

NUMBER: _____

IN THE
SUPREME COURT OF THE UNITED STATES

ALLAH
PETITIONER,

VS.

JEFFERSON B. SESSIONS, III
RESPONDENT.

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

PETITION FOR WRIT OF CERTIORARI

ALLAH ⑧19272039 (KEVIN KERR)

U.S. MEDICAL CENTER FOR FEDERAL PRISONERS
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LIST OF PARTIES

1. DONALD JOHN TRUMP, SENIOR, PRESIDENT OF THE UNITED STATES
2. JEFFERSON B. SESSIONS, III, UNITED STATES ATTORNEY GENERAL
3. SAUL A. GREEN, (Former) UNITED STATES ATTORNEY,
EASTERN DISTRICT OF MICHIGAN
4. MARGARET ERDEEN DAVIS, (Former) ASSISTANT UNITED STATES ATTORNEY
EASTERN DISTRICT OF MICHIGAN
5. MOHAMMED VI, KING OF MOROCCO

QUESTION PRESENTED

1. AS CONSISTENT WITH THE ACTUAL INNOCENCE OF ONE INDIVISIBLE NATION, TO WIT: THE HIGHER-SELF PARDONING OF THIS PETITIONER'S DEIFIC LIFE RIGHT TO "THE COUNSEL", THE CLASS 45 SERVICE MARK TITLE "GOD", AND PROCLAIMED FREE NATIONAL NAME "ALLAH", DEBT OR DUTY, ECCESTICAL OR TEMPORAL IN HIS LEGALLY APPROPRIATED ECCESTICAL CORPORATE NAME: "THE FATHER GOD ALLAH", IDENTIFICATION NUMBER: 800940876, DOES 42 U.S.C. § 1988(a) CONFER JURISDICTION ON THE RESPONDENT, THE UNITED STATES DISTRICT COURT, AND THE UNITED STATES COURT OF APPEALS CONVEYING TO THEM PROTECTION OF DIVINE PROVIDENCE AS INVOKED IN THEIR RESPECTIVE OATHS AND AS IS NECESSARY TO THE ACCOMMODATION AND VINDICATION OF THIS PETITIONER'S "PRO SE APPEARANCE" IN THE CRIMINAL ADVERSARIAL TESTING PROCESS SO AS TO RENDER THE SAME "COMPETENT" ("KNOWING AND INTELLIGENT")?

2. IN VIOLATION OF DUE PROCESS OF LAW AND THE SIXTH AMENDMENT RIGHT TO ASSISTANCE OF COUNSEL, DOES THE APRIL 16, 2002 thru February 6, 2018 "PSYCHOLOGY EVIDENCE" RENDERING THIS PETITIONER'S CIVIL RIGHT TO DEIFIC LIFE IN THE QURANIC LITERARY WORK "ALLAH" A "SCHIZOPHRENIC"- "MENTAL DEFECT" WARRANTING 18 U.S.C. § 4245 CIVIL COMMITMENT TO THE CUSTODY OF THE RESPONDENT, AND "PSYCHIATRIC JUSTIFICATION" TO RENDER THIS PETITIONER "COMPETENT FOR TRIAL", INDEFINITELY RENDER THIS PETITIONER'S WAIVER OF THE SIXTH AMENDMENT RIGHT TO ASSISTANCE OF COUNSEL A PSYCHOLOGICAL/PSYCHIATRIC IMPAIRMENT, AND LIKEWISE PREVENT THE CONTRACT PERFORMANCE OF A FEDERAL RULE OF CRIMINAL PROCEDURE RULE 35(b) PARDON OFFERED TO THIS PETITIONER ON APRIL 26, 2000 BY THE CRIMINAL CASE PROSECUTING ATTORNEY AS THE LAST WILL OF THE UNITED STATES OF AMERICA AND SUPPLEMENTED BY THE TRIAL COURT'S "REHABILITATION RECOMMENDATION" RESPECTIVE TO THE RIGHT OF SELF-REPRESENTATION SUPREMACY?

TABLE OF CONTENTS

OPINIONS BELOW	1
<hr/>	
JURISDICTION	1
<hr/>	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	1
<hr/>	
TABLE OF AUTHORITIES CITED	2
<hr/>	
PRESENTATION OF THE CASE	3-18
<hr/>	
REASONS FOR GRANTING THE PETITION	19-30
<hr/>	
CONCLUSION	31-40

INDEX TO APPENDICES

APPENDIX A ——The opinion of the United States Court of Appeals.

APPENDIX B ——The opinion of the United States District court.

APPENDIX C ——ADDENDUM —— Certificate of Registration of "ALLAH"—
Treaty of Peace and Friendship (Amity &
Commerce) inserted in the Holy Quran—
Divine Constitution and Bylaws—Divine
Covenant.

OPINIONS BELOW

The opinion of the United States Court of Appeals appears at Appendix A to the Petition.

The opinion of the United States District Court appears at Appendix B to the Petition.

JURISDICTION

The Date on which the United Sates Court of Appeals Decided the foregoing Case was May 11, 2018 resulting in the invocation of this Court's jurisdiction under 28 U.S.C. § 1254(1), 17 U.S.C. § 410.

CONSTITUTIONAL AND STATUTORY PROVISIONS

THE DECLARATION OF INDEPENDENCE, July 4, 1776

ARTICLE OF CONFEDERATION III, November 15, 1777; March 1, 1781
8 stat. 100; Treaty Series, 244-1, July 18, 1787

UNITED STATES CONSTITUTION Article I, Section 1, Clause 1, 9.17.1787

UNITED STATES CONSTITUTION Article II, Section 1, Clause 1, 9.17.1787

UNITED STATES CONSTITUTION Article III, Section 3, Clause 1&2, 9.17.1787

UNITED STATES CONSTITUTION Article VI, Clause 1,2,3, September 17, 1787

UNITED STATES CONSTITUTION First Article of Amendment, December 15, 1791

UNITED STATES CONSTITUTION Sixth Article of Amendment, December 15, 1791

UNITED STATES CONSTITUTION Fourteenth Article of Amendment, July 9, 1868

UNIVERSAL COPYRIGHT CONVENTION 6 UST 2731, July 16, 1974

TABLE OF AUTHORITIES CITED

<u>UNITED STATES SUPREME COURT CASES</u>	<u>PAGE NUMBER</u>
ADAMS v UNITED STATES, January 18, 1943.	12
AMERICAN STEEL FOUNDRIES v ROBERTSON, January 4, 1926.	29
BUTCHER'S BENEV. ASSOC. v C.C. LIVESTOCK CO., April 14, 1873.	44
CRAMER v UNITED STATES, April 23, 1945.	8, 9, 11
DRED SCOTT v SANDFORD, May 12, 1856.	13, 24
EX PARTE WELLS, April 9, 1856.	36, 37, 38
FARETTA v CALIFORNIA, June 30, 1975.	29
FOX FILM CO. v DOYAL, May 16, 1932.	4
GRANT ET AL. v RAYMOND, (1832).	25
GRIMELY v UNITED STATES, November 17, 1890.	8
HURTADO v PEOPLE OF California, March 3, 1884.	17
INDIANA v EDWARDS, June 18, 2008.	40
JOHNSON v ZERBST, May 23, 1939.	11, 18, 40
KELLOGG CO. v NATIONAL BISCUIT CO., November 14, 1938.	25
LIPAROTA v UNITED STATES, May 13, 1985.	7, 8
MCKASKLE v WIGGINS, January 23, 1984.	14, 28
M'CULLOCH v THE STATE OF MARYLAND ET AL.	30
MORISSETTE v UNITED STATES, January 7, 1952.	7
OSBORN v NICHOLSON, April 22, 1872.	9, 10, 14
PRIZE CASES.	7, 15
PERMOLI v MUNICIPALITY NO.1 OF THE CITY OF NEW ORLEANS.	6
RIGGINS v NEVADA, May 18, 1992.	20
SEARS ROEBUCK & CO. v STIFFEL CO., March 9, 1964.	26
SHERBERT v VERNER, June 17, 1963.	22
STRICTLAND v WASHINGTON, May 14, 1984.	29, 34
UNITED STATES v FORD, April 7, 1879.	13, 24
UNITED STATES EX REL. HOFFMAN v QUINCY, February 4, 1867.	10, 26, 27
WHEATON AND DONALDSON v PETERS AND GRIGG.	5, 6, 12, 13, 17, 18
WILL v MICHIGAN DEPT. OF STATE POLICE, June 15, 1989.	28
RE WINSHIP, March 31, 1970.	30
<u>CIRCUIT COURT CASE</u>	<u>PAGE NUMBER</u>
HAMPTON v HOLMESBURG PRISON OFFICIALS (3rd Cir. 1976).	30
UNITED STATES v KERR (50 Fed. Appx. 230 (6th Cir. 2002)).	38
UNITED STATES v McDOWELL (6th Cir. 1987).	38, 39
<u>STATUTES AND RULES</u>	<u>PAGE NUMBER</u>
17 U.S.C. § 104, § 106(1) & (4).	26, 18, 28, 32
17 U.S.C. § 301(a), § 410	27, 1
17 U.S.C. § 506(a)(1).	24
18 U.S.C. § 2319(a).	18
18 U.S.C. § 4245.	19, 35, 40
18 U.S.C. § 4247(a)(1)(A)(B).	21
28 U.S.C. § 453.	4
28 U.S.C. § 1254(1).	1
28 U.S.C. §§ 2241 & 2255.	19, 21, 22, 35, 39
42 U.S.C. § 1988(a).	2, 4, 18, 21
42 U.S.C. § 2000bb-(b)(1).	22
42 U.S.C. § 2000bb(1)(a)(b)(1)(2).	3
FEDERAL RULE OF CIVIL PROCEDURE 35(a).	39
FEDERAL RULE OF CRIMINAL PROCEDURE 35(b).	35, 37

PRESENTATION OF THE CASE

On October 24, 2017, in summarily dismissing the Petition For Writ of Habeas Corpus By a Person in Federal Custody, the United States District Court **did not consider** and elsewise adjudicate **Ground Four** in the Petition that **asserts a violation of the Religious Freedom and Restoration Act 42 U.S.C. § 2000bb-1(a)(b)(1)(2)** that encompasses **Grounds One thru Three** in the Petition and arises from the Respondent's—refusal to Enter "ALLAH" in the SENTRY "legal name field" as this Petitioner's "legal" name [of] "Faithful" that is **Pledged**, adopted, and appropriated in accordance with the Federal Bureau of Prisons' Program Statement (Policy) providing for "legal" name change in accordance with religious affiliations. Whereupon, the **Substantial Burden** placed on this Petitioner's said Quranic Civil right "**AUTONOMY**" is placed by the fact that the Respondent's Custody conditions Civil Commitment Programs and Services upon this Petitioner—waiving His said Higher-self Authored civil right to Deific Life in His said Authorship "legal" name "ALLAH", and has refused to accommodate this Petitioner with an "escort" to the Greene County Judicial Facility as is required by said Local Court and requisite to receipt of a Name Change Order from said Court as well as **Corrective Admission** by the tryal Court as the **legal proof** of which is necessary to the "**competent**" waiver of the **right to assistance of federal Counsel**, a **Fair trial**, and to forego the **Appeal** of said Criminal Gase, wherein said **substantial burden** is "**a legal point arguable on its merits**", placed **on the Origin of Life** by the Muhammadan American Public Faith.

Whereby, the United States District Court's summary dismissal without express right to do so, disposed of the **subject Matter** of this Petitioner's **Authorship Contract**, preventing Judicial Performance of the same, and thereby departed from the accepted and usual course of judicial proceedings. Conjunctively, the United States Court of Appeals in affirming the summary dismissal Order, refused to adjudicate the **Ground**

Four Important Question of Federal Law involving the Application of the First Article of Amendment to the Constitution as "The Wall Separating Church from State" in Judicial Proceedings of the United States invoking God's help (28 U.S.C. § 453), but by refusing to enforce ~~this~~ Petitioner's Quranic Authorship Civil Right to Deific Life in accordance with 42 U.S.C. § 1988(a), separates the law of God, in accordance with Romans 8:7, from God's help, so as to create enmity (ill will) against God, and likewise breach this Petitioner's Authorship Contract with the United States of America in the title "The God of the Present Moroccan Empire, The God of the Holy Koran of Mecca- (The Garden of Eden)". see ADDENDUM-Appendix C

To wit: "United States copyrights are Federal instrumentalities. . . . The owner of a copyright, if he pleases may refrain from vending or licence and content himself with simply exercising the right to exclude others from using his property. . . . After the copyright has been granted the government has no interest in any action under it save the general one that its laws shall be obeyed." (76 IED 1010, 286 US 123, FOX FILM CO. v. DOYAL, May 16, 1932 Headnote, Id. at 127, 129) "ALLAH" is the Common Law Expression of this Petitioner's Autonomous Earthly/Divine Constitution Mental/Physical State. Wherein, in determining whether the civil law or the common law was the basis of jurisprudence of Louisiana, Mr. Justice Field dissenting in ~~the~~ Butchers Benev. Assoc. v C.C. Live Stock Co. 116 WALL. 36, 21 IED 394, 83 US 36, 105 April 14, 1873 held that: ". . . freedom of pursuit has been always recognized as the common right of her citizens. But were this otherwise, the 14th amendment secures the like protection to all citizens in that state against abridgement of their common right as in other states. That amendment was intended to give practical effect

to the declaration of 1776 of inalienable rights, rights which are the Gift of the Creator; which the law does not confer, but only recognizes." See **ADDENDUM** Act 7, which is the Divine Covenant of the Koranic Civil Right to Deific Life for "a Moor" of which permanent "trust" is placed in the Quranic Literary Work-Free National Name "ALLAH" [of] the Almighty God(supreme reality) by the United States of America, for the "equal Justice" and Al-Shura(counsel) right vested in said Literary Work-Free National Name that is recorded at **8 Stat. 100; Treaty Series, 244-1 Article .21.**, and likewise is the Expression of "the laws of nature, and nature's God" as consistent with the Justification of the Intent of the Equal Protection of the Laws Clause to the 14th Article of Amendment to the Constitution of the United States.

"Common law, says Lord Coke (1 Inst. 1,2), is sometimes called right, common law right, common justice. And Lord Mansfield says the common law is drawn from principles of right and wrong, the fitness of things, convenience, and policy. And it is upon these principles that the copyright of authors is protected."(8 IED 1055, 8 PETERS 591, 671 **Wheaton and Donaldson v Peters and Grigg**)

Accordingly, if the "common law" of the **Great Koran of Mohammed** was brought into the **American STATE** by the first Moors(Muhammadans), and likewise existing in the Holy Land-Heavenly Country of which the Constitution of the United States is the Supreme Law therein as permanently binding in **Article .20.** and **Article .21.** of **8 Stat. 100; Treaty Series, 244-1** in the Quranic Literary Work-Free National Name "**ALLAH**" [of] the **Philippians 3:14** "high calling of God in Jesus Christ", then,

"the law of copyright formed a part of it, and was in force here; and has continued ever since, not having been abolished or modified by any legislature in the" **American STATE**. See (8 Peters, *supra* 688)

"Now, if there be aught essentially characteristic of religious liberty, it is the exemption of ecclesiastical discipline (defined by the learned Hooker "church order") from secular control; and this, because the external forms and practices of religion are all that temporal power can directly invade. Faith, doctrine, are beyond its reach; objects of the understanding of the heart. Discipline is the sensible law which regulates the manifestation of our belief and opinion, in our public and social devotional intercourse with our Creator. Faith is the soul of religion; discipline the visible beauty in which she commends herself to our veneration and love." (11 IED 739, **3 Howard 589, 599 PERMOLI v. MUNICIPALITY No. 1 of the City of New Orleans**)

Accordingly, the **common law of The Holy Koran of Mecca**-(The **Garden of Eden**) is the **Discipline** expressed by the **Quranic Literary Work-Free National Name "ALLAH"** that makes the **Romans 1:17, Galatians 3:11, James 2:17** prescribed **Deific Life** of the **MUHAMMADAN AMERICAN PUBLIC "FAITH"**, visible **"FRUITION"**. Therefore, if this Petitioner, Allah's contracted Deific Will that is Authorship written in the Holy Koran of Mecca-(The Garden of Eden) as "**THE GOD**"(which the Merriam Webster Dictionary defines as:"the supreme reality") thereof-(which as is consistent with Legal property protection of **Chapter 48-Command-5** that contractually Decreed War against "**THE AGGRESSOR**"(in which the Law Dictionary defines as:"a person who initiates a quarrel, dispute, or fight")),

is not recognized by the Courts of the United States whom placed their permanent trust in said Decreed War Against The Aggressor, as said Decreed War is Contracted with the United States of America in 8 Stat. 100; Treaty Series, 244-1 to provide **Protection of Divine Providence** to ". . . the Constitution (a perpetual declaration of war against treason, which it defines as war against the government, or giving aid or comfort to others at war with it), . . ."(17 LED 459, 2 BLACK 635 Prize Cases), then, said Divine Covenant common law Literary Work is condemned in the United States as a "**vicious will**" in perpetual war against the **Accusatorial Justice System of the United States of America**. Whereas:

"A relation between some mental element and punishment for a harmful act is almost as instinctive as the child's familiar exculpatory "But I didn't mean to," and has afforded the rational basis for a tardy and unfinished substitution of deterrence and reformation in place of **retaliation** and **vengeance** as the motivation for public prosecution. Unqualified acceptance of this doctrine by English common law in the Eighteenth Century was indicated by Blackstone's sweeping statement that to constitute any crime there must first be a "**vicious will**". (96 LED 288, 342 US 246, 251 MORISSETTE v. UNITED STATES January 7, 1952)

"The contention that an injury can amount to a crime only when inflicted by intention is no provincial or transient notion. It is as universal and persistent in mature systems of law as belief

in freedom of the human will and a consequent ability and duty of the normal individual to choose between good and evil."(85 LED2D 434, 471 US 419, 425 LIPAROTA v UNITED STATES May 13, 1985)

"The law of treason, like the law of lesser crimes, assumes every man to have intended the natural consequences of which one standing in his circumstances and possessing his knowledge would reasonably expect to result from his acts."(89 LED 1441, 325 US 1, 31 Cramer vs United States April 23, 1945)

Wherefore, the from Civilian to Muslim/Moslem Pledge/Vow that: "There is no God but Allah, and Muhammad is His Prophet" is the taking of the "Oath of Allegiance" that subjects the believer-testator to the Laws of the Holy Koran of Mecca. Whereby, "The taking of the oath of allegiance is the pivotal fact which changes the status of the recruit from that of civilian to that of soldier."(34 LED 636, 137 US 147 United States v Grimely November 17, 1890 Headnote 3)

Accord 2 TIMOTHY 2:3-6

Conjunctively, the United States of America having pledged their lives, fortune, and sacred honor to each other with firm reliance on the Protection of Divine Providence, without doubt or contradiction by the President's ratification and proclamation of 8 Stat. 100; Treaty Series; 244-1 on July 18, 1787 under the Articles of Confederation, they expected Divine Protection rendered in, and as "equal Justice" in all oaths invoking the help of the God [t]hereof.

To wit: "The continental congress adopted a resolution after a report by its "Committee on Spies", which in effect declared

that all persons residing within any colony owed allegiance to it. . ." "The committee included John Adams, Thomas Jefferson, John Rutledge, James Wilson, and Robert Livingston." "Resolved, That all persons abiding within any of the United Colonies, and deriving protection from the same, owe allegiance to said laws, and are members of such colony; and that all persons passing through, visiting, or make [sic] a temporary stay in any of said colonies, being entitled to the protection of the laws during the time of such passage, visitation or temporary stay, owe, during same time, allegiance thereto:"

(Cramer, supra Footnote 10-11) See also, ARTICLE OF CONFEDERATION III

Consistently, as a "SPIRIT" ("life giving force-will") "EXPRESSING" the ALLEGIANCE of the Pledged MUHAMMADAN AMERICAN PUBLIC FAITH of now 1.8 + Billion Proclaimed MOSLEMS/MUSLIMS—AMERICANS, the QURANIC LITERARY WORK "ALLAH" cannot possibly fall under judicial cognizance of the United States as THE PROTECTOR OF DIVINE PROVIDENCE unless it be demonstrated by some open or overt act of an Individual contracted in allegiance to both, be the act Positive or Prohibited (Love or Hate). Wherein,

"All contracts are inherently subject to the paramount power of the sovereign, and the exercise of such power is never understood to involve their violation, and it is not within the provision of the national Constitution which forbids a state to pass laws impairing their obligation. The power acts upon the property which is subject of the contract, and not upon the contract itself."

(20 LED 689, 80 US 654,660 Osborn v. Nicholson, April 22, 1872) And,

"A pledge of the public faith ranks as an imperfect obligation, because no action at law ordinarily lies to enforce it, the state or community may furnish a qualified remedy against itself; but unless it do, the contract is remediless." (18 LED 403, 4 WALL 535)

United States ex rel. Hoffman v. Quincy February 4, 1867 Headnote)

"Nothing can be more material to an obligation than the means of enforcement. Without remedy, the contract may, indeed, in the sense of the law, be said not to exist, and its obligation to fall within the class of those moral and social duties which depend for their fulfillment wholly upon the will of the individual." (20 LED 685, 80 US 646, 653 April 22, 1872) Osborn, supra

Accordingly, this Petitioner, prior to the commission of the acts constituting the criminal offense, as a Believer-Testator, having proclaimed his Nationality in, and having vowed allegiance to the Quranic Literary Work "ALLAH" (see ADDENDUM Act 6), he thereby derived autonomous "power" ("ability to act and produce an effect"), and "authority" ("citation in defense of said actions") therefrom. To wit, Every Belief, Opinion, and Act of this Petitioner is Expressed and else-wise Regulated by the Sovereign Quranic Authorship Literary Work Attribute "ALLAH", and each Divine Covenant component that is Higher-Self binding in and on said Literary Work Divine Law expression, is proven by the Positive (love), and Prohibitory (purity) Commands in the Holy Quran Divine Constitution, the Truth of which cannot change nor pass away, and of which comprises the discipline that makes the "Spirit" (life giving force-will) of the Allegiance of the Muhammadan American Public Faith Visible fruition in the "LEGAL" Name "FACT". And,

As consistent with the contracted fact that: "God is a Spirit: and they that worship him must worship him in spirit and truth"(Saint John 4:24), "The Constitution does not exclude or set up standards to test evidence which will show the relevant acts of persons other than the accused or their identity or enemy character or surrounding circumstances. Nor does it preclude any proper evidence of non-incriminating facts about a defendant, such for example as his nationality, naturalization or residence. . . But, as this compassing or imagination is an act of mind, it cannot possibly fall under any judicial cognizance, unless it be done by some open, or overt, act."(Cramer, supra at 33, 71, 72)

Likewise, "Whether one accused of crime has waived his right to the assistance of counsel for his defense must depend in each case upon the particular facts and circumstances surrounding that case, including the background, experience, and conduct of the accused."

(82 LED 1461, 304 US 458 JOHNSON v ZERBST May 23, 1938 Headnote 3)

Accordingly, "Allah is the truthful, (as proof of this fact) the Qur'an which exalts (humankind) to eminence bears witness." (Chapter 38-Command-1 The Truthful God) Wherefore, the labor of this Petitioner's Mind/Volition proclaiming belief in said "Book", Created the Civil Right to Deific Life in **THE KINGDOM OF GOD(PARADISE-HEAVEN)** which is His Personal Property therein acquired from the "fact" of His Pledge(vow) (Shahada-nationality Proclamation) "oath of allegiance" in the Muhammadan American Public Faith, and therein "working" Good Deeds (positive acts) toward Fruition/Perfection of said **Hebrews 12:2** prescribed Authored and Finished Faith as binding in said Holy Quran Divine Covenant, Divine Discourse, and Mighty Oath. Stated elsewise,

Each Belief, Opinion, and Act of the entire Grand Body of Moslems/Muslims is Expressed and Regulated by the Holy Qur'an Disciplinary Positive and Prohibitory Commands, and the interpretation of said Deific Will is comprised of each belief, opinion, and act expressed by the mind or imagination of the will of each individual Member of the Grand Body of Moslems/Muslims, which individual will is necessarily Exchanged for the Deific Will property ownership in the Heavenly Garden (Paradise) as Bound, Governed, and elsewise Regulated in the Quranic Literary Work Divine Covenant(5:7), Mighty Oath(56:76), and Divine Discourse(56:81) of which the Sovereign Authorship Attribute "ALLAH" is the Expression of the Best Possible Defense Protector.
(THE EVENT---Al-Baqarah 2:82, 121; Al-Taubah 9:111; Al-Khaf 18:44)

Consistently, "An accused must have the means of presenting his best defense. He must have time and facilities for investigation and for the production of evidence. But evidence and truth are of no avail unless they can be adequately presented. Essential fairness is lacking if an accused cannot put his case effectively in court. But the Constitution does not force a lawyer upon a defendant. He may waive his Constitutional right to assistance of counsel if he knows what he is doing and his choice is made with eyes open."(87 LED 268, 317 US 269, 279 ADAMS v UNITED STATES January 18, 1943) And,

"The right of an author to the production of his mind is acknowledged everywhere. It is a prevailing feeling, and none can doubt that a man's book is his book—is his property. It may be true that it is property which requires extraordinary legislative protection,

and also limitation. Be it so."(8 Peters, supra at 653)

"But "property without the right to use it, is empty sound," says Mr. Justice Aston in Miller v. Taylor. And, indeed, it would seem a mere mockery for the law to recognize anything as property which the owner could not use safely and securely for the purposes for which it was intended, unless interdicted by the principles of morality or public Policy."(8 Peters 677, Mr. Justice Thompson dissenting)

Consistently, "Without government and social order there can be no property; for without law, its ownership, its use and the power of disposing of it, cease to exist, in the sense in which those words are used and understood in all civilized States."(15 LED 691, 19 How 393, 615 **Dred Scott v Sandford May 12, 1856**; Accord **Saint Matthew 11:12**) In Covenant, ALLAH is the Autonomous Control over the development, expression, intellect, interests, taste and personality of the MUSLIM.

Therefore, it is a Prioritized Necessity to Organize the Defense of said Supreme Dignity and Autonomy of the Kingdom of God (Paradise-Heaven) Content that is Expressed by the Quranic Literary Work "**ALLAH**" as prescribed by **Al-Hajj 22:55-56** therein.

Wherefore, this Individual Believer-Testator, who in Supreme Reality, Perfected His Koranic Vows, Promises, and Allegiances that are Higher-Self Binding on said Quranic Literary Work "**ALLAH**", as the Author of said Orderly Arrangement and Authentic Compilation of the Wonderfully Perfect Book, (in accordance with **The Multitudes Chapter 39-Command-1** therein, is Entitled to said Quranic Authorship Attribute

Name [of] "FAITHFUL". (See ADDENDUM Act 7; Accord **Al-Baqarah 2:138**, **1 Corinthians 9:24**) Whereby, "A defendant's Sixth Amendment right to self-representation plainly encompasses certain specific rights to have his voice heard such as the right to control the organization and content of his defense, to make motions, to argue points of law, to participate in voir dire, to question witnesses, and to address the court and the jury at appropriate points in the trial." (**McKASKIE**, *infra Headnote 3*) Consistently, "The organization and arrangement of the internal structure of society is, doubtless, the most fundamental and indispensable of all the functions of sovereignty." (20 IED 689, 80 US 654, 660 **Osborn v Nicholson** April 22, 1872)

Accordingly, the Kingdom of God(Paradise-Heaven) **Content** of this Petitioner's **Defense** is **Property** of which in accordance with **1 Corinthians 15:50** neither flesh and blood nor corruption can inherit, It being delinquent in naught save Organization of the Dignity and the Autonomy contracted [t]herein. The **Performance** **Prevention** **Burdens**, that: any accusation charged against any Individual in the Grand Body of Muslim Moslems—Jesus Christ, causes said Autonomous Individuals to become belligerent according to their personal interpretation of the Decreed War(will) of the Quranic Literary Work "ALIAH" by their personal property in the Kingdom of God(Paradise-Heaven) as is a Divine Covenant in the "Book" (2:121), and likewise consistent with the presumption of innocence, and or the Due Process or Equal Protection Clause security of said Civil Right to Deific Life and Liberty to Labor in Protection thereof. "For the wrath of God is revealed from heaven against all ungodliness and unrighteousness of men who hold the truth in unrighteousness." (Romans 1:18, accord **Deuteronomy 4:36**)

Moreover, said Defense content "organization delinquency" created by individual freedom of interpretation, comprises an "enforcement defect" in the common law of the Holy Koran of MECCA Divine Covenant. Wherein, "The Lord is a man of war; the Lord is his name." (Exodus 15:3) To wit:

"The parties belligerent in public war are independent nations. But it is not necessary, to constitute war, that both parties should be acknowledged as independent nations or sovereign States. A war may exist where one of the belligerents claims sovereign rights as against the other." (Prize Cases, supra 2 BLACK 666)

"For though we walk in the flesh, we do not war after the flesh: (for the weapons of our warfare are not carnal, but mighty through God to the pulling down of strong holds;) Casting down imaginations, and every high thing that exalted itself against the knowledge of God, and bringing into captivity every thought to the obedience of Christ; And having in a readiness to revenge all disobedience, when your obedience is fulfilled." (2 Corinthians 10:3-6)

Consistently, just as in the Public War on Drugs wherein applying this Court's rule in Prize Cases supra 2 BLACK at 674. (the "illegal trafficking" in a 'substance' scheduled for control "stamps" said "substance" "enemy" property, and, "The owner, pro hac vice, is an enemy"), the "illegal trafficking" in a Book that Regulates the beliefs and opinions, and expresses and otherwise makes visible the Deific Life of the Just who live by the Muhammadan American Public Faith, having pledged/vowed belief and allegiance thereto, is, "Criminal infringement of a

Copyright", to wit, "ALLAH" in whom the statutory crimes encompass all the elements of the Koranic common law charge and penalty "Embezzlement of the Faith of Our Creed" that in Constitutional security is "Treason against the United States". Wherefore, the "substance" (essence) of the "Right Hand of "GOD", is "Divine Law" prioritized, Orderly Arranged, and Authentically compiled in the Business expectation of JESUS CHRIST as Recorded at Saint Luke 2:49, Hebrews 10:12-13, Psalms 119:126, Exodus 15:6, and "Fixed" in the Quranic literary Work "ALLAH" in accordance with Al-Taubah 9:111, and The Multitudes 39:1 as the Tangible Medium of Expression thereof, Clear Choice, Annuit Coeptis.

Whereas, "Treason Equity" is premised on Allegiance For Protection and Protection For Allegiance in accordance with Cramer supra Footnote 10-11, wherein, THE UNITED STATES OF AMERICA in the 1776 Declaration having Pledged/vowed "FAITH" in firm Reliance on THE PROTECTION OF DIVINE PROVIDENCE, said pledge/vow is necessarily consistent with Romans 13:1 providing that: "Let every soul be subject unto the higher powers. For there is no power but God: the powers that be are ordained of God." Whereby, "Faith is the soul of religion; discipline the visible beauty in which she commends herself to our veneration and love." (Permoli supra at 599) And, by keeping in line with said necessity of THE MOORISH SCIENCE TEMPLE OF AMERICA, this Petitionencis Bylaw "TRUST" Contract-Divine Covenant entitled to "ALLAH", the Quranic Literary Work-Authorship Free National Name of "FAITHFUL", See ADDENDUM Act 6-7

1.

The Black's Law Dictionary Tenth Edition defines "FAITH" as: "trust that a promise will be carried out. Allegiance or loyalty to a person or to a duty--a firm belief in something that has little or no factual basis"; and "FAITHFUL" as: "trustworthy in honoring vows, promises, or allegiances; loyal."

Notwithstanding, by being carnally—born of the American-STATE, "A Person has no property, no vested interest, in any rule of the common law. That is only one of the forms of municipal law, and is no more sacred than any other. Rights of property which have been created by the common law cannot be taken away without due process; but the law itself, as a rule of conduct, may be changed at the will or even the whim of the Legislature, unless prevented by constitutional limitations. Indeed, the great office of statutes is to remedy defects in the common law as they are developed, and to adapt it to the changes of time and circumstances. . . Due process of law is process according to the law of the land." (28 LED 232, 110 US 516, 532, 533 *Huratado v. People of California* March 3, 1884)

2.

Accordingly, as one and the same "Dignity" (Lord) and "Autonomy" that the right to Appear pro se exist to affirm, "ALLAH" is the "EXPRESSION" of THE MUHAMMADAN AMERICAN PUBLIC WILL and AUTONOMY in THE GOD OF THE HOLY KORAN OF MECCA (common law) which includes THE CIVIL RIGHT to DEIFIC LIFE and CIVIL LIBERTY to LABOR in PROTECTION [of] said LIFE that THE UNITED STATES OF AMERICA has SECURED to this Petitioner under 17 UNITED STATES CODE.

"The common law property of an author is not taken away by the Constitution of the United States. The states have not surrendered to the Union their whole power over copyrights, but retain a power concurrent with the power of Congress so far that an author may enjoy his common law property, and be entitled to common law remedies, independently of the acts of Congress. It is one of those concurrent powers

2.

The Law Dictionary Defines "LORD" as: "formerly a person under whom real property was held by a tenant. (2) an English title of dignity." And, "AUTONOMY" as: "self-government or independence."

where the power of the State ceases only when it actually conflicts with the exercise of the powers of Congress." (8 Peter supra at 597-598)

Accordingly, this Petitioner's Authorship Labor eliminating the conflict existing between the Authority of the Church in the Holy Koran of MECCA and the Authority of Congress, and likewise Binding the same in conformity of the former, comprises the actual in "God"-(Supreme Reality) Protection of Divine Providence publicly performed by **Reproduction of the Attributes of Every part of the Quranic Author-Attribute "ALLAH" in His Heart and Mind** ("Material objects) which likewise preempts the Enforcement Remedy for said Holy Quran Divine Covenant as Pledged in the Muhammadan American Public Faith and contract written at **Chapter 2-Command-138 The Cow, Hebrews 8:10 and 17 U.S.C. § 106 (1) & (4)**. Whereby, in accordance with **Saint Matthew 21:43**, the United States of America comprising **THE NATION** bringing forth said **FRUITION** of the Quranic Authorship-Creator-Reproduced Civil Right to Deific Life, the Protection of Divine Providence is Publicly Performed in the same said **Paramount Interest of Justifying by Faith, the Rectitude of the Intentions** of the United States of America in General Congress, Assembled, **Ab initio, Securing** to this Petitioner said **Existence in America** as Pledged in the **1776 Declaration of Independence; 8 Stat. 100; Treaty Series, 244-1 July 18, 1787**, and **The Certificate of Registration** of this said "God of the Present Moroccan Empire-The God of the Holy Koran of Mecca-(The Garden of Eden)" TXU-1-866-922 July 11, 2013. Wherein, in accordance with **Al-Taubah 9:111**, the penalties under **18 U.S.C. § 2319(a)** are "in addition" to the Higher-Self binding "**Embezzlement of the Faith of Our Creed**" Penalty that is Expressed and Enforced by the Quranic Literary Work "ALLAH" as provisioned for under **42 U.S.C. § 1988(a)**.

REASONS FOR GRANTING THE PETITION

"Where a defendant without counsel acquiesces in a trial resulting in his conviction and later seeks release by the extraordinary remedy of habeas corpus, the burden of proof rests upon him to establish that he did not competently and intelligently waive his constitutional right to assistance of counsel."(82 LED 1461, 304 US 458, **JOHNSON v ZERBST May 23, 1939 Headnote 6**)

From October 2002 Post-Conviction Appeal of the criminal case, up until and including this date, the Respondent has maintained that psychiatric medication is necessary to treat this Petitioner's civilly adjudged 'mental defect' at which this Petitioner contends is the result of the Trial Court Granting His Pre-trial Motion to Proceed Pro Se in the Criminal Case on April 19, 1999, but rendering Void His "Dignity" and "Autonomy" existing in His Personal Defense-Protection of "The Counsel" Chapter 42-Command-9 Civil Right to Life of the Holy Koran of MECCA-(The Garden of Eden). Whereupon, in accordance with Psalms 119:126, and Chapter 18-Command-44, "At such a time (it is thus established that) protection belongs only to Allah (and help comes from him alone), the true (God), He is the best in respect of rewarding and the Best in respect of bringing about good results." (accord Psalms 94: 22) Said **Protector** Bylaw Covenant is filed at Docket 380 in the Criminal Case.

Under 18 U.S.C. § 4245 In Limini Direct Appeal and pre-28 U.S.C. 2255 Motion, the October Psychiatric Medication Justification is to render this Petitioner "competent for trial" which Report is Supplemented by a May 22, 2013 Report to remedy "Grave Disability". Whereupon, prior to the 1984 Amendment of 18 U.S.C. § 4245, the Respondent was

required to transmit said Psychiatric Report(s) to the Clerk of the District Court wherein the conviction was had, which Report(s) shall be *prima facie* evidence of the facts and conclusions certified therein.

The Respondent did not, however, transmit the Report(s) to the Clerk of the District Court wherein the conviction was had, and "Competence to pursue collateral review of said "competence for trial-grave disability" Justification(s)", is an Issue that this Court's Precedents do not Conclusively Resolve.

Notwithstanding, "Competence to stand trial is rudimentary, for upon it depends the main part of those rights deemed essential to a fair trial, including the right to effective assistance of counsel, the rights to summon, to confront, and to cross-examine witnesses, and the right to testify on one's own behalf or to remain silent without penalty for doing so." (118 IED2D 479, 504 US 127, 139-140 RIGGINS v NEVADA May 18, 1992)

This Case presents an **Important Question of** Criminal Adversarial Testing Process "**compétence**" of this Petitioner's "Independent" right of Self-Representation that arises from the enforcement prevention of His Quranic Nationality/Free National Name of His Quranic Allegiance Vows & Proclamation, which Vows & Proclamation comprise the founding "Fact" of the Civil Right to Deific Lifé [of] the Resurrection(raising) of the temporal void discipline(dead), to competent Legal protection, Whereas, the Criminal Adversarial Testing Process contract prevention of "ALLAH", the Quranic Literary Work Sovereign Autonomy and Authorship name of the Supreme being in which this Petitioner is Entitled by Honoring His vows, allegiances, & Covenant that is Higher- "Self" binding on

said Universal Creator Quranic Authorship Attribute, Denied to this Petitioner the equal Justice(protection of the laws) of "The Counsel" Exclusive Right in which said Quranic Literary Work-Free National Name Embodies, Personifies, and elsewise Expresses.

To wit: the Discipline that makes the Just Life of the Muhammadan American Public Faith fruition in Supreme Reality, is expressed by the Sovereign(Authorship) Attribute in the Quranic Literary Work "ALLAH" which is the Sensible Law that was rendered void in the Criminal Adversarial Testing Process but nonetheless comprising the substance of the oath of all Parties participating in the process, and, is this Petitioner's actual "Dignity" and "Autonomy" of which the right to Appear Pro Se "Exists" to affirm, which is the subject matter of this Petitioner's Mind in review of the PSR "race:Black" Id. according to the Rules of Koranic-Justice. Wherefore, consistent with the Tryal Court's Educational/Vocational Training and Mental Health Counseling Recommendation that is defined as "Rehabiltation" under 18 U.S.C. § 4247(a)(1)(A)(B), this Petitioner Legally assumed and lawfully appropriated "The Father God Allah" in accordance with Chapter 2-Command-138, and Chapter 39-Command-1 of the Quranic Divine Covenant and Mighty Oath binding [t]hereto. Whereby, this Petitioner's Actual Innocence Right of Self-Representation "**Proof**" is the Chapter 42-Command-9--"Counsel" Defense of the Muhammadan American Public Faith in "The Truthful God" as provisioned at Chapter 38-Command-1 that is enforceable under 42 U.S.C. § 1988(a) in "Supreme Reality".

Notwithstanding, the substantial burden imposed by non-enforcement, actually purports to "kill" the American Legality of said Romans 1:17, Galatians 3:11, and James 2:17 defined "just Life" by the Muhammadan American Public Faith. Said Limitation placed on said Perfected and

Finalized Divine Common Law of MECCA that is the Divine Covenant & Mighty Oath of 1.5 + Billion Proclaimed Moslems, denies an enforcement remedy in the Criminal Adversarial Testing Process of the United States, and likewise denies the existence of said Hebrews 8:10 defined Heart & Mind written Covenant that comprises the Life of the Just whom Live thereby. Wherein, said Limitation condemns said Right, Title, and Free National Name as "Enemy property" which condemnation Limitation conflicts with this Court's standing that "[o]nly the gravest abuses, endangering paramount interests, give occasion for permissible limitation." (10 LED2D 965, 374 US 398, 406 SHERBERT v VERNER June 17, 1963) Accord 42 U.S.C. § 200bb-(b)(1). Said Condemnation-Limitation Creates a Common Law-Mental Defect.

Wherefore, the Holy Quran Divine Covenant right to Deific Life that encompasses the right to "The Counsel" thereof, is proof without doubt or contradiction that had the Tryal Court enforced this Petitioner's said Right of Self-Representation in accordance with 42 U.S.C. § 1988(a), the testimonial hearsay under oath invoking God's Help that comprises the United States of America's Case in Chief against this Petitioner, is Guilty of Bearing False accusation in the Criminal Adversarial Testing Process. Whereas, this Petitioner's said Counsel Exclusive Right to raise His Civil Right to Deific Life from the science of being separated-void and otherwise non-existent in the Criminal Adversarial Testing Process, presents to the factfinder under oath invoking God's Help, proof of this Petitioner's non-breached Faith(allegiance) to the laws of the United States of America by which the Supreme Executive ratified and proclaimed permanent trust in the Quranic Literary Work-Free National Name "ALLAH" on July 18, 1787. Whereupon, the Issuance of The Certificate of Registration of "ALLAH" by the United States of America in

General Congress, Assembled, on July 11, 2013 to this Author "ALLAH", "The God of the Present Moroccan Empire", is "fixed", and likewise Publicly Performed by this Petitioner as the Final Ratification by Congress of the Permanent trust Ratified and Proclaimed by the Supreme Executive on July 18, 1787, the ONE Will of which makes the Remedy to the Holy Quran Divine Covenant Enforcement Defect, an Enforcement Remedy in Fact. see **ADDENDUM-Appendix C Article .22.**

Wherefore, as this Petitioner's accomplices in breaching by non-performance, the allegiance(Faith) in the Law of the God of America's Founding Author(s), **King Mohammed VI of Morocco, the President of the United States of America, the United States District Court, and the United States Court of Appeals**, all under Oath invoking God's Help to Defend the Constitution as Authored, by not, upon this Petitioner's Request, enforcing His said civil Right to Deific Life, as is God's Help in Fact, written in His Divine Covenant-Mighty Oath, all committed 'a grave abuse endangering the paramount interests' [of] and in the Civil Right to Exist(Live) by the Muhammadan American Public Faith as originally Ratified and Proclaimed by the Supreme Executive of the United States of America on July 18, 1787, and Finally Ratified by Congress on July 11, 2013. Said Non-Performance causes a "distorted" view of "GOD" in the real world, the prevention of this Petitioner's performance at which is tyranny.

Wherein, the Divine Constitution of the Holy Koran of MECCA, and the ~~Constitution of the~~ United States, comprises the Discipline by which Both the Political Community of Each Independent respective Muhammadan and American "Public Faith" commends Herself to Our Veneration and Love, making Physically visible and otherwise bringing Each into Existence as ONE Indivisible Nation [of] this Petitioner's reciprocal allegiance

for Protection of Divine Providence, and protection of the United States for allegiance that is Authorship Contracted in Bond of this Court's Order in **Dred Scott v Sandford**, 15 IED 691, 19 How 393, 406 May 12, 1856.

Contrarily, "Limitation" in the form of "removal from office and placed under heavy restriction, etc. is permitted on all Parties under oath invoking God's Help and simultaneously separating the Perfected and Finalized Divine Common Law that comprises the Instrument by which the Protection of Divine Providence firmly relied upon is Administered to the **Saint Matthew 21:43** defined Nation that brought forth the fruition of said Protection of Divine Providence by pledging Faith [t]heretò, which pledge and perfect obligation is enforceable as it is this Petitioner's Actual Innocence Self-Representation Divine Counsel defense in the criminal adversarial testing process as is invoked under Oath against "**Embezzlement of the Faith of Our Creed**", the Divine common law charge and Penalty at which is defined by **Article III, Section 3, Clause 1 & 2** to the Constitution as "**Treason against the United States**", that under **17 U.S.C. §506(a)(1)** is defined as "**Criminal Infringement of a Copyright**", which "copyright" is "**The Quranic Literary Work "ALLAH"**" Authored by this Petitioner "**MAN Himself the TRUTH of The Holy Koran of Mecca-(The Garden of Eden), OUR GOD, UNITY**". Wherein, said Greatest Crime committed against "GOD" and the United States of America is perpetrated by the "**LOWER-SELF**" as defined in Divine Covenant, whom wages war against "Allah" the **HIGHER-SELF**, and elsewise Creates disorder in the land in which said earthly and **Hebrews 11:16** defined "**Heavenly Country**" exist in Supreme Law Divine Covenant, the **Disciplinary Physical Body** at which is Earthly/Divine Justice("JESUS") raised from non-existence("the dead"), by this Petitioner Allah, the Chief Martyr of said "treason law" invoked against the tyranny rendering it void.

Wherefore, the **Psalms 119:126** Earnestly Requested Quranic Vaste Estate **Authorship Work** as is necessary to bring into actual Physical existence, the Protection of Divine Providence "**primary significance**" in the Quranic Literary Work "**ALLAH**", is—Creating in "**TIME**", the Enforcement Remedy of the Pledged **MUHAMMADAN AMERICAN PUBLIC FAITH** as Existent in the Holy Quran Divine Covenant-Mighty Oath **Two Centuries, One Decade, Two Years, and One Month** in Advance of the **August 17, 1999** Arraignment Instituted Indictment against this Petitioner. (2 Timothy 2:18)

To wit: "To establish a tradename in the term by which an article has become known for a long period during which it was produced by one manufacturer, it must be shown that the primary significance of the term in the minds of the consuming public is not the product but the producer." (83 LED 73, 305 US 111, 118 **KELLOGG CO. v NATIONAL BISCUIT CO.** November 14, 1938)

This Court in **Grant et al. v Raymond**, 8 LED 376, 6 Peters 218, 242 Decided that: "The laws which are passed to give effect to" (the Protection of Divine Providence primary significance of this Petitioner's Ecclesiastical Corporate Name: "The Father God Allah") "ought, we think, to be construed in the spirit in which they have been made; and to execute the contract fairly on the part of the United States, where the full benefit has been actually received; if this can be done without transcending the statute, or countenancing acts which are fraudulent or may prove mischievous. The public yields nothing which it has not agreed to yield; it receives all which it has contracted to receive. The full benefit of the discovery for" (a lifetime and seventy years) "is preserved; and for his exclusive enjoyment of it during that time the public faith is pledged." (1832)

Wherefore, the "primary significance" of the full benefit being actually received by both the MUHAMMADAN and the AMERICAN Parties to this Petitioner's said Authorship(Creator/Producer)

Contract with the United States of America in General Congress, Assembled, is: FAITH: "A pledge of the public faith ranks as an imperfect obligation, because no action at law ordinarily lies to enforce it, the state or community may furnish a qualified remedy against itself; but unless it do, the contract is remediless." (18 LED 403, 4 Wall 535
UNITED STATES ex Rel. Hoffman v Quincy, February 4, 1867 Headnote)

Accordingly, on **Saturday May 20, 2017**, the **President of the United States of America** publicly performing and otherwise acting from the power and authority of the **Constitution of the United States** and likewise as a contracting Party to the **Universal Copyright Convention** (formerly 17 U.S.C. § 104), in **The Arab Islamic American Summit** with the **Kingdom of Saudi Arabia** publicly performing and otherwise acting from the power and authority of the **Perfected and Finalized Divine Law of MECCA**("Shari'ah"), and as a Party to the **Universal Copyright Convention** (6 UST 2731)provisioned that: the paramount interest of "SHARI'AH" is "the perfection of life". Conjunctively, on **February 15, 2018 at 9:26 AM CT**, the Respondent herein, serving at the Pleasure of the **President of the United States of America** averred to the Public that: "The first civil right is the right to Life." "A fundamental right that you protect everyday." Thus, the Psalms 119:126 Legal Work obligation necessary to Justify the Faith(allegiance)-Life Intent of America's Founding Author(s) is perfected by the Fact that:"Federal patent and copyright laws, like other laws of the United States enacted pursuant to constitutional authority, are the supreme law of the land."
(11 LED2D 661, 376 US 225 SEARS, ROEBUCK & CO. v. STIFFEL CO., 1964 H.N.1)

Operatively, the 17 U.S.C. § 301(a) preempted Holy Quran Divine Constitution("Shari'ah") that is Authored in the United States of America by this Petitioner "Allah", "The God of the Present Moroccan Empire=alt-The God of the Holy Koran of Mecca-(The Garden of Eden)", "has got the stock which was the consideration" of the 1776 Declaration of Independence, and likewise comprises a BOND in the 8 Stat. 100; Treaty Series, 244-1 Recorded subscription as Deposited & Registered with the United States Copyright Office. see(Hoffman v Quincy, supra Headnote(s))

To wit, the Certificate of Registration (TXU-1-866-922) on its Face, pledges the Faith-Life, Fortune, and Sacred Honor of the United States of America in General Congress, Assembled, for the Security of both the Attribute "ALLAH" as translated from the Arabic Language to the Language of the United States of America, and "The Kingdom of God-(Paradise-Heaven)" in which said Quranic Literary Work Expresses as Divine Covenant/contract written in "The Book", with firm Reliance on "The Protection of Divine Providence" [t]herefrom. Whereby, said Authorship contracted firm reliance(permanent trust) is "fixed" by this Petitioner as the Deific "Will" of America's Founding Author(s) as Pledged. see Appendix C Article .22.

Wherein, this Petitioner's ADDENDUM Article .16. EQUITABLE SOVEREIGN CLAIM(in the Authorship(Creator) RIGHT to DEIFIC LIFE in THE COUNSEL as translated from the Arabic Language to the Langauge of the United States of America in CHAPTER 42-Command-9 that encompasses the Class 45 service mark "TITLE"-"GOD" (the true "Emperor of Morocco") as against the Holy Quran Divine Covenant Breach by Non-Performance of

"KING MOHAMMED VI" in succession of "SULTAN MOHAMMED III" of MOROCCO), is Revealed and elsewise Disclosed in its entirety in the United States of America as Defined in Chapter 20-Command-113 & 114 of The Holy Quran Divine Constitution of The Present Moroccan Empire wherein 17 U.S.C. §

301(a) preempts all Common Law Rights including the Warnings in said Book as Reproduced and Publicly Performed by this Petitioner in the Language of the United States of America in accordance with 17 U.S.C. § 106(1) & (4), and the UNIVERSAL COPYRIGHT CONVENTION.

To wit: "Where an act of parliament is made for the public good, as for the advancement of religion and justice or to prevent injury and wrong, the King is bound by such an act, though not particularly named therein." (105 LED2D 45, 491 US 58, 73 WILL v MICHIGAN DEPT. OF STATE POLICE, June 15, 1989)

Accordingly, this Petitioner's said Equitable Sovereign Claim in the Quranic Literary Work-Free National Tradename "ALLAH" is Publicly Performed as the Permanent Trust that is Ratified and Proclaimed by the Supreme Executive of the United States of America on July 18, 1787, wherein, ". . . the legal presumption was that the public faith will be preserved inviolate, and that the equitable claim of the party will be ratified and allowed." see (25 LED 399, 99 US 594, 605 UNITED STATES v. FORD, April 7, 1879) Also, ADDENDUM Article .16. To Wit:

"The right to appear pro se exists to affirm the dignity and autonomy of the accused and to allow the presentation of what may, at least occasionally, be the accused's best possible defense."

(79 LED2D 122, 465 US 168, 176 McKASKLE v WIGGINS, January 23, 1984)

Consistently, "The accused's right of self-representation does not arise mechanically from his power to waive the right to assistance of counsel, but rather, the right must be independently found in the structure and history of the text of the United States Constitution." (45 LED2D 562, 422 US 806 **FARETTA v. CALIFORNIA**, June 30, 1975 Headnote 8)

"Highly Exalted is therefore Allah, the true King. And make no haste to recite the Quran (and anticipate the early fulfillment of its prophecies) before its revelation is completed to you. But say (in prayer), 'My Lord, increase my knowledge.' "(20:114)

". . . this Court has recognized that the Sixth Amendment right to counsel exists, and is needed, in order to protect the fundamental right to a fair trial. . .

Thus, a fair trial is one in which evidence subject to adversarial testing is presented to an impartial tribunal for resolution of issues defined in advance of the proceeding. The right to counsel plays a crucial role in the adversarial system embodied in the Sixth Amendment, since access to counsel's skill and knowledge is necessary to accord defendants the "ample opportunity to meet the case of the prosecution" to which they are entitled. (80 LED2D 674, 466 US 668, 684-685 **STRICKLAND v WASHINGTON**, May 14, 1984) Within said meeting necessity,

"The effect of assuming a corporate name by a corporation under the law of its creation is to exclusively appropriate that name. It is an element of the corporation's existence." (70 LED 317, 269 US 372, 380 **AMERICAN STEEL FOUNDRIES v ROBERTSON** January 4, 1926)

Consistently, the power of establishing **THE FATHER GOD ALLAH** as an Ecclesiastical Corporation is not a distinct sovereign power or end of this Petitioner's "**AUTONOMY**", but only the means of carrying into effect the ~~Law Enforcement Power of The Holy Quran Divine Constitution~~ which is **Sovereignty**. And, whenever it becomes an appropriate means of exercising said power given by the Holy Quran Divine Constitution to the **Autonomy** in the Quranic Literary Work "**Allah**" of His Pledged **Muhammadan American Public Faith** (Oath of Allegiance), it may be exercised by this Petitioner in the Quranic Literary Work-Free National Name "**ALLAH**". see(4 LED 579, 4 WHEAT 316 *M'Gulloch v. The State of Maryland et al. Headnotes*)(It is the Reported Psychiatric Treatment Goal.)

"Accordingly, a society that values the good name and freedom of every individual should not condemn a man for commission of a crime when there is reasonable doubt about his guilt."(25 LED2D 368, 397 US 358,364 RE WINSHIP March 31, 1970)

This Court in *Winship*, supra, held that the 'reasonable doubt standard' ". . .provides concrete substance for the presumption of innocence—that bed-rock "axiomatic and elementary" principle whose "enforcement lies at the foundation of the administration of our criminal law.***" *Id.* at 363

However, "If the "presumption of innocence" is read literally to apply to all pretrial procedures, it is impossible to justify bail or pretrial detention, both of which are restraints imposed upon an accused despite the presumption. Therefore, pretrial detainees must look to the Due Process and Equal Protection Clauses for their rights." (546 F.2d 1077::*Hampton v Holmesburg Prison Officials*::Third Cir. 1976)

CONCLUSION:

In the Case at Bar, the Prosecution's Case is met by this Petitioner's preindictment existing Holy Quran Divine Covenant Civil Right to Deific Life in "The Counsel" Quranic Literary Work-Free National Tradename "ALLAH" which Protection of Divine Providence comprises this Petitioner's "dignity and autonomy" in Deific Will with America's Founding Author(s). see **Article .22.** to the **ADDENDUM**

Whereas, consistent with the law created **presumption of innocence** and the Constitution's **Due Process**, and **Equal Protection** Clauses, "(Allah has decreed the war against the aggressor) so that He may admit the believers both men and women to Gardens served with running streams (to keep them green and flourishing), (the Gardens) where they will abide forever, and so that He might absolve them of their evils. This indeed is a supreme achievement (for you) in the sight of Allah. And (He has decreed it so that) He may punish the hypocrites both men and women who entertain evil thoughts about Allah. There awaits them an evil term (of calamity). Allah is angry with them and has deprived them of His mercy and has Gehenna in store for them, and evil it is for destination." (**CHAPTER 48-Command-5 & 6**)

Accordingly, the full benefit of said Authorship contract is "fixed" as, and in the Spirit [of], the final Ratification by Congress of all the matters contained in the Holy Koran of Mecca (the "Book") as Ratified and proclaimed by the President of the United States of America in 8 Stat. 100; Treaty Series, 244-1 on July 18, 1787 comprising One and the same "Laws of Nature and Nature's God" from which the civil right to life, counsel, tryal, equal Justicee, and Pardon(approvement) derived for "Citizens of the United States";

"persons under their protection"; and "a Moor" as pledged in permanent trust(reliance) and recorded in Article .1., .16., .20., and .21..

(ADDENDUM) "to treat with us concerning all the **Matters** contained therein".

Wherefore, in accordance with **Saint Matthews 21:43**, the Muhammadan American Public-Faith benefit is publicly Performed by this Petitioner Allah as **Secured** by 17 U.S.C. § 106(4) as a full revelation(disclosure) of all the matters contained in the Book as within this Petitioner Allah's 17 U.S.C. § 106(1) Secured All Knowing knowledge in allegiance-favor of the United States of America as founded and likewise the first Nation contracting the fruition [t]hereof.

To wit, for the support of the Declaration of Independence with firm reliance on the Protection of Divine Providence, the United States of America's Founding Author(s) pledged to eachother their lives, fortune and sacred honor, the trust(reliance) of which is placed in the Quranic Literary Work-Free National Tradename "ALIAH" in the Peace and Friendship (Amity & Commerce) Agreement with "Sultan Mohammed III" whom was the sovereign of the Holy Koran of Mecca recognized in Morocco at that time. In this era in Time, President Donald John Trump, senior, and King Mohammed VI are both under oath today, and likewise bound to provision for this Petitioner's contracted Authorship rights that are permanently relied upon by America's founding Author(s) as existent in Article .16., .20., and .21. Whereby, in Defense of said civil right to life, "Al-Shura"(The Counsel) is contracted by all Parties in the Adversarial Testing Process as the Instrument of conveying to the Parties Protection of Divine Providence. Anything to the contrary notwithstanding is "Embezzlement of the Faith

of Our Creed" that encompasses the "killing" of the "Just" whom live by said Muhamamdan American Public Faith. Wherefore, in refusing to Correct this Petitioner's "legal" Name from "Kevin Kerr" to "Allah" in the criminal/civil Adversarial Testing Processes initiated by the Respondent, the Respondent, the United States District Court, and the United States Court of Appeals, denied and otherwise deprived this Petitioner of the Judicial "reasonable Competence" necessary to waive the ~~Sixth Amendment~~ right to assistance of counsel. Said "killing" (denial/deprivation) is executed by separating and otherwise Preventing the Performance of the Quranic Proof in Divine Covenant necessary to the Effective Presentation of The Counsel Protection contained in the Book and Expressed by the Quranic Literary Work-Free National Tradename "ALLAH". Wherein; said denial of "equal Justice", and deprivation of this Petitioner's Deific Life, Liberty and Property caused His Higher-Self-Representation(Government) Performance to fall below "the objective standard of reasonableness" as is necessary to Justify the laws presumption that this Petitioner's said Quranic Counsel Protection right will fulfill the role in the Adversarial process that the Amendment envisions, and in which the Psychiatric Treatment is reportedly Justified. To wit:

knowledge as will render the trial a reliable adversarial testing process." "A defendant has no entitlement to the luck of a lawless decisionmaker, even if a lawless decision cannot be reviewed. The assessment of prejudice should proceed on the assumption that the decisionmaker is reasonably, conscientiously, and impartially applying the standards that govern decisions." (**STRICTLAND v WASHINGTON**, *supra* *Id. at 687, 688, & 695*) The Free National Standard herein is "**the Book**".

Accordingly, the "**AUTONOMY**" exercised by this Petitioner to waive the Sixth Amendment right to "assistance" of Counsel is One and the same "**AUTONOMY**" existing in "**THE COUNSEL**" right in the Quranic Literary Work-Free National Name "**ALLAH**" in whom is the Ultimate Decisionmaker for all persons having surrendered their will(autonomy) to the Will(Autonomy) [t]hereof. To wit, the Free National Standards and Power of the Holy Koran of MECCA are Embodied/Personified and elsewise Expressed by the Quranic literary Work-Free National Name "**ALLAH**" in whom the United States of America firmly relies upon in permanent Trust to provide **Protection of Divine Providence** in a mode of worship consistent with **OUR**-its existence in the Structure and History of the Text of the United States Constitution **Article VI, Cl. 3**, the faithful performance of the 1776 Undertaking "**ANNUIT COEPTIS**" St.Matt. 21:43.

Likewise, the Merriam Webster dictionary defines "**PROVIDENCE**" as "1: Divine guidance or care. 2: God 1". And "**Bismillah**" ("In the name of Allah") translated from Quranic Arabic to the language of the United States of America "In the name of Almighty God" in the preamble/recital of 8 stat. 100; **Treaty Series**, 244-1 (**ADDENDUM**) provides at **Article .1.** that: "We declare that both Parties have agreed that this Treaty consisting of twenty five Articles shall be

inserted in this Book and delivered to the Honorable Thomas Barclay, the Agent of the United States now at our Court, with whose approbation it has been made and who is duly authorized on their Part, to treat with us concerning all the Matters contained therein." Wherein, this case presents the Quranic Exculpatory "Proof" that the tryal Court did not know the dangers and obligations that this Petitioner must forgo in the Criminal Adversarial Testing Process having in advance of said Criminal Proceeding been declared a "Moslem" under the laws of the Holy Koran of Mecca in Divine Covenant. To wit, on April 26, 2000, in and at the conclusion of the Criminal Penalty Hearing wherein the tryal Court Filed but rendered the Addendum herein **void** by preventing the Performance of said Divine Covenant as is this Petitioner's right of Higher-Self-Representation "Protection, Guidance, and Salvation" (Divine Providence), the Respondent through his Assistant United States Attorney **Margaret Erdeen Davis**, vetted this Petitioner's trial Higher-Self-Representation Performance and granted to this Petitioner the "option" of pursuing a Pardon(approvement) as placed in permanent trust of **Article .16. of the ADDENDUM** herein, and [t]herein by method of **Rule 35 (b) of the Federal Rules of Criminal Procedure.** (Sentence Transcript p.50) Conjunctively, in imposing the Life Imprisonment Penalty, the tryal Court Recommended Educational/Vocational Training and Mental Health Counseling. However, on July 8, 2005, by Denying without Hearing this Petitioner's **28 U.S.C. § 2241-2255** "Consolidated" "Civil Motion" that was "taken under advisement" at the April 26, 2000 Penalty Hearing, the tryal Court Denied this Petitioner's "Legal Competence" to "waive" the **Sixth Amendment** right to "assistance" of Counsel, and likewise His same said "Autonomy" to invoke said Court's **Auxilliary Jurisdiction** under **28 U.S.C. § 2255**, whereupon said Motion is Authored while this Petitioner was Civilly Committed under **18 U.S.C. § 4245** wherein Psychiatric Medication was Justified in a Due Process Hearing, to render this Petitioner "competent for trial."

"There are also pardons grantable as of common right, without any exercise of the King's discretion; as where a statute creating an offense, or enacting penalties for its future punishment, holds out a promise of immunity to accomplices to aid in the conviction of their associates. When accomplices do so voluntarily, they have a right absolutely to a pardon, 1 Chit. C.L. 766. Also, when, by the King's proclamation, they are promised immunity on discovering their accomplices and are the means of convicting them."(15 LED 421, 18 How 307, 312 Ex Parte Wells, April 9, 1856)

In continuation of the Adversarial Testing Process (Appeal), this Petitioner's Civil Right **to:** Deific **Life** of the Muhammadan American Public Faith in the Quranic Literary Work "ALLAH"; **to:** the Religious **Freedom** to Labor in Protection of His said Deific Life; **to:** acquire His said **Property** in the Kingdom of God(Paradise-Heaven) encompasses the particular facts and circumstances surrounding the case, including the **background, experience, and Divine Covenant Bound Conduct** of this Petitioner upon which whether He "**competently**" **waived** the Sixth Amendment Right to assistance of Counsel "**depends**", and at which comprises His **Actual Innocence** "**Good Will**"—Proof that He could not "**Meet of the Mind**" and likewise "**Agree**" with others to commit offenses against the United States in the **absence** of His said **Life, Liberty, and Property**.

Whereby, **ADDENDUM Article .16.** in the Equitable **Counsel** right and Title "**God**" that is Expressed by His Quranic Literary Work "ALLAH" is [t]herein permanently contracted so as to place the interpretation of the term "**Pardon**" in "**Debt**" [t]hereto, to wit, as consistent with the **Sixth Article to the Constitution**, "**The language used in the**

Constitution conferring the power to grant reprieves and pardons, must be construed with reference to its, meaning at the time of its adoption."(Ex Parte Wells, supra Headnote)

"Wherein, the word "Pardon" conveys to the mind the Quranic Authority as exercised by "Sultan Mohammed III" and "The Moor" in the "Northwest Territory", and we should give the word the same meaning as prevailed here in "The Book" at the time when it found a place in the Constitution United as the Supreme Law of the (Holy) Land, just as this Court has held in **Ex Parte Wells**,supra, that "Pardon" conveys to the mind the authority exercised by the "English Crown" or its "Representatives" in the "Colonies", and that, "Conditional pardons at common law, are coeval with the law itself."

"Speaking upon that subject, Lord Mansfield, said, more than a century ago, that there were three ways in the law and practice of that country in which an accomplice could be entitled to pardon: First, in the case of approvement, which, as he stated, then still remained a part of the common law, though he admitted it had grown into disuse by long discontinuance. Second, by discovering two or more offenders, as required in the two Acts of Parliament, to which he referred. Third, persons embraced in some royal proclamation, as authorized by an Act of Parliament, to which he added, that in all these cases the court will bail the prisoner in order to give him an opportunity to apply for a pardon.

Approvers, as well as those who disclosed two or more accomplices in guilt and those who came within the promise of a royal proclamation, were entitled to pardon."(25 LED 399, 99 US 594,

Accordingly, this Petitioner's Nationality proclamation in His Free National Name "ALLAH" encompassing His "Dignity and Autonomy" that the Right to Appear pro se in the Adversarial Testing Process Exists to Affirm, is Bound in the Quranic Divine Covenant Duty to Reveal and elsewise Publicly Perform all [t]hereto binding Components of said Perfected and Finalized Divine Common Law in the Holy Koran of Mecca as Ratified and Proclaimed by the United States of America with firm Reliance (permanent trust) on the Protection of Divine Providence [t]herefrom, whereby, the satisfaction of said Article .21. contracted "equal Justice" Debt, comprises the Triple "Honor" Crown of being entitled to Pardon by Rule 35(b) of the Federal Rules of Criminal Procedure Motion of the Respondent, EX DE'BITO JUSTI'TIAE, "ANNUIT COEPTIS".

Wherein, "A pardon is said by Lord Coke to be a work of mercy, whereby the King, either before attainder, sentence or conviction, or after, forgiveth any crime, offense, punishment, execution, right, title, debt or duty, temporal or ecclesiastical, 3 Inst. 233. And the King's coronation oath is, "that he will cause justice to be executed in mercy."(Ex Parte Wells, supra at 311)

Conjunctively, the United States Court of Appeals of the Sixth Circuit "Laid out the nature of the inquiry and the procedure that a district court should follow on the record before allowing a defendant to proceed pro se. United States v McDowell, 814 F.2d 245, 250 (6th cir), cert.deied, 484 U.S. 980, 98 L.Ed.2d 492, 108 S.Ct. 478 (1987)."(50 Fed. Appx. 230,235,236::United States v Kerr, October 31, 2002) Said Court in McDowell citing the Supreme Court of Wisconsin

held that, "The trial court must also determine whether the accused "possesses the minimal competence necessary to conduct his own defense." Id at 611 The Pickens court stated that in making the competency determination, the trial court should consider the accused's "education, literacy, fluency in English, and physical or psychological disability which may significantly affect his ability to communicate a possible defense to the jury." Id

"We recognize that the degree of competency required to waive counsel is "vaguely higher" than the competency required to stand trial. . . We do not accept the reasoning of the Wisconsin Supreme Court, however, that the question of competency is determined separately from the question whether the assertion of the right of self-representation was knowing and intelligent. . . We are not called upon today to decide the hard case. Mr. McDowell had a high school education, was literate, was fully fluent in the English language, and had no apparent physical or psychological disabilities." McDowell, Id. at 250 ("We note only in passing that a psychological impairment would go to the question of whether the waiver of counsel was knowing and intelligent") (McDowell Footnote 2)

[T]herefore, in denying this Petitioner's 28 U.S.C. § 2241-2255 "Civil Motion" for Rule 35(a) Mental Examination, the trial Court denied admission of the 18 U.S.C. § 4245 Psychological and Psychiatric Evidence that found this Petitioner's **only possible defense** in His Quranic Literary Work-Free National Name "ALLAH", a "Mental Defect", nor did the trial Court in the assistance of Counsel "waiver colloquoy" accept discussion of this Petitioner's Legal Education, Literacy, Vocation, and English as bound in Divine Covenant ~~—~~ Matter of "Higher-

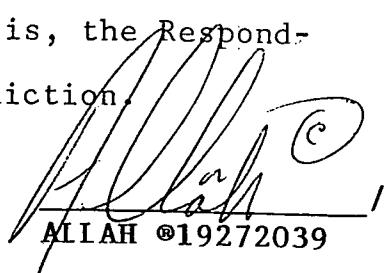
Self Representation" to be acquired Exclusively from said "only possible defense" as is a "REQUIREMENT CONTRACT" that by Federal Government Non-recognition of said "AUTONOMY"(which is One and the same "Autonomy" as the "Just Consent" of the Federally Governed in whom as necessary to being "just", live by Faith), this Petitioner is Psychiatrically Found to be "Gravely Disabled".

". . . a self-representation right at trial will not "affirm the dignity" of a defendant who lacks mental capacity to conduct his defense without assistance of counsel."(171 LED2D 345, 554 US 164 **Indiana v Edwards**, June 18, 2008)

"A judgment of conviction of one who did not effectively waive his constitutional right to assistance of counsel for his defense is void as having been rendered without jurisdiction."(JOHNSON v ZERBST, supra, Headnote 5)

In the Case at Bar, the Burden of Proof that the Federal Government's Non-recognition of this Petitioner's Civil Right "AUTONOMY" that renders his waiver of the Sixth Amendment right to "assistance" of Counsel "incompetent and unintelligent" is met by the Evidence Produced from the October 2002 and May 2013 Due Process of Law Psychiatric Medication Justification Hearings in the 18 U.S.C. § 4245 Civil Commitment Proceedings initiated by Motion of the Respondent, whereby, it is the Respondent's "preponderance of the evidence" that renders the judgment and conviction entered against this Petitioner, that is, the Respondent's criminal case, void, as rendered without jurisdiction.

Date; July 4, 2018


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