENATOR CHARLES PERRY, SENATOR  
JOHN CORNYN,SENATOR TED CRUZ**

**ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT**

## **PETITION FOR A WRIT OF CERTIORARI**



# Question Presented for Review

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1. Can the United States identify any of nine elements of common and law fraud in this case?
2. Is there a pattern or practice is there discriminatory activities and procedures.
3. *In the united state district court for the southern district of Texas Houston division memorandum opinion and order Heck v.Humphrey, 512 .U.S. 477, 486-87 (1994).*
4. Is there a conspiracy against rights in these cases? Or a statute of frauds remedy
5. Have these officers acted under color of law or violated Emmanuel

Fourteenth right or meeting the qualifications of failure to train and lead litigation?

6. *Devonshire declaration – block self government*
7. *Falsus in uno , falsus in omnibus - false in one thing , false in everything*
8. *Police perjury*
9. *State secrets privilege,*
10. *State secrets protection act*
11. *State against penal interest*
12. *Act of state Doctrine*
13. *exclusionary rule*
14. *Ex Post Facto Law*
- 15.

## Listed of Party

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Emmanuel Adeyinka **Appellant**

HARRIS COUNTY JAIL **Defendants**

TEXAS GOVENOR GREG ABBOTT **Defendants**

STATE OF TEXAS **Defendants**

TEXAS DEPARTMENT OF CRIMINAL JUSTICE **Defendants**

SENATOR JOHN WHITMIRE **Defendants**

SENATOR JOAN HUFFMAN **Defendants**

SENATOR KONNI BURTON **Defendants**

SENATOR BRANDON CREIGHTON **Defendants**

SENATOR SYLVIA GARCIA **Defendants**

SENATOR BRYAN HUGHES **Defendants**

SENATOR JOSE MENENDEZ **Defendants**

SENATOR CHARLES PERRY **Defendants**

SENATOR JOHN CORNYN **Defendants**

SENATOR TED CRUZ **Defendants**

Appendix to the petition for a writ of certiorari

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## LIST OF AUTHORITIES

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**Brady v. Maryland**, 373 U.S. 83 (1963), Edgar v. MITE Corp., **457 U.S. 624 (1982)**,  
**Enyng Li v. Holder**, 738 F.3d 1160 (9th Cir. 2013 )

**Scott v. metropolitan police commissioner** (1975) AC 910,

**Sorrells v. United States**, 287 U.S. 435,451 Marbury v. Madison, **5 U.S. 137 (1803)**

**Schenck v. Pro Choice Network**, 519 U.S. 357 (1997)

**Robinson v. California**, **370 U.S.660 (1962)** Pennsylvania v. Nelson, **350 U.S. 497 (1956)**

**whitley v. Alber**, **475 U.S. 312 (1986)** Cooper v. Aaron, **358 U.S. 1 (1958)**

**Hope v. Pelzer**, **536 U.S. 730 (2002)** United States ex rel. Steury v. Cardinal Health, Inc.

**Hudson v. McMillian**, **503 U.S. 1 (1992)** Martin v. Hunter's Lessee, **14 U.S. 304 (1816)**

**Aguilar v. Texas**, **378 U.S. 108** Ware v. Hylton, **3 U.S. (3 Dall.) 199 (1796)**

**Illinois v. Gates**, **462 U.S. 213 (1983)** Cohens v. Virginia, **19 U.S. 264 (1821)**

**United States v. Matlock**, **415 U.S. 164** Ableman v. Booth, **62 U.S. 506 (1859)**

**Terry v. Ohio**, **392 U.S. 1(1968)** Martin v. Hunter's Lessee, **14 U.S. 304 (1816)**

**O'connor v. Ortega**, **480 U.S.709(1987)** Ware v. Hylton, **3 U.S. (3 Dall.) 199 (1796)**

**Schad v. Arizona** ,**501 U.S.624 (1991)** Cohens v. Virginia, **19 U.S. 264 (1821)**

**Beazell v. Ohio**, **269 U.S.167 (1925)** Ableman v. Booth, **62 U.S. 506 (1859)**

**J.I case co v. borak .** Marbury v. Madison, **5 U.S. 137 (1803)**

**Strickland v. Washington** (1984) Pennsylvania v. Nelson, **350 U.S. 497 (1956)**

**Miranda v. Arizona** (1966) Cooper v. Aaron, **358 U.S. 1 (1958)**

*United State v.kemp & Associates,et al*

Missouri v. Holland, 252 U.S. 416,

*Atlantic Corp . v. Twombly ,550 U.S.554 (2007)*

*Emmanuel Adeyinka V. Commonwealth of Pennsylvania Docket number MC-51-CR-0002986-2008*

*Emmanuel Adeyinka V. Harris County CASE# No. 152264701010*

*Emmanuel Adeyinka V. State Of Texas CASE #*

*Sullivan v. United States, 990 A.2d 477 (D.C. 2010)*

*United State v. Texas state board of pub . accountancy , 464 f.supp.400(w.d.tex 1978),*

Commonwealth Edison Co. v. Montana, 453U.S. 609 (1981)

California v. ARC America Corp., 490 U.S. 93 (1989)

Crosby v. National Foreign Trade Council, 530U.S. 363 (2000)

# **PETITION FOR WRIT OF CERTIORARI**

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## **OPINION BELOW**

**The opinion of the united state district court for the southern district of Texas Houston division memorandum opinion and appear in Appendix A Civil Action No. H-18-1782**

## **JURISDICTION**

**The opinion of the united state district court for the southern district of Texas Houston division in Appendix A memorandum opinion was issue ENTERED July 17, 2018 ,Outlined in 28 U.S.C. § 1915 (e)(2)(B)**

**The United State Court of Appeals for the Fifth Circuit Appendix B Dismissed under 5 TH CIR. R. 42.3, the appeal is dismissed as of October 31, 2018, for want of prosecution. The appellant failed to timely file appellant's brief.**

# Constitutional Provision

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U.S. Const. Amend. VI: In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

U.S. Const. Amend. XIV, sec. 1: All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**Amendment IV** **U.S. Const. Amend. IV** **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.**

**U.S. Const Article 1 section 6** **No Preference of commerce or revenue to the port of one state over those of another: nor Shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another**

**U.S. Const Article 1 section 9 clause 3**

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.

No Bill of Attainder or ex post facto Law shall be passed.

*(No capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.)* **(Section in parentheses clarified by the 16th Amendment.)**

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince or foreign State.

**U.S. Const Article 1 section 10 1 and 2** No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

**U.S. Const. Article 3 section 2 The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.**

**U.S. Const. Article 4 section 2 -3, Section 3 Section 2 3: No person held to service or labour in one state , under the law thereof , escaping into another ,shall ,in consequence of any law or regulation therein , be discharge from service or labour ,but shall be delivered up on claim of the party to whom such service or labour may be due.**

**Section 3 1: New states may be admitted by the congress into this union; but no new state shall be formed or Erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states , or parts of states, without the consent of the legislatures of the states concerned as well as well as of the congress.**

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# STATEMENT OF THE CASE

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Emmanuel Adeyinka is seeking damages alleged violation because of his constitution rights has been violated in and out incarceration and in court rely in later writ of habeas corpus after the state responded. Emmanuel Adeyinka is not seeking allege for violation of his fifth and fourteenth amendments but for the course career of the state's criminal proceedings. See in Barron v. Mayor & City Council of Baltimore, 32 U.S. 243 Due process unconstitutional of Magna Carta, and law of the land and legal judgment of peers. Wish they are in little to but shouldn't be justice fired or perverted or use to pervert in the court of law. In these cases Emmanuel Adeyinka have filed in the United States District courts Southern district of Texas Houston Division the label these individual incidents frivolous or malicious in regards to cases Adeyinka v. Harris County, et al Civil No. H-18-1616 and cases Adeyinka v. Harris County Jail ET civil No. H-18-1782 and cases Civil No. H-18-2161 and cases Adeyinka v. Houston Texas dep't of Public Safety Civil No. H-18-2753 and cases Adeyinka v. Texas dep't of justice et al. and these cases was not in good faith. The justice system is a fair line of good faith, the responses and Rely show and bad image of their judgment more than 13 people was arrested today September 10 2018 does med the hole 13 people are guilty of these criminals, the cases are look over and in the court of law as fair chance to be proof innocent or guilty, Not look as myth or expectation. If Harris county justice system was view for each and every criminal cases as a number or statistic of the people they bring to prosecute and, not in good faith or frivolous or malicious because of their statistic or number of arrested. Doesn't mean they wasn't in good faith See in Taylor v. Kentucky , 463 U.S. 478,98 S. Ct 1930,56 L. Ed.2d 468{1978}) to rely and make a judgment on August 15, 2018 are unconstitutional Emmanuel Adeyinka ask for a jury trial, When you have a complaint asking to be reviewed in the natural of **Scott v. Metropolitan police commissioner (1975) AC 910** , See in **Hit v. Jenks and other, EX'RS** , See in **Miller v. Texas & P.R.Y.CO** See in **Worrall v. SAME. Dunlap v. SAME.** Any time you have a complaint asking for review of the courts when a law enforcer have use their license improperly for a again or conspiracy of rights, there can be a number of issue and incidence with in a malicious prosecution till proofing their motive or motive questioned or when you have unconstitutional matter asking for review by the courts in the natural of See in **Sullivan v. United States, 990 A.2d 477 (D.C. 2010)** Emmanuel Adeyinka a cases related Civil No. H-18- 2753 or unconstitutional issue and matter See in failure -**To- Train liability Brady v.Maryland** **Emmanuel Adeyinka cases related** Civil No. H-18-2161 and cases H-18-1616 and civil No. H-18-1782 or cases when the complaints about a eights amendments right is or was violated See in cases **in whitley v. Alber , 475 U.S. 312 (1986) of public a service. Because these's issue wasn't never address or review fairly in the courts. They have build a remedy and act of a Civil violations SEE in Robinson v. California, 370 U.S.660 (1962) were they have use their license improperly consistently See In Miranda v. Arizona if proofing or bring to light you see a find line or a hard rock of discrimination in the mist of Emmanuel Adeyinka friends and community and in the public. The honorable Judge David Hittner rely to the case**

being in relationship to see In. 512 U.S 477,486-87 **Heck v. Humphrey**, Oyez The Supreme Court and abortion law Body Politic media oral argument - April 18 ,1994 and Opinion Announcement - June 24 , 1994 That said heck can suit his states that his should appoint or address his suit to his legislator . The rise Heck files a law or asks the courts to review his cases were because heck said there was hiding evidence. I suggest that the court doesn't move in that direction. Every case is a root Emmanuel Adeyinka has filed is a keep element or evidence to in lighting a root why Emmanuel Adeyinka ask for justification the common and law can in lighting point of cause if causes haven't enhance ritual of delays ritual of un fairness the courts can also justified the line unfair justice . The cases filed are related and later to be associated to in lighting the point of cause. In these cases of proximate cause I suffer injury that was tort that limited his liability United States Supreme Court. See in **Baker v. Mc Collan** , 1979 No. 78-752 42 U.S.C. Section 1983 - unlawful detention See in **Manuel v. City of Joliet** , -- U.S.—2017 , and now suffer Supremacy clause were not under the federal law and force to constitute , and in and outside Of the courts and incarceration evidence of volition of the fourth , fifth , and sixth and eighth amendment and their premeditate practices entrapment See in **Strickland v. Washington** , when A defendant claim that plea cased by ineffective assistance of counsel ,

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## Reason for Granting the Petition

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*On May 18, 2018 the United States district court for the southern District of Texas Houston Division. The honorable judge Keith P. Ellison respondent very quick and in remedies and showing a pattern in practices and premeditated judgment, the proceeds of the Emmanuel Adeyinka , See in brown v. united states 356 U.S.148 (1958) the decision to exhaust the remedies .Of the state bring an unreasonable decision to appeal before or after the final judgment blacklist; black law book, master v. Lee, 39 Neb.574 N.W.;( Mattison v. Railway Co., 2 Ohio N.p.279) , Not because of the quick decision of judge but notices it show sign of fifth amendment violation. And been the some decision making and unjust attitude the state and defendant have made in other associate case criminal case as well as this lawsuit. Heck v.Humphrey, 512 U.S. 477 (1994) one of elements in Heck v.Humphrey, 512 U.S. 477 (1994) that sue challenge his and convictions, one because his Choices to appeal to the elements of the concern of the institution or division. 5.Which challenge the Equal right and bring more civil elements, See in Barron v.City of Baltimore (1833) also (Bolling v.Sharp, 1954. However this attitude faded in Chicago, Burlington & Quincy Railroad Company v. City of Chicago (1897) Due process has been interpreted to include thing such as the right to work See in Lochner v. New York (1905) the promise of legality and fair procedure form the clause Magna Carta of ordinary processes procedures of law legal systems, and the due process clause also promises before depriving a citizen of life, liberty or property, government must follow fair procedure. Case relation to Heck v. Humphrey, See in the Wallace V. City of Chicago (05-1240) was well the conflicts See in Albright v. Oliver. Recovery available to him the courts recognize the common law matter of a wrongful arrest may only cause the harm of unlawful detention from arrest. Same as in Emmanuel Adeyinka case the accrue of time trying to overture the case in heck. Litigants and principle establish in the courts in Wallace V. City of Chicago (05-1240) of the common law equal footing of the statutory of law. Also see in Connick v. Thompson case offailure -To- Train liability Brady v.Maryland. Emmanuel Adeyinka was denied effective assistance of counsel during a critical stage of his defense as he was essentially unrepresented. Emmanuel Adeyinka has appeal do to See in Strickland v. Washington, 466 .U.S. 668(1994) (rule 3.850 Ineffective assistance of counsel, effective assistance and that had effective assistance been offer, the outcome may have been different. Failure to convey a plea offer failure to investigate exculpatory witnesses or evidence, failure to preserve the right to appeal , advise you and gave incorrect information ,Gifford William R Emmanuel Adeyinka court appointed lawyer said to Emmanuel Adeyinka him was really was look to get him for trespassing. Emmanuel Adeyinka never sign any paper for Page Janik to be his lawyer and told he didn't want her as his lawyer Page Janik forces a probation Violation do to not having a job , When Emmanuel Had a job . But it questions abandoned - pleadings article 2 of the constitution of the state of Texas and in power Article 3 of constitution of the state of Texas and question the supremacy cause of the Fifth Amendment which question the Economic stabilization or a civil conspiracy, Martin A.Schwartz and In the Civil Right Act of*

1871 the federal statute number 42 U.S.C section 1983 that allow people to Sue the government for civil rights violation. It applies when someone acting "under color of" state- Level or local law has deprived a person of rights created and the state in agreement by the U.S. Statutes. Constitution or federal, proven within their predisposition practices induces. See in *Sorrells v. United States*, 287 U.S. 435,451 states remedies of the public Enforcements department and federal services roots of analysis within and condition conspiracy of imprisonment the service to Slave or enslave treats unlawful Imprisonment, See, e.g. . *Schenck v. Pro Choice Network*, 519 U.S. 357 (1997) abuse of process But for the defendant's action, the prosecution would not have Proceeded calls for exhaust the remedies protection of freedom act 2012 and a civil remedy. The law recognizes tort a civil wrong and allow injured parties to recover for their losses it is also important to note that a law cannot punish a person simply for their status. A "crime" is any act or omission in violation of a law prohibiting it, or omitted in violation of a law ordering it. The government cannot prosecute an individual for conduct that was not declared criminal at the time the individual acted. The constitution explicitly forbids in Article 1, Sections 9 and 10 retroactively applicable criminal law-ex post facto law See in *Calder v. Bull* s. As the Supreme Court explained See. In *Robinson v. California*, 370 U.S.660 (1962) any statute that Criminalizes the status of a person inflicts a cruel and unusual punishment in violation of the eight a And fourteenth Amendment, example, a state could not punish an individual for "being homeless," Which would be a status offense, but could punish a homeless individual for trespassing or loitering, Which involves some conduct? In *Robinson v. California*, 370 U.S.660 (1962) 3/4/2004 cases# 1223447001010-2 In Harris County Record Emmanuel Adeyinka was a homeless Man was arrested by the status offense trespassing. In *Robinson v. California*, 370 U.S.660 (1962) 4/27/2004 case #098579501010-3 of Harris County Record Emmanuel Adeyinka, arrested status offense in violation of See .In Article 1, Sections 9 and 10 , the litigation is unconstitutional and this constitutes a due process violation .On the date 08/24/2000 at 3620 . Woodchase Dr apt 99 HoustonTx 77042 Emmanuel Adeyinka was Illegal Arrested and false imprison of under the Case#101765901010-2 Harris County Record arrested for trespassing See. In *Robinson v. California*, 370 U.S.660 (1962) 3/23/2012 Case # 181697501010-2 of Harris County record Emmanuel Adeyinka arrested for status offense, trespassing The cruel and unusual punishment as discussed In *Ingraham v. Wright*,430 U.S. 651 (1977). This standard was refined in *Whitley v. Alber*, 475 U.S. 312 (1986) public service Werlinger , Daniel Joseph JR.and Lisle John beat Emmanuel Adeyinka , Emmanuel was in his car using his computer , Now call town suite hotel but then call sun suit hotel using the internet were and then Werlinger Daniel Joseph JR pull him out of his car beat and assault Emmanuel Adeyinka for calling his mother to pick up his car. Emmanuel Adeyinka wrote the mayor Annise Danette Parker about this incident in e-mail complaining about the nine traffic ticket he receives in a month time. On the retaliation, Emmanuel Adeyinka was fought and beating by a gang he was move twice both fought and beating by gangs. Found that a prison's eighth amendment was violated See in *Hope v. Pelzer*, 536 U.S. 730 (2002) In *Hudson v. McMillian*, 503 U.S. 1 (1992) the court held that prison's eighth amendment right could be violated if malicious force was used against him, even in the prisoner did not

*experience significant pain., See. In Robinson v.California, 370 U.S.660 (1962) Harris County Record an and of the date 06/17/2012 Case # 183425101010-2 Of Harris County Record at a public park Emmanuel Adeyinka using the rest room of the park service's false allegation of Nickson kekeechocha listed as the Property owner Emmanuel was illegal arrested and false imprison and at 3100 w.Sam Houston pkwy. S Houston, Tx 77042, in violation of See .In Article 1, Sections 9 and 10, the litigation is unconstitutional and this constitutes a due process violation. on 6/27/2013 under case# 190429301010-2 under Harris County Record Emmanuel Adeyinka was using the computer at Houston Community College located 1300 Holman St, Houston ,TX 77004 security guard at Houston community College approach Emmanuel Adeyinka with allegations of sexual harassment Emmanuel told the guard he was just using the computer to run the camera back the guard asking Emmanuel for his ID Emmanuel show it to him then the guard ask Emmanuel to put his hand around his back , (See).In Aguilar v. Texas, 378 U.S. 108 so Emmanuel Adeyinka Run , they run Emmanuel down and arrest him . the guard didn't or the witness didn't identify him as the one how sexual harassment somebody , but they book Emmanuel Adeyinka for Evading arrested .see. In illinois v. Gates, 462 U.S. 213 (1983) See. In United States v. Matlock, 415 U.S. 164 also see in terry v. Ohio, 392 U.S. 1(1968) See. In O'connor v. Ortega,480 U.S.709(1987).in see the text of 18 U.S.C section 2520 didn't have a Tex Code Crim.Proc.1405, .(1964) Section 14(a) of the act is codified at 15 U.S.C. section 78(n)(a).as implement by the Sec, it prohibits false or misleading proxy statement . Under the circumstance the court to be alert to provide such remedies as are necessary to make effective the congressional purpose 377.US.426, 433(1964). Violation of is fourth amendment Crime if he or she Acts in a way that fulfills every element of offense. The status establishing the Offense also establishes element of offense. In general, every crime involves three elements: first the act or Act or Conduct (" *Actus Reus* "); secord,the individual's mental state at the time of the act(" *mens rea* ") the Government has the burden of proof to establish every element of a crime beyond a Reasonable Doubt; and third, the Individual's conduct must be the cause of the crime. The act omission that comprise the physical by statute. See,e.g. Schad v.Arizona ,501 U.S.624 (1991) 2/08/2016 under case # 207345901010 Harris County Record Emmanuel Adeyinka was Illegal Arrested and false imprison by Hampton and Inger Marie and a false accused by Chu ,pp Emmanuel prove he live in the area from is ID But Hampton said Emmanuel had a traffic ticket , See. In Robinson v.California, 370 U.S.660 (1962) the litigation is unconstitutional and this constitutes a due process violation. ("The law recognizes tort a civil wrong and allow injured parties to recover for their losses it is also Also important to note that a law cannot punish a person simply for their status") B.Sanderson intentioned and intentionally. See. In Robinson v.California, 370 U.S.660 (1962) also see Abuse of Process Cartwright v. Wexler, Wexler & Heller, Ltd 369 N.E2d 185,187 (Ill.App.Ct.1977).*



9/5/2016 Emmanuel Adeyinka was charge with retaliation; for the words to a officer word the officer said Emmanuel Adeyinka said ("I kill you"), there was no evidence, of Emmanuel Adeyinka said these words or phrase to , appropriate way explain his action would be verb abuse , Emmanuel Adeyinka is not afflicted within or contracted or legal employee of Texas department of justice's so claim under charge is misrepresented or pursue judgment under a Mental state of mind; which Emmanuel Adeyinka"( real said he sue") ,Which in other hands the action doesn't meeting the express of the words that was reported. Emmanuel Adeyinka See. In Beazell v.Ohio, 269 U.S.167 (1925) in J.I case co v. borak . B.Sanderson didn't have a probable cause, Emmanuel Adeyinka was arrested by OTTO and Roy Allen because of the some traffic ticket Hampton arrested him in earlier case #207345901010 of Harris County Record for , ("even if giving that Emmanuel Adeyinka said I kill you"); .see. In illinois v. Gates, 462 U.S. 213 (1983) See. In United States v. Matlock, 415 U.S. 164 also see in terry v. Ohio, 392 U.S. 1(1968) See. In O'connor v. Ortega,480 U.S.709(1987).in see the text of 18 U.S.C section 2520 didn't have a Tex Code Crim.Proc.1405, During the course of incarceration on an of case# 1522647 of Harris County Record at 10811 Richmond Ave 18 Houston Tx 77042 false allegation was brought up again Emmanuel Adeyinka ,by public force service B.Sanderson of the public force Emmanuel Adeyinka was arrested by OTTO and Roy Allen because of the some traffic ticket Hampton arrested him in earlier case for , who is B.sanderson there was no one by the name of B.Sanderson at Emmanuel Adeyinka houses also conspiracy to assault , Emmanuel Adeyinka was fought and Beat in jail . Emmanuel Adeyinka is appeal these case # 1522647 First Court of appeal 01-18-00312-CR Because of insufficient counseling and because his Miranda rights was not read to him See in Howes v. Fields (10-680) the supreme court has established that prisoners are in custody and must be advised of their Miranda . the night of his arrest Emmanuel Adeyinka four amendment right was violated he was at his house B.Sanderson cause for being on his property was not because he did something wrong, Constitution of United States Of America 1789 (rev.1992)The right of the people to be secure in their person ,house papers and effects unreasonable searches and seizures, shall not be violated , and no Warrants shall issue ,but upon probable cause ,support by Oath or affirmation and particularly describing the place to be search, and the person or thing to be seized. This question was over look in court. She did have a search warrant for his arrests, B.Sanderson ask Emmanuel Adeyinka questions about a burglary in progress in the neighborhood, then late said Emmanuel Adeyinka had a traffic ticket , and she forgot about the burglary in progress, she ask for his ID , Then then later, charge him with retaliation on account. Emmanuel Adeyinka counsel Bill R. Gifford never taught to use is witnesses his mother or offer Emmanuel to go to trail, also there were other witnesses, that could have been asset to the case , a young lady outside at the pool that B.Sanderson question also, and a young man that confronted Emmanuel Adeyinka about a burglary, In front of the officer Emmanuel Adeyinka relies he doesn't know anything about the burglary, Emmanuel Adeyinka , Been living in these neightborhood for nine year. Would this information been consider in trial or before the DEA? The foregoing test was set forth in .Strickland v. Washington (1984) Deficient performance by counsel Resulting prejudice, in that but for

the deficient performance ,the result of the proceeding would have differed Emmanuel Adeyinka pulling in a motion of discovery and a motion for a new court appointed lawyer, but the court over look the motions. Evidence show that his Miranda right wasn't readied to Emmanuel Adeyinka not till court : , See In *Miranda v. Arizona* (1966) ,warning to an individual in their custody they may interrogate that person and act upon the knowledge gained, but may not use that person's statement as evidence against him or her in criminal trial. B.Sanderson states she was only taking Emmanuel Adeyinka in for a traffic ticket. and that he has been to jail before in February ,Wish means B.Sanderson knew Emmanuel Adeyinka already service time , for those ticket See In *Collecting Co. v. Myers*, 167 A.D. 133; *Paul v. Fargo*, *supra*; *Dishaw v. Wadleigh*, 15 A.D. 205.were is the evidence of the thing B.Sanderson said , Emmanuel Adeyinka did, why would a cop come out on a business night just then to take someone in on a ticket *Brinegar v. United State* See in *Pitchness v. Superior* When Emmanuel Adeyinka was under custody. In the report it never said Emmanuel Adeyinka resisting arrest or running or anything in that nature. They never had any evidence of this nature; Emmanuel Adeyinka counsel Bill R. Gifford never brought these evidence before the courts or the witnesses or even tried to get a relief for the DEA or judge , 22 of may 2017 Emmanuel Adeyinka refuse and firer Janik Page, Page process without Emmanuel Adeyinka consent , Emmanuel Adeyinka stated his not responsible for her action or processing in court . The courts revoke his probation do to not having a job wish Emmanuel Adeyinka ask Janik page not to proceed, Emmanuel Adeyinka do have evidence of a job for dates wishes the probation officers said Emmanuel Adeyinka didn't have one banks statement also tax claims. Texas department of criminal justice parole division threatening deprive the rights of Emmanuel and threaten is freedom inside and outside of being incarceration Emmanuel adeyinka fourteenth amendment rights was violated by having the states contrite their laws pass the giving time frame of the state policy of the statute limititation . by question about event of and claims of events that taking place outside of the giving policy limit ation of these state and as well as the state were the event took place. Supremacy clause See. In *United State v.kemp & Associates,et al* See . In *bell Atlantic Corp . v. Twombly* ,550 U.S.554 (2007)section 901.462 of the public accountancy act the justice department has also sued state licensing board. See In *United State v. Texas state board of pub . accountancy* , 464 f.supp.400(w.d.tex 1978), modified , 592 f.d.919(5<sup>th</sup> cir.1979),for example ,the court held that the state accounting broad was subject to the antitrust laws when it promulgation a rule prohibiting accountant from making competitive bids for professional services . The board's enabling Statute did not express a policy concerning competition that would permit such a rule. Promulgation of the rule, Therefore, constituted an agreement among competition that unreasonably restrained trade, and thus violated The antitrust law. Competitors in the market for health care service have also sued licensing and regulatory boards on antitrust ground. false allegation of his probation officer , she told the court appoint att that Emmanuel didn't have a job and Emmanuel adeyinka at the time.

*Emmanuel Adeyinka appeal these case and petition for a writ of habeas Corpus Under 28 U.S.C 2241 under the for the violation of Fourth Amendment, Public Law Pub.L? 107-56, the litigation is unconstitutional and this constitutes a due process violation. Also see in New York V. Harris (1964) Section 14(a) of the act is codified at 15 U.S.C. section 78(n) (a).as implement by the Sec, it prohibits false or misleading proxy statement. Under the circumstance the court to be alert to provide such remedies as are necessary to make effective the congressional purpose 377.US.426, 433(1964). ) This Case was dismissed for a lack of jurisdiction of appeal Case # 01-18-00321-CR of The First Appeal Courts,, also, See In Union et al v.Mukasey et al*

***In violation of False claim Act (31 USC Section 3729-3733***

***Ex post law***

***Falsus in uno , falsus in omnibus - false in one thing , false in everything***

*Enying Li v. Holder, 738 F.3d 1160 (9th Cir. 2013*

***Calder v. Bull***

***Changes in punishment***

*(Conspires to defraud the government by getting a false or fraudulent claim paid or approved by the government; or knowingly makes, (B) 2 acts in deliberate ignorance of the truth or falsity of the information. Emmanuel Adeyinka has two Class B misdemeanor penal code 21.08 See. In Edgar v. MITE Corp., 457 U.S. 624 (1982), not two conviction but two counts of 21.08 from the state of Philadelphia, PA in 2008 Docket number MC-51-CR-0002986-2008 and Docket Number MC-51-CR-0002986-2008 of the judicial system of Pennsylvania 28 U.S. Section 1447 he was focus to register with Texas sex offender registration program. See Brady v. Maryland, 373 U.S. 83 (1963), Violation of Rule 65(b) of the Federal Rules of Civil Procedure and jurisdiction policy Chapter 62 code of criminal procedure is not a requirement of Emmanuel Adeyinka post case of conviction retaliation that bring these matters a t hands*

*See In Sullivan v. United States, 990 A.2d 477 (D.C. 2010)*

***EXCEPTIONS (D.C. OFFICIAL CODE SEC. 22-4016(B))***

***The following do not constitute registration offenses:***

1. Any sexual offense between consenting adults or an attempt, conspiracy or solicitation to commit such an offense, except for offenses to which consent is not a defense as provided in Section 218 of the Anti-Sexual Abuse Act of 1994 (D.C. Official Code § 22-3017).
2. Any misdemeanor offense that involved a person's sexual touching or attempted or solicited sexual touching of an undercover law enforcement officer where the person believed that the officer was an adult.

3. Any misdemeanor offense committed against an adult, except where the offender agrees in a plea agreement to be subject to sex offender registration requirements.

*See In Marbury v. Madison, 5 U.S. 137 (1803), because of his parole. He is not requiring to registering in the state of Philadelphia, Pa because of the level and nature of his crime, in Texas in other hands said he do. See. In Pennsylvania v. Nelson, 350 U.S. 497 (1956) Also See, In Cooper v. Aaron, 358 U.S. 1 (1958), On May 29th of 2018 he when to register. C. Aquilera the officer that registers and set the appointment at the location at 8300 mykawa RD Houston, TX 77048 Houston police department. Emmanuel Adeyinka spoke the officer C. Aquilera she show him some paper work with the wrong information, Emmanuel Adeyinka told C. Aquilera that's incorrect information. United States ex rel. Steury v. Cardinal Health, Inc., 625f.3d 262,267(5<sup>th</sup> Cir.2010); C. Aquilera said checking with Philadelphia, Pa "Courts", Martin v. Hunter's Lessee, 14 U.S. 304 (1816), also See. In In Ware v. Hylton, 3 U.S. (3 Dall.) 199 (1796), also see in Brady v. Maryland, 373 U.S. 83 (1963), Because her record showed sexual assault, Emmanuel Adeyinka told her these is the wrong procedure ,He not suppose to take part in sex offender registration program Emmanuel Adeyinka not a part of; ("Megan's law "); See. In Cohens v. Virginia, 19 U.S. 264 (1821), See. In Ableman v. Booth, 62 U.S. 506 (1859) Emmanuel Adeyinka real doesn't have to register to began with , they begin to argue a couple of the officer and C. Aquilera ask Emmanuel Adeyinka to step outside , till she get her paper works , Emmanuel Adeyinka waited about an hour , C. Aquilera said she received and email, ("31 USC Section 3729-3733") from the courts with the information. (Conspires to defraud the government by getting a false or fraudulent claim paid or approved by the government; or knowingly m She registers the wrong information intentionally. (B) 2 acts in deliberate ignorance of the truth or falsity of the information. Also. See. In Union et al v. Mukasey et al -Document 39.Decision ) the litigation is unconstitutional and this constitutes a due process violation."(C.Aquilera and the department of public safety didn't follow protocol misrepresentation) See Brady v. Maryland, 373 U.S. 83 (1963), Decision undue influence and coercion See. In Johnson v. Buttress HCA 41, (1936) "By not Contacting priority of federal authority, Megan's law the federal authority, "Note";; The Case Parole and Department of Public safety was trying to register was out of their jurisdiction and not under the federal law. See. In Martin v. Hunter's Lessee, 14 U.S. 304 (1816), also See. In In Ware v. Hylton, 3 U.S. (3 Dall.) 199 (1796), the United States Supreme Court for the first time applied the Supremacy Clause to strike down a state statute. Virginia had passed a statute during the Revolutionary War allowing the state to confiscate debt payments by Virginia citizens to British creditors. The Supreme Court found that this Virginia statute was inconsistent with the Treaty of Paris with Britain, which protected the rights of British creditors. Relying on the Supremacy Clause, the Supreme Court held that the treaty superseded Virginia's statute, and that it was the duty of the courts to declare Virginia's statute "null and void".and Cohens v. Virginia, 19 U.S. 264 (1821), See. In Ableman v. Booth, 62 U.S. 506 (1859) the Fugitive Slave Act or to order the release of federal prisoners held for violation of that Act. The Supreme Court*

reasoned that because the Supremacy Clause established federal law as the law of the land, the Wisconsin courts could not nullify the judgments of a federal court. The Supreme Court held that under Article III of the Constitution, the federal courts have the final jurisdiction in all cases involving the Constitution and laws of the United States, and that the states therefore cannot interfere with federal court judgments. Obligations of Parole broad decision impose on Private law Emmanuel Adeyinka and his Parole officer Decision been undue influences and coercion See. In Johnson v. Buttress HCA 41, (1936) 56CLR 133 misrepresentation, the litigation is unconstitutional and this constitutes a due process violation. Section 21.08 of the Texas Penal Code, Amendment by Pub.L.112-81 see 541(f) of Pub.L.122-81 See in Connick v. Thompson, Emmanuel have been force to participate in sex offender treatment class as well register for as a sex offender , under a state law in Philadelphia class B misdemeanor , See In Marbury v. Madison, 5 U.S. 137 (1803), the Supreme Court held that Congress cannot pass laws that are contrary to the Constitution, and it is the role of the Judicial system to interpret what the Constitution permits. Citing the Supremacy Clause, the Court found Section 13 of the Judiciary Act of 1789 to be unconstitutional to the extent it purported to enlarge the original jurisdiction of the Supreme Court beyond that permitted by the Constitution. Also See. In Pennsylvania v. Nelson, 350 U.S. 497 (1956) the Supreme Court struck down the Pennsylvania Sedition Act, which made advocating the forceful overthrow of the federal government a crime under Pennsylvania state law. The Supreme Court held that when federal interest in an area of law is sufficiently dominant, federal law must be assumed to preclude enforcement of state laws on the same subject; and a state law is not to be declared a help when state law goes farther than Congress has seen fit to go. Also See In Cooper v. Aaron, 358 U.S. 1 (1958), the Supreme Court rejected attempts by Arkansas to nullify the Court's school desegregation decision, Brown v. Board of Education. The state of Arkansas, acting on a theory of states' rights, had adopted several statutes designed to nullify the desegregation ruling. The Supreme Court relied on the Supremacy Clause to hold that the federal law controlled and could not be nullified by state statutes or officials. Also See. In Edgar v. MITE Corp., 457 U.S. 624 (1982), the Supreme Court ruled: "A state statute is void to the extent that it actually conflicts with a valid Federal statute". In effect, this means that a State law will be found to violate the Supremacy Clause when either of the following two conditions (or both) exist:[8] Compliance with both the Federal and State laws is impossible "State law stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress" In 1920, the Supreme Court applied the Supremacy Clause to international treaties, holding in the case of Missouri v. Holland, 252 U.S. 416, that the Federal government's ability to make treaties is supreme over any state concerns that such treaties might abrogate states' rights arising under the Tenth Amendment. The Supreme Court has also held that only specific, "unmistakable" acts of Congress may be held to trigger the Supremacy Clause. Montana had imposed a 30 percent tax on most sub-bituminous coal mined there. The Commonwealth Edison Company and other utility companies argued, in part, that the Montana tax "frustrated" the broad goals of the federal energy policy. However, in the case of Commonwealth Edison Co. v. Montana, 453 U.S. 609 (1981), the Supreme Court disagreed. Any appeal

to claims about "national policy", the Court said, were insufficient to overturn a state law under the Supremacy Clause unless "the nature of the regulated subject matter permits no other conclusion, or that the Congress has unmistakably so ordained". However, in the case of California v. ARC America Corp., 490 U.S. 93 (1989), the Supreme Court held that if Congress expressly intended to act in an area, this would trigger the enforcement of the Supremacy Clause, and hence nullify the state action. The Supreme Court further found in Crosby v. National Foreign Trade Council, 530 U.S. 363 (2000), that even when a state law is not in direct conflict with a federal law, the state law could still be found unconstitutional under the Supremacy Clause if the "state law is an obstacle to the accomplishment and execution of Congress's full purposes and objectives". Congress need not expressly assert any preemption over state laws either, because Congress may implicitly assume this preemption under the Constitution.

Emmanuel Adeyinka has two CLASS B misdemeanor penal code 21.08 See. In Edgar v. MITE Corp., 457 U.S. 624 (1982), that are Adjudicated not two conviction but two counts of 21.08 from the state of Philadelphia, PA in 2008 , he was focus to register with Texas sex offender registration program. See in Sullivan v. United States, 990 A.2d 477 (D.C. 2010) also see In Marbury v. Madison, 5 U.S. 137 (1803), because of his parole. He is not requiring to registering in the state of Philadelphia, Pa because of the level and nature of my crime, in Texas in other hand said he do. See. In Pennsylvania v. Nelson, 350 U.S. 497 (1956) Also See, In Cooper v. Aaron, 358 U.S. 1 (1958) Ms. Armstrong the parole offices show him some paper work with the wrong information, Emmanuel Adeyinka told Ms. Armstrong that's incorrect information. See in United States ex rel. Steury v. Cardinal Health, Inc., 625f.3d 262,267(5<sup>th</sup> Cir.2010); ", Martin v. Hunter's Lessee, 14 U.S. 304 (1816), also See. In In Ware v. Hylton, 3 U.S. (3 Dall.) 199 (1796), Because her record showed sexual assault, Emmanuel Adeyinka told her these is the wrong procedure ,He not suppose to take part in sex offender registration program Emmanuel Adeyinka not a part of the ; ("Megan's law ");See.In Cohens v. Virginia, 19 U.S. 264 (1821), See.In Ableman v. Booth, 62 U.S. 506 (1859) Emmanuel Adeyinka have even taking a polygraph basic on the wrong information Emmanuel Adeyinka , doesn't have to register to began with , they begin to argue Ms. Armstrong ask Emmanuel Adeyinka talk to her Mr. Armstrong manger why he have to participate in the sex offender registration ,See In Brandy v. Maryland 373 U.S. 83 one's again Emmanuel Adeyinka told him if you calling the charge in Philadelphia,PA to question , See In Sullivan v. United States, 990 A.2d 477 (D.C. 2010) all see in Calder v. Bull, 3 U.S. 368(1789). And Ex post facto law if I have to register for as a sex offender or not , in Philadelphia, Pa jurisdiction Emmanuel Adeyinka is not requirement isn't apart of Emmanuel Adeyinka court order of the judge . See In Brandy v.

*Maryland* 373 U.S. 83 Ms. Armstrong and Mr. Pearson told Emmanuel Adeyinka if don't participate in treatment or register he going back to prison. See *In Brandy v. Maryland* 373 U.S. 83 See in *In Sullivan v. United States*, 990 A.2d 477 (D.C. 2010), see in *Calder v.Bull*, 3 U.S. 368(1789). And Ex post law Ms. Armstrong told Emmanuel Adeyinka he could talk to parole about it, Emmanuel Adeyinka told her that what he is doing, Emmanuel Adeyinka told Ms. Armstrong that when he was in prison to make any change Emmanuel Adeyinka would have to wait and talk with his parole office. Emmanuel Adeyinka also was harass and fought in prison and force to move to a new dorm because of these allegation. Ms. Armstrong told Emmanuel Adeyinka call the board of parole ,Emmanuel Adeyinka call the board of parole and explain his situation to the board of parole the board of parole told Emmanuel Adeyinka just to talk to Ms. Armstrong supervisor about it . Emmanuel Adeyinka asks Ms. Armstrong to talk with her supervisor Mr. Pearson he told me I will have to participate in sex offender treatment classes See *In Sullivan v. United States*, 990 A.2d 477 (D.C. 2010) *Calder v.Bull*, 3 U.S. 368(1789). And Ex post law also see in *Brandy v. Maryland* 373 U.S. 83 and register or I go back to prison and I will have to continue to take Mr. Barrs treatment classes, Mrs. Barrs class is 10 dollar per session one a week , , *United State v. Burgin*,621 F.2d 1352, 1356 (5<sup>th</sup> Cir.) *United State v.Conover*, 772 F.2d 765 (11<sup>th</sup> Cir.1985), aff'd sub.nom. section 371 *United State v. Gallup*, 812 F.2d 1271, 1276(10<sup>th</sup> Cir.1987); Emmanuel Adeyinka been pay Mr. Barrs for these classes that I don't need since the first week , of being release from prison , that was March 13 of 2018 . Emmanuel Adeyinka In the class he been force participate in home work and classes assignment and to say thing that are and justifying to his case and if not threatened to be discharge from the class and send back to prison , like in(" Recklessly" ) in his case . Mr. Barrs make statement like you retarded there way you have the education that do Evolving standards of decency see in *Furman v. Georgia*, 408 U.S. 238 (1972) Mr.Barrs constantly made statement about the Recklessly in his case justifying the decision of First Judicial District of Pennsylvania Court Summary Final judgments and force Emmanuel Adeyinka to justifying the decision of first Judicial District of Pennsylvania Court Summary Final judgments of his Case Emmanuel Adeyinka also was force to take a polygraph by Mr.pearson one's again Emmanuel Adeyinka complain that polygraph was basic on the right information, Emmanuel Adeyinka asks to talk to Mr.Pearson Emmanuel Adeyinka advice Mr. Pearson to talk to his lawyer that handle his case in Philadelphia, Pa Emmanuel even offer to give Mr.Pearson her number. Mr. Pearson told Emmanuel Adeyinka if he didn't take the test he will go back to prison. See Ex post law In *Sullivan v. United*

States, 990 A.2d 477 (D.C. 2010) also see *Calder v. Bull*, 3 U.S. 368(1789). And *Ex post facto* law is in *Brandy v. Maryland* 373 U.S. 83 Emmanuel Adeyinka takes the test forcedly they are Mrs. Armstrong and Mr. Barrs waiting for 150 dollar for a sex polygraph. , *United States v. Burgin*, 621 F.2d 1352, 1356 (5<sup>th</sup> Cir.) *United States v. Conover*, 772 F.2d 765 (11<sup>th</sup> Cir. 1985), aff'd sub.nom. section 371 *United States v. Gallup*, 812 F.2d 1271, 1276 (10<sup>th</sup> Cir. 1987); The guy they get to do there Polygraph at 10110 Northwest Fwy Houston ,TX 77092 Before test Emmanuel Adeyinka explain incorrect measurement they was taking , that the charge was were in another state law jurisdiction and the incorrect measurement of the final judge of the First Judicial District of Pennsylvania Court Summary Final judgments. His tests were basic on a sexual assault charge. Before the test he ask Emmanuel Adeyinka question about Emmanuel Adeyinka residency in Philadelphia, PA He said he also live in Philadelphia, PA during the time of 2007 and 2008 that he live on a street in Philadelphia, Pa center city call south street. They said Emmanuel Adeyinka failed the first polygraph test and why they need him to take a sex polygraph. Emmanuel Adeyinka has try many time to prove his point but sending Ms. Armstrong and showing her in Person legal document from Philadelphia jurisdiction and as well Texas jurisdiction Court Order In CASE# No 152264701010 the RETALIATION charge of Harris County against Emmanuel Adeyinka where he was sentenced for two year then parole Sex Offender Registration Requirements DO NOT APPLY TO THE Emmanuel Adeyinka or. Texas CODE of criminal procedure chapter 62, there was not a legal plea or agreement to sex offender registration. Ms. Armstrong and the *Texas Department of Justice* Misrepresentation) See in *Brandy v. Maryland* 373 U.S. 83 Decision undue influence and coercion See. In *Johnson v. Buttress* HCA 41, (1936) "By not Contacting priority of federal authority, Megan's law the federal authority, "Note":; The Case Parole and Department of Public safety was trying to register without the city of Philadelphia consent to register them In Philadelphia jurisdiction are not under the federal law. See. In *Martin v. Hunter's Lessee*, 14 U.S. 304 (1816), also See. In In *Ware v. Hylton*, 3 U.S. (3 Dall.) 199 (1796), the United States Supreme Court for the first time applied the Supremacy Clause to strike down a state statute. Virginia had passed a statute during the Revolutionary War allowing the state to confiscate debt payments by Virginia citizens to British creditors. The Supreme Court found that this Virginia statute was inconsistent with the Treaty of Paris with Britain, which protected the rights of British creditors. Relying on the Supremacy Clause, the Supreme Court held that the treaty superseded Virginia's statute, and that it was the duty of the courts to declare Virginia's statute "null and void". and *Cohens v. Virginia*, 19 U.S. 264 (1821), See. In *Ableman v. Booth*, 62 U.S. 506 (1859) the Fugitive Slave Act or to order the release of federal prisoners held for violation of that Act. The Supreme Court reasoned that because the Supremacy Clause established federal law as the law of the land, the Wisconsin courts could not nullify the judgments of a federal court. The Supreme Court held

that under Article III of the Constitution, the federal courts have the final jurisdiction in all cases involving the Constitution and laws of the United States, and that the states therefore cannot interfere with federal court judgments.

**Obligations of Parole** broad decision impose on Private law Emmanuel Adeyinka and his Parole officer Decision been undue influences and coercion See. In *Johnson v. Buttress* HCA 41, (1936) 56CLR 133 misrepresentation, the litigation is unconstitutional and this constitutes a due process violation. Section 21.08 of the Texas Penal Code , Amendment by Pub.L.112-81 sees 541(f) of Pub.L.122-81

See In *Marbury v. Madison*, 5 U.S. 137 (1803), the Supreme Court held that Congress cannot pass laws that are contrary to the Constitution, and it is the role of the Judicial system to interpret what the Constitution permits. Citing the Supremacy Clause, the Court found Section 13 of the Judiciary Act of 1789 to be unconstitutional to the extent it purported to enlarge the original jurisdiction of the Supreme Court beyond that permitted by the Constitution. Also See. In *Pennsylvania v. Nelson*, 350 U.S. 497 (1956) the Supreme Court struck down the Pennsylvania Sedition Act, which made advocating the forceful overthrow of the federal government a crime under Pennsylvania state law. The Supreme Court held that when federal interest in an area of law is sufficiently dominant, federal law must be assumed to preclude enforcement of state laws on the same subject; and a state law is not to be declared a help when state law goes farther than Congress has seen fit to go. Also See In *Cooper v. Aaron*, 358 U.S. 1 (1958), the Supreme Court rejected attempts by Arkansas to nullify the Court's school desegregation decision, *Brown v. Board of Education*. The state of Arkansas, acting on a theory of states' rights,

had adopted several statutes designed to nullify the desegregation ruling. The Supreme Court relied on the Supremacy Clause to hold that the federal law controlled and could not be nullified by state statutes or officials. Also See. In *Edgar v. MITE Corp.*, 457 U.S. 624 (1982), the Supreme Court ruled: "A state statute is void to the extent that it actually conflicts with a valid Federal statute". In effect, this means that a State law will be found to violate the Supremacy Clause when either of the following two conditions (or both) exist:[8]

1. **Compliance with both the Federal and State laws is impossible**
2. **"State law stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress"**

In 1920, the Supreme Court applied the Supremacy Clause to international treaties, holding in the case of *Missouri v. Holland*, 252 U.S. 416, that the Federal government's ability to make treaties is supreme over any state concerns that such treaties might abrogate states' rights arising under the Tenth Amendment.

The Supreme Court has also held that only specific, "unmistakable" acts of Congress may be held to trigger the Supremacy Clause. Montana had imposed a 30 percent tax on most sub-bituminous coal mined there. The Commonwealth Edison Company and other utility companies argued, in part, that the Montana tax

"frustrated" the broad goals of the federal energy policy. However, in the case of *Commonwealth Edison Co. v. Montana*, 453U.S. 609 (1981), the Supreme Court disagreed. Any appeal to claims about "national policy", the Court said, were insufficient to overturn a state law under the Supremacy Clause unless "the nature of the regulated subject matter permits no other conclusion, or that the Congress has unmistakably so ordained".[9] However, in the case of *California v. ARC America Corp.*, 490 U.S. 93 (1989), the Supreme Court held that if Congress expressly *intended* to act in an area, this would trigger the enforcement of the Supremacy Clause, and hence nullify the state action. The Supreme Court further found in *Crosby v. National Foreign Trade Council*, 530U.S. 363 (2000), that even when a state law is not in direct conflict with a federal law, the state law could still be found unconstitutional under the Supremacy Clause if the "state law is an obstacle to the accomplishment and execution of Congress's full purposes and objectives".[10] Congress need not expressly assert any preemption over state laws either, because Congress may implicitly assume this preemption under the Constitution.[11]

**The government cannot prosecute an individual for conduct that was not declared criminal at the time the individual acted. The constitution explicitly forbids in Article 1, Sections 9 and 10 retroactively applicable criminal law-ex post facto laws. As the Supreme Court explained See. In *Robinson v. California*, 370 U.S.660 (1962) also see *Brandy v. Maryland* 373 U.S. 83, see in *Wallace v. City of Chicago* (05-1240) any statute that Criminalizes the status of a person inflicts a cruel and unusual punishment in violation of the eight a And fourteenth Amendment, example, a state could not punish an individual for "being homeless," Which would be a status offense, but could punish a homeless individual for trespassing or loitering, Which involves some conduct?**

**Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within the their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of this statute include police officers, prisons guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim. The offense is punishable by a range of imprisonment**

up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

**Title 18, U.S.C., Section 241 - Conspiracy against Rights**

This statute makes it unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate any person of any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States, (or because of his/her having exercised the same).

It further makes it unlawful for two or more persons to go in disguise on the highway or on the premises of another with the intent to prevent or hinder his/her free exercise or enjoyment of any rights so secured.

Punishment varies from a fine or imprisonment of up to ten years, or both; and if death results, or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title or imprisoned for any term of years, or for life, or may be sentenced to death.

**TITLE 18, U.S.C., SECTION 242**

*Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnaping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.*

**Civil Rights Laws and Police Misconduct**

A statute known as Section 1983 is the primary civil rights law victims of police misconduct rely upon. This law was originally passed as part of the Civil Rights Act of 1871, which was intended to curb oppressive conduct by government and private individuals participating in vigilante groups, such as the Ku Klux Klan. It is now called Section 1983 because that is where the law has been published, within Title 42 of the United States Code. Section 1983 makes it unlawful for anyone acting under the authority of state law to deprive another person of his or her rights under the Constitution or federal law. The most common claims brought against police officers are: see in *Wallace v. City of Chicago* (05-1240)

- False arrest (or false imprisonment)

- Malicious prosecution

- Unreasonable/excessive force

In Robinson v. California, 370 U.S.660 (1962) also see Brandy v. Maryland 373 U.S. 83, see in Wallace v. City of Chicago (05-1240) 4/27/2004 case #098579501010-3 of Harris County Record Emmanuel Adeyinka, arrested on status offense On the date 08/24/2000 at 3620 Woodchase Dr apt 99 HoustonTx 77042 Emmanuel Adeyinka was Illegal Arrested and false imprison of under the Case#101765901010-2 Harris County Record . Arrested for trespassing See.In Robinson v. California, 370 U.S.660 (1962) also see Brandy v. Maryland 373 U.S. 83, 3/23/2012 Case # 181697501010-2 of Harris County record Emmanuel Adeyinka arrested for status offense, trespassing The cruel and unusual punishment USE UNREASONABLE FORCE Scott v. metropolitan police commissioner (1975) AC 910, by Werlinger , Daniel Joseph JR.and Lisle John beat Emmanuel Adeyinka , Emmanuel was in his car using his computer , at Now call town suite hotel but then call sun suit hotel Emmanuel was using the internet or Wi-Fi were when Werlinger Daniel Joseph JR pull up on Emmanuel pull him out his car , they said they receive a call that some was trespassing they pull he out of his car beat and assault Emmanuel Adeyinka for calling his mother to pick up his car Because they wanted to tow it , They real didn't have probable cause because nobody warning him that couldn't be on that property and why would they it a hotel people come and go and he was park in his vehicle . Emmanuel Adeyinka wrote the mayor Annise Danette Parker about this incident in e-mail complaining about the nine traffic ticket he receives in a month time. See. In Robinson v. California, 370 U.S.660 (1962) see in Wallace v. City of Chicago (05-1240) also see Brandy v. Maryland 373 U.S. 83, Harris County Record an and of the date 06/17/2012 Case # 183425101010-2 Of Harris County Record at a public park Emmanuel Adeyinka using the rest room of the park service's false allegation of Nickson kekeechocha listed as the Property owner Emmanuel was illegal arrested and false imprison and at 3100 w.Sam Houston pkwy. S Houston, Tx 77042, on 6/27/2013 under case# 190429301010-2 under Harris County Record Emmanuel Adeyinka was using the computer at Houston Community College located 1300 Holman St, Houston ,TX 77004 security guard at Houston community College approach Emmanuel Adeyinka with allegations of sexual harassment Emmanuel told the guard he was just using the computer to run the camera back the guard asking Emmanuel for his ID Emmanuel show it to him then the guard ask Emmanuel to put his hand around his back , so Emmanuel Adeyinka Run , they run Emmanuel down and arrest him . the guard didn't or the witness didn't identify him as the one how sexual harassment somebody but they book I'm for Evading arrested on .see. In Illinois v. Gates, 462 U.S. 213 (1983) See. In United States v. Matlock, 415 U.S. 164 also see in terry v. Ohio, 392 U.S. 1(1968) See. In O'Connor v. Ortega,480 U.S.709(1987).in see the text of 18 U.S.C section 2520 didn't have a Tex Code Crim.Proc.1405,.(1964) Section 14(a) of the act is codified at 15 U.S.C. section 78(n)(a).as implement by the Sec, it prohibits false or misleading proxy statement . Under the

circumstance the court to be alert to provide such remedies as are necessary to make effective the congressional purpose 377.U.S.426, 433(1964). Crime if he or she Acts in a way that fulfills every element of offense. The status establishing the Offense also establishes element of offense. In general, every crime involves three elements: first the act or Act or Conduct (" Actus Reus "); secord, the individual's mental state at the time of the act(" mens rea ") the Government has the burden of proof to establish every element of a crime beyond a Reasonable Doubt; and third, the Individual's conduct must be the cause of the crime. The act omission that Comprise the Physical by statute. See,e.g. Schad v.Arizona ,501 U.S.624 (1991) 2/08/2016 under case # 207345901010 Harris County Record Emmanuel Adeyinka was Illegal Arrested and false imprison by Hampton and Inger Marie and a false accused by Chu ,pp Emmanuel prove he live in the area from is ID card But Hampton said Emmanuel had a traffic ticket and that rise they arrested Emmanuel Adeyinka , See. In Robinson v.California, 370 U.S.660 (1962) see in Wallace v. City of Chicago (05-1240) also see Brandy v. Maryland 373 U.S. 83, ("The law recognizes tort a civil wrong and allow injured parties to recover for their losses it is also Also important to note that a law cannot punish a person simply for their status") B.Sanderson intentioned and intentionally. See. In Robinson v.California, 370 U.S.660 (1962) see in Wallace v. City of Chicago (05-1240) also see in Brandy v. Maryland 373 U.S. 83, 9/5/2016 Emmanuel Adeyinka was charge with retaliation; for the words to a officer word the officer said Emmanuel Adeyinka , said I kill you, there was no evidence, and he said these words or phrase to the officer but a mental state of mind,; which Emmanuel Adeyinka real said he sue , Emmanuel had a full conversion with B.sanderson why would the conversion turn violet . Which in other hands the action doesn't meeting the express of the words that was reported. Emmanuel Adeyinka See. In Beazell v.Ohio, 269 U.S.167 (1925) in J.I case co v. borak . B.Sanderson didn't have a probable cause, Emmanuel Adeyinka was arrested by OTTO and Roy Allen because of the some traffic ticket Hampton arrested him in earlier case #207345901010 of Harris County Record for , ("even if giving that Emmanuel Adeyinka said I kill you"); .see. In Illinois v. Gates, 462 U.S. 213 (1983) See. In United States v. Matlock, 415 U.S. 164 also see in terry v. Ohio, 392 U.S. 1(1968) See. In O'Connor v. Ortega,480 U.S.709(1987).in see the text of 18 U.S.C section 2520 didn't have a Tex Code Crim.Proc.1405, During the course of incarceration on an of case# 1522647 of Harris County Record at 10811 Richmond Ave 18 Houston Tx 77042 false allegation was brought up again Emmanuel Adeyinka ,by public force service B.Sanderson of the public force Emmanuel Adeyinka was arrested by OTTO and Roy Allen because of the some traffic ticket Hampton arrested him in earlier case for , who is B.sanderson there was no one by the name of B.Sanderson at Emmanuel Adeyinka houses also conspiracy to assault , Emmanuel Adeyinka he was fought and Beat in jail

***Malicious Prosecution***

**A malicious prosecution claim asserts that the officer wrongly deprived the victim of the Fourteenth Amendment right to liberty. To win this type of claim, the victim must show four things: And a Due Process clause**

1. The defendant police officer commenced a criminal proceeding.
2. The proceeding ended in the victim's favor (that is, no conviction).
3. There was no probable cause.
4. The proceeding was brought with malice toward the victim.

***False Arrest***

**See in Wallace v. City of Chicago (05-1240)**

**The claim that is most often asserted against police is false arrest. Persons bringing this claim assert that police violated their Fourth Amendment right against unreasonable seizure. If the officer had probable cause to believe the individual had committed a crime, the arrest is reasonable and the Fourth Amendment has not been violated. Police can arrest without a warrant for a felony or misdemeanor committed in their presence. (Some states also allow warrantless arrests for misdemeanor domestic assaults not committed in the officer's presence.) Even if the information the officer relied upon later turns out to be false, the officer is not liable if he believed it was accurate at the time of the arrest. To prevail on a false arrest claim, the victim must show that the arresting officer lacked probable cause, that is, facts sufficient to cause a reasonable person to believe that a crime had been committed.**

**In Robinson v. California, 370 U.S. 660 (1962) also see Brandy v. Maryland 373 U.S. 83, see in Wallace v. City of Chicago (05-1240) 4/27/2004 case #098579501010-3 of Harris County Record Emmanuel Adeyinka, arrested on status offense On the date 08/24/2000 at 3620 Woodchase Dr apt 99 Houston Tx 77042 Emmanuel Adeyinka was Illegal Arrested and false imprison of under the Case#101765901010-2 Harris County Record . Arrested for trespassing the officer ask Emmanuel Adeyinka he said he did there was no probable cause, see in Wallace v. City of Chicago (05-1240) See in *Brady v. Maryland*, 373 U.S. 83 (1963), these was police perjury**

See. In *Robinson v. California*, 370 U.S.660 (1962) see in *Wallace v. City of Chicago* (05-1240) 3/23/2012 Case # 181697501010-2 of Harris County record Emmanuel Adeyinka arrested for status offense, trespassing The cruel and unusual punishment USE UNREASONABLE FORCE See in *Scott v. metropolitan police commissioner* (1975) AC 910, by Werlinger, Daniel Joseph JR. and Lisle John beat Emmanuel Adeyinka, Emmanuel was in his car using his computer, at Now call town suite hotel but then call sun suit hotel Emmanuel was using the internet or Wi-Fi were when Werlinger Daniel Joseph JR pull up on Emmanuel pull him out his car, they said they receive a call that some was trespassing they pull he out of his car beat and assault Emmanuel Adeyinka for calling his mother to pick up his car Because they wanted to tow it, They real didn't have probable cause because nobody warning him that couldn't be on that property and why would they it a hotel people come and go and he was park in his vehicle no probable cause, see in *Wallace v. City of Chicago* (05-1240) . Emmanuel Adeyinka wrote the mayor AnnaDanette Parker about this incident in e-mail complaining about the nine traffic ticket he receives in a month time. See. In *Robinson v. California*, 370 U.S.660 (1962) *Brady v. Maryland*, 373 U.S. 83 (1963), Harris County Record an and of the date 06/17/2012 Case # 183425101010-2 Of Harris County Record at a public park Emmanuel Adeyinka using the rest room of the park service's false allegation of Nickson kekeeocha listed as the Property owner Emmanuel was illegal arrested and false imprison and at 3100 w.Sam Houston pkwy. S Houston, Tx 77042, Record Emmanuel Been use the Quillian center service since he was 14 year old a pubic park these was a hate crime no probable cause. See in *Wallace v. City of Chicago* (05-1240) on 6/27/2013 under case# 190429301010-2 under Harris County see in *Wallace v. City of Chicago* (05-1240) Emmanuel Adeyinka was using the computer at Houston Community College located 1300 Holman St, Houston ,TX 77004 security guard at Houston community College approach Emmanuel Adeyinka with allegations of sexual harassment Emmanuel told the guard he was just using the computer to run the camera back the guard asking Emmanuel for his ID Emmanuel show it to him then the guard ask Emmanuel to put his hand around his back, so Emmanuel Adeyinka Run, they run Emmanuel down and arrest him. the guard didn't or the witness didn't identify him as the one how sexual harassment somebody but they book I'm for Evading arrested on .see. In *Illinois v. Gates*, 462 U.S. 213 (1983) See. In *United States v. Matlock*, 415 U.S. 164 also see in *terry v. Ohio*, 392 U.S. 1(1968) See. In *O'Connor v. Ortega*, 480 U.S.709(1987).in see the text of 18 U.S.C section 2520 didn't have a Tex Code Crim.Proc.1405, .(1964) Section 14(a) of the act is codified at 15 U.S.C. section 78(n)(a).as implement by the Sec, it prohibits false or misleading proxy statement . See,e.g. *Schad v.Arizona* ,501 U.S.624 (1991) 2/08/2016 under case # 207345901010 Harris County Record Emmanuel Adeyinka was Illegal Arrested and false imprison by Hampton and Inger Marie and a false accused by Chu ,pp Emmanuel prove he live in the area from is ID But Hampton said Emmanuel had a traffic ticket , See. In *Robinson v. California*, 370 U.S.660 (1962) *Brady v. Maryland*, 373 U.S. 83 (1963), see in *Wallace v. City of Chicago* (05-1240) ("The law recognizes tort a civil wrong and allow injured parties to recover for their losses it is also Also important to note that a law cannot punish a person simply for

their status") B.Sanderson intentioned and intentionally. See. In *Robinson v.California*, 370 U.S.660 (1962) *Brady v. Maryland*, 373 U.S. 83 (1963), see in *Wallace v. City of Chicago (05-1240)* 9/5/2016 Emmanuel Adeyinka was charge with retaliation; verb abuse to a officer they said Emmanuel Adeyinka said I kill you, there was no evidence, of these verb abuse or these words or phrase or a Mental state of mind,; which Emmanuel Adeyinka real said he sue, Which in other hands the action doesn't meeting the express of the words that was reported. Emmanuel Adeyinka See. In *Beazell v.Ohio*, 269 U.S.167 (1925) in *J.I case co v. borak* . B.Sanderson didn't have a probable cause, to arrest Emmanuel Adeyinka , OTTO and Roy Allen because of the some traffic ticket Hampton arrested him in earlier case #207345901010 of Harris County Record for , ("even if giving that Emmanuel Adeyinka said I kill you"); .see. In *Illinois v. Gates*, 462 U.S. 213 (1983) See. In *United States v. Matlock*, 415 U.S. 164 also see in *terry v. Ohio*, 392 U.S. 1(1968) See. In *O'Connor v. Ortega*,480 U.S.709(1987).in see the text of 18 U.S.C section 2520 didn't have a Tex Code Crim.Proc.1405, During the course of incarceration on an of case# 1522647 of Harris County Record at 10811 Richmond Ave 18 Houston Tx 77042 false allegation was brought up again Emmanuel Adeyinka ,by public force service B.Sanderson of the public force Emmanuel Adeyinka was arrested by OTTO and Roy Allen because of the some traffic ticket Hampton arrested him in earlier case for they didn't have probable cause see in *Wallace v. City of Chicago (05-1240)* ,See in *Brady v. Maryland*, 373 U.S. 83 (1963), Emmanuel Adeyinka he was fought and Beat in jail See

#### *Excessive Force*

Excessive force claims receive the most publicity, perhaps because the results of excessive force seem the most outrageous, involving serious physical injury or death. Whether the officer's use of force was reasonable depends on the surrounding facts and circumstances. The officer's intentions or motivations are not controlling. If the amount of force was reasonable, it doesn't matter that the officer's intentions were bad. But the reverse is also true: if the officer had good intentions, but used unreasonable force, the excessive force claim will not be dismissed.

See in *Scott v. metropolitan police commissioner (1975)* AC 910,

. Arrested for trespassing See. In *Robinson v.California*, 370 U.S.660 See in *Brady v. Maryland*, 373 U.S. 83 (1963), (1962) 3/23/2012 Case # 181697501010-2 of Harris County record Emmanuel Adeyinka arrested for status offense, trespassing The cruel and unusual punishment USE UNREASONABLE FORCE by See in *Scott v. metropolitan police commissioner (1975)* AC 910, Werlinger , Daniel Joseph JR.and Lisle John beat Emmanuel Adeyinka , Emmanuel was in his car using his computer , at Now call town suite hotel but then call sun suit hotel Emmanuel was using the internet or Wi-Fi were when Werlinger Daniel Joseph JR pull up on Emmanuel pull him out his car , they said they receive a call that some was trespassing they pull he out of his car beat and assault Emmanuel Adeyinka for calling his mother to pick up his car Because they wanted to tow it

, They real didn't have probable cause because nobody warning him that couldn't be on that property and why would they it a hotel people come and go and he was park in his vehicle . Emmanuel Adeyinka wrote the mayor Anna Danette Parker about this incident in e-mail complaining about the nine traffic ticket he receives in a month time.

#### **Failure to Train and lead litigation**

**Brady v. Maryland**, 373 U.S. 83 (1963),  
**Obstruction of justice**

#### **Perverting the course of justice**

A municipality may be liable for a tort committed by an employee if the city could have prevented the injury through training."The inadequacy of police training may serve as the basis for 1983 liability only where the failure to train in a relevant respect amounts to deliberate indifference to the constitutional rights of persons with whom the police come into contact... Only where a failure to train reflects a "deliberate" or "conscious" choice by the municipality can the failure be properly thought of as an actionable city 'policy. 'Moreover, the identified deficiency in the training program must be closely related to the ultimate injury. Thus, respondent must still prove that the deficiency in training actually caused the police officers' indifference to her medical needs. To adopt lesser standards of fault and causation would open municipalities to unprecedented liability under 1983; would result in de facto respondent superior liability...; would engage federal courts in an endless exercise of second-guessing municipal employee-training programs, a task that they are ill suited to undertake; and would implicate serious questions of federalism."<sup>[22]</sup>

*Abuse of Process*

**Cartwright v. Wexler, Wexler & Heller, Ltd 369 N.E2d 185,187 (Ill.App.Ct.1977).**

*Brady v. Maryland, 373 U.S  
Police perjury*

*Falsus in uno , falsus in omnibus - false in one thing , false in everything  
Enyng Li v. Holder, 738 F.3d 1160 (9th Cir. 2013)*

**Element One:**

Traffic tickets Emmanuel Adeyinka Receive 4 to 9 tickets in one

Month in 2012 so much he wrote the mayor about these tickets because He fills he was not being stop or pick on for no rise. So in one Way or another Emmanuel Adeyinka Show concern because he wrote his mayor, so he wanted these traffic tickets Taking care of in one matter or another.

2/08/2016 under case # 207345901010 Harris County Record Emmanuel Adeyinka was Arrested and by Hampton and Inger Marie accused by Chu ,pp Emmanuel prove he live in the area from is ID But Hampton said Emmanuel had a traffic ticket ,*and why he still processed to take Emmanuel Adeyinka to jail that night For the "Traffic Ticket"and still book him for trespassing. Emmanuel receives a charge for trespassing.*

9/5/2016 Emmanuel Adeyinka was charge with retaliation; That night when these officer was questing Emmanuel Adeyinka OTTO and Roy Allen they Said they run his ID and he had a the some one traffic ticket Hampton arrested Emmanuel Adeyinka How know it was the some one Because one of the officer ask Emmanuel Adeyinka if he been to jail before Emmanuel Adeyinka said no , The black lady officer said yes you have you when to jail in February Emmanuel Adeyinka relpy , When you charge with a misdemeanor or felony and a traffic ticket is the objective or subject or the reason

you be containing it could be expunged out of the system immediately after server time or during the process of conviction. Even after Emmanuel Adeyinka was released for the case# 1522647 of Harris County Record on probation . Emmanuel Adeyinka still had to call and tell Harris County to expunge the traffic ticket , Emmanuel Adeyinka told them he just been released from jail , but he can renew his driver license till the remove the ticket out of the system , Would these have prevented officer Hampton and OTTO and Roy Allen and B. Sanderson , from taking Emmanuel Adeyinka to jail giving that reason for arresting him and stop a conviction of a misdemeanor and felony .

**Element : 2**

On the date 08/24/2000 at 3620 Woodchase Dr Houston Tx 77042 Emmanuel Adeyinka was Arrested and false imprison of under the Case#101765901010-2 Harris County Record arrested for trespassing. He lived and stayed in apartment number 99. Thought his case was Dismiss, there was an illegal search and seizure that night. Nor did the officer have probable cause and the officer violated Emmanuel Adeyinka 4th amendment rights , these case was dismissed but Emmanuel spent a night in jail , that was the first trespassing conviction brought up against Emmanuel Adeyinka . but a start of a patterning of accusation of a property violation and a 4th amendment violation and and Section 1983 violation , unlawful for anyone acting under the authority of state law to deprive another person of his or her rights under the Constitution or federal law. By a False arrest. 9/5/2016 case# 1522647 of Harris County Record Emmanuel Adeyinka Show the officer his ID card And the officer spoke with Emmanuel Adeyinka mother to clarify he lived in the neighborhood. Both nights he proved he wasn't the cause of any trouble and had no probable cause to bother him.

**Element tree.**

On date 3/23/2012 Case # 181697501010-2 of Harris County record Emmanuel Adeyinka arrested for status offense, trespassing The cruel and unusual punishment USE UNREASONABLE FORCE by Werlinger , Daniel Joseph JR and Lisle John beat Emmanuel Adeyinka , Emmanuel was in his car using his computer , at a Now call town suite hotel but then call sun suit hotel Emmanuel was using the internet or Wi-Fi when Werlinger and Daniel Joseph JR pull up in their police cruiser on Emmanuel they ask Emmanuel Adeyinka what was he doing there , Emmanuel Adeyinka what he was doing there . He told use his computer he just pull over to use his computer he was moving he was just making a quick stop. they ask Emmanuel Adeyinka to get out of his car , Emmanuel Adeyinka why I haven't done anything wrong , Emmanuel Adeyinka get out his car . they ask him to pull his hands behind his back , Emmanuel Adeyinka still asking why , and that he haven't done anything wrong , the

tell that someone call and said someone was trespassing , Emmanuel Adeyinka said it couldn't been me I told what I was doing here I just pull over for a quick stop to use his computer . They search his car without permission . Emmanuel Adeyinka Ask them what going on , they rely that they are taking he in for trespassing , at these time they have Emmanuel Adeyinka in the custody in the back of the police cruiser , Emmanuel Adeyinka had his phone in his hand he bring to my a phone , his intention to call his mother to pull up his car , so they wouldn't tow it , they then began to punch and strike and beat Emmanuel Adeyinka '{ ("Note") that they had Emmanuel Adeyinka in custody in the back of police cruiser in handcuff already })' that night they didn't have probable cause or did they have a rise to use Force to get Emmanuel Adeyinka cooperate with them or did Emmanuel show any sign to resist arrest , Emmanuel Adeyinka Ask and told the officer before he try make the phone , that he like to make a phone call because he didn't want his car tow , and that he stay down that street he like his mother to pick up his car. Emmanuel Adeyinka wrote the mayor Anna Danette Parker about this incident in e-mail complaining about the nine traffic ticket he receives in a month time and these beating.

#### 4 element

#### **Calder v.Bull, 3 U.S. 368(1789). And Ex post facto law**

In 2008 Philadelphia Pa Judicial System of Pennsylvania docket number MC-51-CR-0002986 Emmanuel Adeyinka Vs Commonwealth plead guilty for 2 class B Misdemeanors 18 § 3127 §§ A M2 Indecent Exposure witness was Adult all charge was Withdrawn and 18 § 2705 Recklessly Endangering another Person Withdrawn, In Philadelphia Pa jurisdiction Emmanuel Adeyinka and apart of his court order (is not to register as a sex offender) or is label as a sex predator wish apart of his plead.

In 20016 Case of Harris County Emmanuel Adeyinka vs. Harris County Case # 1522647 Emmanuel Adeyinka Plead Guilty 2 year probation for Retaliation on account Chapter 62 of criminal procedure doesn't apply to Emmanuel Adeyinka specify in record Harris County Courts record page 18. Emmanuel violated probation reason no Job Emmanuel Adeyinka did 8 months TDCJ was Parole in March of 2018 and currently appeal these case. Emmanuel somehow is have to register as a sex offender and take treatment course.

Emmanuel Adeyinka has two CLASS B misdemeanor penal code 21.08 See. In Edgar v. MITE Corp., 457 U.S. 624 (1982), that are Adjudicated not two conviction but two counts of 21.08 from the state of Philadelphia, PA in 2008 , he was focus to register with Texas sex offender registration program. See in Sullivan v. United States, 990 A.2d 477 (D.C. 2010) also see In Marbury v. Madison, 5 U.S. 137 (1803), because of his parole. He is not requiring to registering in the state of Philadelphia, Pa because of the level and nature of my crime, in Texas in other hand said he do. See. In Pennsylvania v. Nelson, 350 U.S. 497 (1956) Also See, In Cooper v. Aaron, 358 U.S. 1 (1958) Ms. Armstrong the parole offices show him some paper work with the wrong information, Emmanuel

Adeyinka told Ms. Armstrong that's incorrect information. See in United States ex rel. Steury v. Cardinal Health, Inc., 625f.3d 262,267(5<sup>th</sup> Cir.2010); ", Martin v. Hunter's Lessee, 14 U.S. 304 (1816), also See. In In Ware v. Hylton, 3 U.S. (3 Dall.) 199 (1796), Because her record showed sexual assault, Emmanuel Adeyinka told her these is the wrong procedure ,He not suppose to take part in sex offender registration program Emmanuel Adeyinka not a part of the ; ("Megan's law ");See.In Cohens v. Virginia, 19 U.S. 264 (1821), See.In Ableman v. Booth, 62 U.S. 506 (1859) Emmanuel Adeyinka have even taking a polygraph basic on the wrong information Emmanuel Adeyinka , doesn't have to register to began with , they begin to argue Ms. Armstrong ask Emmanuel Adeyinka talk to her Mr. Armstrong manger why he have to participate in the sex offender registration ,See In Brandy v. Maryland 373 U.S. 83 one's again Emmanuel Adeyinka told him if you calling the charge in Philadelphia,PA to question , See In Sullivan v. United States, 990 A.2d 477 (D.C. 2010) if I have to register for as a sex offender or not , in Philadelphia, Pa jurisdiction Emmanuel Adeyinka is not requirement isn't apart of Emmanuel Adeyinka court order of the judge . See In Brandy v. Maryland 373 U.S. 83 Ms. Armstrong and Mr. Pearson told Emmanuel Adeyinka if don't participate in treatment or register he going back to prison. See In Brandy v. Maryland 373 U.S. 83 See in See In Sullivan v. United States, 990 A.2d 477 (D.C. 2010) Calder v. Bull, 3 U.S. 368(1789). And Ex post facto law Ms. Armstrong told Emmanuel Adeyinka he could talk to parole about it, Emmanuel Adeyinka told her that what he is doing, Emmanuel Adeyinka told Ms. Armstrong that when he was in prison to make any change Emmanuel Adeyinka would have to wait and talk with his parole office. Emmanuel Adeyinka also was harass and fought in prison and force to move to a new dorm because of these allegation.

Ms. Armstrong told Emmanuel Adeyinka call the board of parole ,Emmanuel Adeyinka call the board of parole and explain his situation to the board of parole the board of parole told Emmanuel Adeyinka just to talk to Ms. Armstrong supervisor about it . Emmanuel Adeyinka asks Ms. Armstrong to talk with her supervisor Mr. Pearson he told me I will have to participate in sex offender treatment classes See In Sullivan v. United States, 990 A.2d 477 (D.C. 2010) also see in Brandy v. Maryland 373 U.S. 83 and register or I go back to prison and I will have to continue to take Mr. Barrs treatment classes, Mrs. Barrs class is 10 dollar per session one a week , , United State v. Burgin,621 F.2d 1352, 1356 (5<sup>th</sup> Cir.) United State v. Conover, 772 F.2d 765 (11<sup>th</sup> Cir.1985), aff'd sub.nom. section 371 United State v. Gallup, 812 F.2d 1271, 1276(10<sup>th</sup> Cir.1987); Emmanuel Adeyinka been pay Mr. Barrs for these classes that I don't need since the first week , of being release from prison , that was March 13 of 2018 . Emmanuel Adeyinka In the class he been force participate in home work and classes assignment and to say thing that are and justifying to his case and if not threatened to be discharge from the class and send back to prison , like in(" Recklessly ") in his case . Mr. Barrs make statement like you retarded there way you have the education that do Evolving standards of decency see In Furman v. Georgia, 408 U.S. 238 (1972) Mr.Barrs constantly made statement about the Recklessly in his case justifying the decision of First Judicial District of Pennsylvania Court Summary Final judgments and force Emmanuel Adeyinka to justifying the decision of first Judicial District of Pennsylvania Court Summary Final judgments of his Case Emmanuel Adeyinka also was force to take a polygraph by Mr.pearson one's again Emmanuel Adeyinka complain that polygraph was basic on the right information, Emmanuel Adeyinka asks to talk to Mr.Pearson Emmanuel Adeyinka advice Mr. Pearson to talk to his lawyer that handle his case in Philadelphia, Pa Emmanuel even offer to give Mr.Pearson her number. Mr. Pearson told Emmanuel Adeyinka if he didn't take the test he will go back to prison. See In Sullivan v. United States, 990 A.2d 477 (D.C. 2010) also see in Brandy v. Maryland 373 U.S. 83 Emmanuel Adeyinka takes the test forcedly they are Mrs. Armstrong and Mr. Barrs waiting for 150 dollar for a sex polygraph. , United State v. Burgin,621 F.2d 1352,

1356 (5<sup>th</sup> Cir.) United State v. Conover, 772 F.2d 765 (11<sup>th</sup> Cir. 1985), aff'd sub.nom. section 371 United State v. Gallup, 812 F.2d 1271, 1276 (10<sup>th</sup> Cir. 1987); The guy they get to do there Polygraph at 10110 Northwest Fwy Houston, TX 77092 Before test Emmanuel Adeyinka explain incorrect measurement they was taking, that the charge was were in another state law jurisdiction and the incorrect measurement of the final judge of the First Judicial District of Pennsylvania Court Summary Final judgments. His tests were basic on a sexual assault charge. Before the test he ask Emmanuel Adeyinka question about Emmanuel Adeyinka residency in Philadelphia, PA He said he also live in Philadelphia, PA during the time of 2007 and 2008 that he live on a street in Philadelphia, Pa center city call south street. They said Emmanuel Adeyinka failed the first polygraph test and why they need him to take a sex polygraph. Emmanuel Adeyinka has try many time to prove his point but sending Ms. Armstrong and showing her in Person legal document from Philadelphia jurisdiction and as well Texas jurisdiction Court Order In CASE# No 152264701010 the RETALIATION charge of Harris County against Emmanuel Adeyinka where he was sentenced for two year then parole Sex Offender Registration Requirements DO NOT APPLY TO THE Defendant wish is Emmanuel Adeyinka or. Tex *CODE CRIME*. PROC. chapter 62 there was not a legal plea or agreement to sex offender registration. Ms. Armstrong and the *Texas Department of Justice* didn't follow protocol Misrepresentation) See in *Brandy v. Maryland* 373 U.S. 83 Decision undue influence and coercion See. In *Johnson v. Buttress* HCA 41, (1936) "By not Contacting priority of federal authority, Megan's law the federal authority, "Note"; The Case Parole and Department of Public safety was trying to register without the city of Philadelphia consent to register them In Philadelphia jurisdiction are not under the federal law. See. In *Martin v. Hunter's Lessee*, 14 U.S. 304 (1816), also See. In In *Ware v. Hylton*, 3 U.S. (3 Dall.) 199 (1796), the United States Supreme Court for the first time applied the Supremacy Clause to strike down a state statute. Virginia had passed a statute during the Revolutionary War allowing the state to confiscate debt payments by Virginia citizens to British creditors. The Supreme Court found that this Virginia statute was inconsistent with the Treaty of Paris with Britain, which protected the rights of British creditors. Relying on the Supremacy Clause, the Supreme Court held that the treaty superseded Virginia's statute, and that it was the duty of the courts to declare Virginia's statute "null and void".

and Cohens v. Virginia, 19 U.S. 264 (1821), See. In Ableman v. Booth, 62 U.S. 506 (1859) the Fugitive Slave Act or to order the release of federal prisoners held for violation of that Act. The Supreme Court reasoned that because the Supremacy Clause established federal law as the law of the land, the Wisconsin courts could not nullify the judgments of a federal court. The Supreme Court held that under Article III of the Constitution, the federal courts have the final jurisdiction in all cases involving the Constitution and laws of the United States, and that the states therefore cannot interfere with federal court judgments.

Obligations of Parole broad decision impose on Private law Emmanuel Adeyinka and his Parole officer Decision been undue influences and coercion See. In *Johnson v. Buttress* HCA 41, (1936) 56.CLR 133 misrepresentation, the litigation is unconstitutional and this constitutes a due process violation. Section 21.08 of the Texas Penal Code, Amendment by Pub.L.112-81 sees 541(f) of Pub.L.122-81

See In Marbury v. Madison, 5 U.S. 137 (1803), the Supreme Court held that Congress cannot pass laws that are contrary to the Constitution, and it is the role of the Judicial system to interpret what the Constitution permits. Citing the Supremacy Clause, the Court found Section 13 of the Judiciary Act of 1789 to be unconstitutional to the extent it purported to enlarge the original jurisdiction of the Supreme Court beyond that permitted by the Constitution. Also See. In Pennsylvania v. Nelson, 350 U.S. 497 (1956) the Supreme Court struck down the Pennsylvania Sedition Act, which made advocating the

forceful overthrow of the federal government a crime under Pennsylvania state law. The Supreme Court held that when federal interest in an area of law is sufficiently dominant, federal law must be assumed to preclude enforcement of state laws on the same subject; and a state law is not to be declared a help when state law goes farther than Congress has seen fit to go. Also See In *Cooper v. Aaron*, 358 U.S. 1 (1958), the Supreme Court rejected attempts by *Arkansas* to nullify the Court's school desegregation decision, *Brown v. Board of Education*. The state of Arkansas, acting on a theory of states' rights,

had adopted several statutes designed to nullify the desegregation ruling. The Supreme Court relied on the Supremacy Clause to hold that the federal law controlled and could not be nullified by state statutes or officials. Also See. In *Edgar v. MITE Corp.*, 457 U.S. 624 (1982), the Supreme Court ruled: "A state statute is void to the extent that it actually conflicts with a valid Federal statute". In effect, this means that a State law will be found to violate the Supremacy Clause when either of the following two conditions (or both) exist:[8]

3. **Compliance with both the Federal and State laws is impossible**
4. **"State law stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress"**

In 1920, the Supreme Court applied the Supremacy Clause to international treaties, holding in the case of *Missouri v. Holland*, 252 U.S. 416, that the Federal government's ability to make treaties is supreme over any state concerns that such treaties might abrogate states' rights arising under the Tenth Amendment.

The Supreme Court has also held that only specific, "unmistakable" acts of Congress may be held to trigger the Supremacy Clause. Montana had imposed a 30 percent tax on most sub-bituminous coal mined there. The Commonwealth Edison Company and other utility companies argued, in part, that the Montana tax "frustrated" the broad goals of the federal energy policy. However, in the case of *Commonwealth Edison Co. v. Montana*, 453 U.S. 609 (1981), the Supreme Court disagreed. Any appeal to claims about "national policy", the Court said, were insufficient to overturn a state law under the Supremacy Clause unless "the nature of the regulated subject matter permits no other conclusion, or that the Congress has unmistakably so ordained".[9]

However, in the case of *California v. ARC America Corp.*, 490 U.S. 93 (1989), the Supreme Court held that if Congress expressly *intended* to act in an area, this would trigger the enforcement of the Supremacy Clause, and hence nullify the state action. The Supreme Court further found in *Crosby v. National Foreign Trade Council*, 530 U.S. 363 (2000), that even when a state law is not in direct conflict with a federal law, the state law could still be found unconstitutional under the Supremacy Clause if the "state law is an obstacle to the accomplishment and execution of Congress's full purposes and objectives".[10] Congress need not expressly assert any preemption over state laws either, because Congress may implicitly assume this preemption under the Constitution.[11]

On May 29th of 2018 he when to register. C. Aquilera the officer that registers and set the appointment at the location at 8300 mykawa RD Houston, TX 77048 Houston police department. Emmanuel Adeyinka spoke the officer C. Aquilera she show him some paper work with the wrong information, Emmanuel Adeyinka told C. Aquilera that's incorrect information. See in *United States ex rel. Steury v. Cardinal Health, Inc.*, 625f.3d 262,267(5<sup>th</sup> Cir.2010); C. Aquilera said she checking with Philadelphia, Pa "Courts", *Martin v. Hunter's Lessee*, 14 U.S. 304 (1816), also See. In *In Ware v. Hylton*, 3 U.S. (3 Dall.) 199 (1796), Because her record showed sexual assault, Emmanuel Adeyinka told her these is the wrong procedure ,He not suppose to take part in sex offender registration program Emmanuel Adeyinka not a part of the ; ("Megan's law ");*Calder v. Bull*, 3 U.S. 368(1789).

And Ex post facto law See.In Cohens v. Virginia, 19 U.S. 264 (1821), See.In Ableman v. Booth, 62 U.S. 506 (1859) Emmanuel Adeyinka real doesn't have to register to began with , they begin to argue a couple of the officer and C. Aquilera ask Emmanuel Adeyinka to step outside , till she get her paper works , Emmanuel Adeyinka waited about an hour , C. Aquilera said she received and email, ("31 USC Section 3729-3733") from the courts with the information. (Conspires to defraud the government by getting a false or fraudulent claim paid or approved by the government; or knowingly makes, the united states district court trafer the attach a copy of the information she said she register. She registers the wrong information intentionally. (B) 2 acts in deliberate ignorance of the truth or falsity of the information Also. See.in Union et al v.Mukasey et al -Document 39.Decision ) the litigation is unconstitutional and this constitutes a due process violation

## Conclusion

The petition for a writ of certiorari should be granted under rule 11 or 10

28 U.S. Code § 2101 **28 U.S. Code § 1253**

Respectfully submitted,

**SIGNATURE**

Respectfully submitted on 12/18/18

(date)

Your signature: Ed M

**Appellant**  **Defendants**

2279534k

**CERTIFICATE OF SERVICE**

You must give the opposing party (or their attorney if represented) a copy of this **WRIT OF CERTIORARI** and any excerpt of record you file. Fill out the Certificate of Service at the bottom completely. Reminder: You also have to file an excerpt of record, including all important documents from the United State **Supreme Court** make sure to file the number of copies of your writ of certiorari and excerpt of record stated in the writ of certiorari notice.