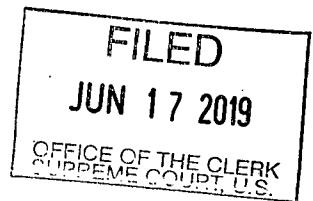


18-9749 ORIGINAL

In the
Supreme Court of the United States

June TERM, 2019



Gamaliel Japhia Joseph El, *Petitioner*,

v.

All Local Law Enforcement et al., *Respondents*.

Leon County Sheriff, Walt McNeil;

Wakulla County Sheriff, Jared F. Miller;

Tallahassee Police Department Chief, Michael DeLeo;

Florida Highway Patrol Director, Colonel Gene Spaulding.

On Petition for a Writ of Certiorari to the
United States Court of Appeals, Eleventh Circuit

PETITION FOR A WRIT OF CERTIORARI

Gamaliel Japhia Joseph El
Natural Person, In Propria Persona

Mailing Location:
c/o: 8424 Lenova Lane
Tallahassee, Florida Republic
[32305]

QUESTIONS PRESENTED

1. Is Title XXIII MOTOR VEHICLES of the Florida Statutes binding on or applicable to a private natural person who is an aboriginal indigenous inhabitant of this land, without any valid contract with any corporate agency, and is not a citizen/resident of the State of Florida, and without the United States?
2. Is it lawful for the State of Florida to force the private People who are not residents of the State into surety-ship, and to force the private People to participate and service a contract identified as Title XXIII MOTOR VEHICLES without their knowing, voluntary and intentional consent to contract?
3. Does bonding the private People into compelled adhesion contracts under the color of Title XXIII MOTOR VEHICLES [F.S.], violate the provisions of Amendment XIII, Section 1 of the United States Constitution's prohibition against slavery, wherein it states involuntary servitude is prohibited except to punish crime?
4. Is the State of Florida, its inferior courts and law enforcement personnel obligated to support the Constitution for the United States of America and to comply with the numerous Supreme Court holdings and decisions on the 'Right to Travel,' without 'drivers licenses,' 'license plates,' 'automobile registration,' etc.; regarding the people who have not waved that right?
5. Is it lawful for the State of Florida, its inferior courts and law enforcement personnel to arrest and prosecute 'private natural persons' who are without any valid contract with any corporate agency, and is not a citizen or resident of the State of Florida?
6. Are the 'traffic infractions' of Title XXIII MOTOR VEHICLES [F.S.] unlawful 'crimes' if there is no injured party or damaged property?
7. Has Title XXIII MOTOR VEHICLES [F.S.] been enacted into positive law, with an 'enacting clause' indicating who it applies to?
8. To what extent does the Constitution for the United States of America authorizes or provisions, that any Agent or Agency of Government may force a 'private natural person' to service a contract, which has the effect of creating *money* and profit; wherein the 'private natural person' has no equitable rights or interest?

LIST OF PARTIES

All parties appear in the caption of the case on the cover page and are non-participants in this case being a request for Declaratory and Injunctive Relief against the constitutionality of the Florida Statute Title XXIII MOTOR VEHICLES, as it pertains to a private natural person who is an aboriginal indigenous inhabitant of this land, without any valid contract with any corporate agency, and is not a citizen/résident of the State of Florida, and without the United States.

***** NO PROOF OF SERVICE REQUIRED *****

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	1
CONSTITUTIONAL PROVISIONS INVOLVED.....	1 - 2
STATEMENT OF THE CASE.....	2
REASONS FOR GRANTING THE WRIT.....	2 - 3
CONCLUSION.....	3

INDEX TO APPENDICES

APPENDIX A	(United States Court of Appeals' premature decision)
APPENDIX B	(United States Court of Appeals' final denial)
APPENDIX C	(United States Court of Appeals' request for Briefs due)
APPENDIX D	(United States District Court's Order of Dismissal)

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Christy v. Elliot, 216 I 131, 74 HE 1035, LRA NS 1905—1910.....	3
California v. Farley 98 CED Rpt. 89, 20 CA 3d 1032 (1971)	3
Miranda v. Arizona 384 US 436, 125.....	3
Bond vs. UNITED STATES, 529 US 334 – 2000.....	3
Bank v. U.S., 529 US 334-2000.....	3

STATUTES AND RULES

28 U.S.C. § 2403(a) Intervention by United States; constitutional question.....	1
Florida Statute, Title XXIII, § 320.02(1) MOTOR VEHICLE LICENSES.....	2
Florida Statute, Title XXIII, § 322.15(1) DRIVER LICENSES.....	2

**In the
Supreme Court of the United States**

PETITION FOR WRIT OF CERTIORARI

Petitioner Gamaliel Japhia Joseph El respectfully request that a writ of certiorari issue to review the judgment below.

OPINION BELOW

The opinion of the United States Court of Appeals, Eleventh Circuit appears at appendix A to this petition.

JURISDICTION

The United States Court of Appeals, Eleventh Circuit issued its decision on February 20, 2019 (Without notice). A copy is attached at appendix A. The United States Court of Appeals, Eleventh Circuit entered final judgment on the appeal on April 15, 2019 (Denying timely Brief and Appendices due on 2/28/2019). A copy of the judgment is attached at appendix B. The decision of February 20th was premature. A copy is attached at appendix C. The jurisdiction of this Court is invoked under 28 U.S.C. § 2403 (a).

CONSTITUTIONAL PROVISIONS

Constitution for the United States of America

Article VI, Section 2

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Amendment 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.

Amendment V:

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment IX:

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

STATEMENT OF THE CASE

Petitioner Gamaliel Japhia Joseph El was convicted by Florida Highway Patrol Lieutenant Anthony A. Stone in Tallahassee, Leon County, Florida, for "No motor vehicle Registration. Failure to Register Vehicle" Florida Statute, Title XXIII, § 320.02(1) and "DL Not Carried/Exhibit on Demand. Failure to Exhibit DL on Demand" Florida Statute, Title XXIII, § 322.15(1); on 5/22/2018. The conviction arose out of the alleged probable cause of not having a proper tag on his car.

Two citations were issued to a 'fictitious person' with a court appearance date of 6/21/2018 at Leon County Traffic Court. On 5/29/2018, the clerk of the court was notified on behalf of the 'fictitious person,' rejecting all offers to contract and the invitation to attend the proceedings. The clerk of the court did not respond.

On 8/07/2018, Notice of Constitutional Question was presented to the Florida Attorney General (Pam Bondi) for relief, but no response was forthcoming.

On 9/10/2018, the jurisdiction of the United States District Court was invoked for Declaratory and Injunctive Relief, but the case was dismissed without prejudice on 11/13/2018. I received notice on 12/10/2018 due to defective service. A copy is attached at appendix D.

I appealed the United States District Court's 'void judgment' to the United States Court of Appeals, Eleventh Circuit, presenting requested Brief and Appendices on 2/25/2019.

REASON FOR GRANTING THE PETITION

The Court Should Grant the Writ to Decide Whether Florida Statute,
Title XXIII MOTOR VEHICLES Apply to 'Private Natural Persons'
Who are Not Residents of the State, Who are Not Members of the Corporation, Who
have No Valid Contract with Any Corporate Agency or

Contactor of the State, and Who is Not a Ward of the State.
And furthermore, to Issue a Declaratory Judgment with Injunctive Relief.

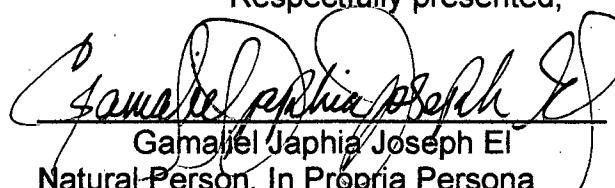
Res Judicata

1. Traveling in an automobile on the public roads was not a threat to the public safety or health and constituted no hazard to the public, and such a traveler owed no other duty to the public (e.g. the State); he / she and his / her auto, having equal right to and on the roadways / highways as horses and wagons, etc.; this same right is still Substantive Rule, in that speeding, running stop signs, traveling without license plates, or registration, are not threats to the public safety, and thus, are not arrestable offenses. *Christy v. Elliot, 216 I 131, 74 HE 1035, LRA NS 1905—1910: California v. Farley 98 CED Rpt. 89, 20 CA 3d 1032 (1971)*.
2. Where Rights secured by the Constitution are involved, there can be no rule making or legislation, which would abrogate them. *Miranda v. Arizona 384 US 436, 125.*
3. ***Bond vs. UNITED STATES, 529 US 334 – 2000***, The Supreme Court held that the American People are in fact Sovereign and not the States or the Government. The court went on to define that local, state and federal law enforcement officers were committing unlawful actions against the Sovereign People by the enforcement of the laws and are personally liable for their actions. Enforcement of these corporate statutes by local, state and federal law enforcement officers are unlawful actions being committed against the SOVEREIGN public and these officers can be held personally liable for their actions. ***Bank v. U.S., 529 US 334-2000.***

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully presented,



Gamael Japhia Joseph El
Natural Person, In Propria Persona
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