

Supreme Court, U.S.  
FILED

**MAY 21 2020**

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No. 19-1321

In The

**Supreme Court of the United States**

Cheryl A Wolf  
Raymond J Fallica  
Mary Piscitello

*Petitioners*

v.

United States

*Respondent*

On Writ of Mandamus original proceeding  
To the D.C. Court of Appeals

**PETITION FOR WRIT OF MANDAMUS**

Cheryl A Wolf Pro Se P O Box 1853 Quogue N Y 11959 (631) 747-6124	Raymond J Fallica Pro Se 6 Ethel Court Wheatley Heights N Y 1178 (631) 374-4649	Mary Piscitello Pro Se 323 Sea Cliff Avenue Sea Cliff N Y 11579 (631) 747-6297
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**MAY 27 2020**

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SUPREME COURT, U.S.

## QUESTIONS PRESENTED

1. Respondent created Court Technicality reiterated false claim, incarcerated prisoner, common law originated U.S. Court Federal Claims case 04CV226; no legal merit False Claims litigation Case 04CV226 USCFC technicality no legal standing in a limited court jurisdiction Tucker Act: does Respondent void right to fair trial equated free U S citizens as incarcerated prisoners, established guilty without being heard, no trial, Respondent practiced English law is it constitutional?

2 Court reiterated origin USCFC technicality voids right to file grievance, suppressed evidence of grievance to be heard, enabled Respondent denies Reexamination Clause, Court Technicality enabled suspend Bill of Rights without due process by issuance common law voids complaint without due process, suppressed evidence never to be heard; is this court technicality a direct violation of Ninth Amendment ?

3. Courts routinely used incarcerated prisoner common law doctrine: does it obstruct due process Clause Fifth Fourteenth Amendments alters U S government from within voids Guarantee Clause U S Constitution enables Office of President agencies alter law arbitrarily be above the law enabled certified fraud legal; decisions outside jurisdiction U.S Constitution voids Republic? Yes or no

**LIST OF PARTIES**

Petitioners Cheryl A Wolf, Dept. of Defense Contractor Cage Code 03PL0 P O Box 1853 Quogue N Y 11959 Raymond J Fallica 6 Admin. D.O.D. Contractor Cage Code 03PL0 6 Ethel Court Wheatley Heights NY 11798, Mary Piscitello 323 Sea Cliff Avenue Sea Cliff NY 11579:

The Respondent United States: attorney representing United States: Solicitor General of United States Room 5614 Dept. of Justice 950 Pennsylvania Ave N Washington D C 20530-0001

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## OPINIONS BELOW

Case 19-5291 D.C. Circuit Court of Appeals original jurisdiction decision new matter Respondent voided Ninth Amendment by misapplication doctrine incarcerated prisoner common law; Respondent United States; specificity misuse of court created technicality misapplied initiated origin U.S. Court Federal Claims facilitated misuse incarcerated prisoner common law, a form civil rights law given standing U.S. Court Federal Claims malice intent, misuse civil rights incarcerated prisoner common law suppressed evidence by FRCP 26 B(iv) deny duty disclosed evidence established by Appendix 1 two letters established self dealing government contracts; Respondent's Court created technicality doctrine misapplied in Court, civil rights no legal standing; Court doctrine technicality direct conflict Tucker Act 28USC 1491. Court addressed past cases as heard,

doctrine incarcerated prisoner common law voids  
Petitioners merits by denial duty disclosed FRCP  
26B (iv) case legal merits never heard; just  
Respondent continuity conduct certification false  
statement void of statute, Constitutional  
Amendment; all orders issued on created common  
law from the bench established Respondent's open  
hostility to standing law Marbury v Madison legal  
foundation Supremacy Clause U S Constitution:  
Courts opinion affirmation doctrine incarcerated  
prisoner created decision outside jurisdiction U.S.  
Constitution. Respondent certified fraud as fact;  
Respondent's decisions unsuccessful bidder without  
APA FAR 14 notice established created law from the  
bench, all decisions originated U.S. Court Federal  
Claims Respondent failure preserve defend  
Constitution Article II; opinion allowed status quo  
self dealing government contracts; doctrine

incarcerated prisoner common law established abuse power facilitated suspension Bill of Rights without due process; interference federal statute, Civil Rights Act 1866 False Claims Act Rico. Respondent violated Article IV Guaranteed Clause Constitution, Respondent altered government from within by destruction inalienable rights. Court certified fraud all other court recertified fraud destroys inalienable rights judicial opinion issued enabled expansion of power outside jurisdiction U. S. Constitution voids Respondent's legitimacy to govern

#### JURISDICTION

Extraordinary writ petitioned; judicial abuse created common law voids inalienable rights; jurisdiction; 28 USC 1651 All Writs Act authorize United States federal courts to "issue **all writs** necessary or appropriate in aid of their respective jurisdictions,

agreeable to the usages and principles  
of law."Petitioners grievance defend Principles U.S.  
Constitution Bill of Rights secure American people  
inalienable rights to property contract liberty rights  
voided by court created incarcerated prisoner  
common law doctrine destroys inalienable rights:  
property contract liberty rights. Petitioners'  
jurisdiction Ninth Amendment, All Writs Act  
mandates Respondent act within jurisdiction U.S.  
Constitution, Respondent nullified Ninth  
Amendment; IRS enabled self enrichment  
government contracts exposed June 10, 1996; IRS  
failure prosecute, established treason 18USC 2881;  
IRS certified illegal acts self dealing manipulations  
501C foundation IRS certified legal enabled by  
Respondent doctrine redefined American people  
constitutional freedom equated as incarcerated  
prisoners without bars by declaration; Respondent

issued Court created doctrine incarcerated prisoner common law with no legal merits False Claims litigation enabled Respondent created common law from the bench issued fabricated false statements 18USC1001 unsuccessful bidder; voided United States Constitutional law (1) Respondent affirmed condition precedent “incarcerated prisoner” common law suspends duty to disclosed, suppressed evidence FRCP 26B(iv) (2) established denies right to be heard, denies access to courts, established freedom denied, not correctable by appeal: Respondent conduct raises new issues, misapplication rational basis test civil rights standing U.S. Court Federal Claims voided Tucker Act 28USC1491 established Respondent altered government; (3) petitioners have no other adequate means as direct appeal for Petitioners are damaged; denied fairness by destruction evidence, suppressed Equal Protection

Clause as a matter of law ;. *Arthur Young & Co. v. United States District Court, supra, 549 F.2d at 691-692, 692-697; Hartland v. Alaska Airlines, 544 F.2d 992 (9th Cir. 1976)* ( 4) Respondent order, an oft-repeated created law doctrine incarcerated prisoner common law by misapplication rational basis test established persistent disregard of federal rules; issued at origin voided Tucker Act, “incarcerated prisoner” common law, civil rights law applied, legal merits no Petitioner litigated “incarcerated”, established Respondent nullified Thirteenth Amendment U.S. Constitution; established *APA FAR 50 exceptional circumstances* see, *LaBuy v. Howes Leather Co., supra, 352 U.S. at 255-60, 77 S.Ct. 309; McDonnell Douglas Corp. v. United States District Court, supra, 523 F.2d at 1087.* (5) Respondents orders raises new, important problems, or issues of law; suppression of evidence enabled obstruction of

justice; established no oversight government spending, altered government within voided Constitution Guaranteed Clause Article IV; clear abuse of discretion, *Schlagenhauf v. Holder*, 379 U.S. 104, 111, 85 applies: Supremacy Clause mandates nondiscretionary action .

#### CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Respondent court created technicality obstructed Due Process Clause Fifth Fourteenth Amendment by misuse incarcerated prisoner common law issued with malice intent suppressed evidence; Respondent nullified APA Far Statute government contracts law, mortgage fraud by obstruction sole intent suppression, destruction of evidence 18USC1519 by False Statements 18USC1001, through perjury 18USC 1621 violated conspiracy defraud United

States 18 USC 371 by deprivation of rights 18 USC 241,  
conspiracy against rights 18 USC 242 voided  
Petitioners' contract property rights nullified Ninth  
Amendment conceal office of president agency IRS  
not only failure prosecute established treason  
18 USC 2381, IRS facilitator self dealing government  
contract, extortion 18 USC 1961 an unlawful act self  
dealing misuse of office certified lawful enabled by  
Respondent Office of President collusion with courts  
misprision of felony 18 USC 4 by Respondent's  
misapplication incarcerated prisoner common law  
equated free citizens incarcerated prisoners without  
bars violated liberty due process enablement clause  
Fourteenth Amendment suppressed Equal Protection  
Clause by denial duty disclosed evidence established  
interference with Federal Statute 10 USC 333  
specifically False Claims Act Civil Rights Act 1866:  
Respondent's enabled suppression of freedom

established suppression commerce clause a clear violation Hobbs Act 18USC 1951, arbitrarily suspend bill of Rights without due process by systemic continuity of conduct Respondent constructive knowledge repealed *Thirteenth Amendment* voided Respondent civilian authority legitimacy; voided Guaranteed Clause by abuse of power incarcerated prisoner common law doctrine void inalienable rights established Respondent's conduct tyranny arbitrarily make a declaration unsuccessful bidder on government contracts with no APA Far 14 notice evidence unsuccessful bidder established Petitioners' jurisdictional right Petition Ninth Amendment Respondent voided legitimacy U.S. government; failure govern fairly by fabricated fact as law enabled by court technicality suppressed Equal Protection Clause facilitated destruction inalienable rights gives

foundation government BROKEN, Respondent no longer represents the people.

#### STATEMENT OF THE CASE

Respondent failure enforce law instead created common law suspend Bill of rights specifically First Fifth Seventh Fourteenth Amendment by Respondent inversed presumption of innocent, misused incarcerated prisoner common law doctrine Respondent equates all free U.S. citizens as incarcerated prisoners without bars established legal foundation Respondent voided Ninth Amendment; Respondent conduct origins incarcerated prisoner common law misapplied; no legal merits case litigation origin False Claims litigation U.S. Court Federal Claims 04CV226 government contract APA Far Statute EXHIBIT 1 evidence no contracting

officer established self dealing government contracts exposed IRS failure prosecute 1996 by IRS dissembled conduct exposed January 2004 IRS statement, *“IRS does not investigate fraud”*; Contract fraud established Petitioners protect inalienable rights contract initiated at origin False Claims Litigation against Respondent U.S. Court Federal Claims Washington D C; Respondent originated incarcerated prisoner common law doctrine; misapplied civil rights incarcerated prisoner common law doctrine U.S. Court Federal Claims where doctrine has no legal standing; Tucker Act 28USC1491 established Respondent contempt rule of law, interfere with due process void enablement freedom due process clause Fourteenth Amendment, Respondent facilitated fraud by continuity conduct issued false statements unsuccessful bidder enabled by judicial abuse,

misapplied rational basis test violated Congress mandates due process Tucker Act 28USC1491 dictated strict scrutiny: U.S. Court Federal Claims no legal standing civil rights Respondent voided U.S. Congress Vesting Clause; systematically asserted false statement 18USC1001 unsuccessful bidder; *evidence stated there are no contracting officers exhibit 1: APA FAR Christian doctrine; contracts apply* FAR regulations, due process APA FAR statute defines unsuccessful bidder government contracts by contracting officers report by FAR 14 Notice unsuccessful bidder, Respondent is without notice, Petitioners' evidence established no contracting officer foundation unsuccessful bidder aforethought declarative false statement established fiction misused as fact violated 18USC1001 false statements; Respondent intent evade police action litigation False Claims Act Rico Civil Rights Act

1866 initially against IRS interfered False Claims litigation violation 10USC333 interference with federal statute exposed by U.S Tax Court Case 3747-041 judicial findings same exact evidence, U.S. Court Federal Claims Case 04CV226; judicial findings established Respondent unsuccessful bidder false statement; Petitioner Wolf HIRED U.S. Tax Court strict scrutiny established Reexamination Clause exposed U.S. Court Federal Claims orders outside jurisdiction U.S. Constitution, established corrupt court enabled by other courts misused incarcerated prisoner common law conceal obstruction of justice 18USC1503 originated U.S. Court Federal Claims. Respondent facilitated *willful blindness enabled* court acceptance unsuccessful bidder no evidence of bid mandated by voice of the legislature; Congressional Statute APA FAR14 unsuccessful bidder defined by Contracting Officers notice defined

unsuccessful bidder by APA FAR solicitation process, Petitioner's evidence exposed contracting officer does not exist then bidder does not exist just Respondent's declaration false statement enabled by Respondent incarcerated prisoner doctrine established destruction evidence 18USC1519 void Exhibit One letter stated No C.O.R. C.O.T.R., acronyms for contracting officers; Respondent doctrine incarcerated prisoner common law foundation civil rights law no legal standing U.S. Court Federal Claims; Tucker Act 28USC1491. Civil rights no legal force U.S. CTFCL was misapplied violated Equal Protection Clause enabled Respondent, facilitated destruction evidence enabled denied duty disclosed; denied evidence be heard. Petitioner's contract liberty property rights; inalienable rights voided Respondent authority as legitimate government nullified Ninth Amendment

protections proceeded destruction inalienable rights by Respondent's conduct voids accountability to rule of law by denial duty disclosed evidence, established courts suppressed Equal Protection Clause; Respondent only intent issuance court technicality incarcerated prisoner common law enabled Respondent voided duty disclosed evidence facilitated willful blindness by incarcerated prisoner doctrine voids Pro Se rights for self representation exposed after litigation FBI failure enforce U.S. Constitution Reexamination Clause; December 2018 decision court issued only incarcerated prisoner common law exposed common thread incarcerated prisoner common law misused in every case since origin U S Court Federal Claims: continuity conduct exposed Respondent's misapplication incarcerated prisoner common law since no Petitioner incarcerated prisoner litigated established no legal

merits to grievance: upon research exposed this doctrine singular purpose denies duty disclosed evidence: Petitioner's evidence never heard; Respondent suppressed evidence judicial findings voided by this doctrine voids Bill of rights Reexamination Clause; evidence suppressed exposed Respondent destruction contracts facilitated government self dealing contracts within the government exposed by Exhibit One: misuse office 18USC1961 Extortion; Petitioners' evidence established self dealing government contracts without contracting officers. Respondent suppressed evidence by systemic misapplication incarcerated prisoner common law doctrine: Piscitello contract destroyed upon judicial findings exposed mortgage fraud financed fraud upon court, enabled destruction of Piscitello contract by false statements; Respondent Court misused technicality incarcerated prisoner

common law destroyed evidence void grievance be  
heard enabled by misapplication incarcerated  
prisoner common law interfered federal statute  
Civil Rico Civil Rights Act 1866 , Petitioner Wolf  
Fallica DOD Contractor APA FAR statutes nullified;  
conceal evidence two letters exposed IRS certified  
self dealing government contracts an illegal act as  
legal: Respondent conceal failure prosecute,  
fabricated unsuccessful bidder with misapplication  
rational basis test initiated original case U.S. Court  
Federal Claims 04CV226; opinion decision certified  
fraud: Congress APA FAR Statute defined  
unsuccessful bidder: evidence established no  
contracting officer exists established no oversight  
government spending enabled Respondent facilitated  
government contract fraud by issuance self dealing  
government contracts exposed by Petitioners'  
evidence. Respondent facilitation misapplication

incarcerated prisoner common law doctrine  
empowered FRCP 26B(iv) deny duty disclosed  
evidence; enabled Respondent suppressed evidence  
voids opportunity be heard; doctrine violates voice of  
the legislature: self dealing government contracts  
mortgage fraud both situations known threats  
National Economic Security, enabled by  
Respondent's court technicality misapplication  
incarcerated prisoner common law facilitated no  
legal merits case presented: court technicality sole  
intent destruction evidence interfere Federal Statute  
10USC333; court created common law voided  
Seventh Amendment Reexamination Clause,  
destruction of evidence 18USC1519 by false  
statements 18USC1001 stated as fact established  
18USC1621 perjury enabled deprivation of rights  
18USC241. Respondent Executive judiciary abuse of  
power by issuance misapplication civil rights given

standing U.S. Court Federal Claims established collusion. Respondent suppressed evidence enabled by misapplication incarcerated prisoner common law doctrine civil rights Courts gave standing civil rights enabled Respondent voided Tucker Act 28USC1491, impaired administration of justice established fraud upon the court violated obstruction of justice 18USC1503, foundation established conspiracy against rights 18USC242; misapplication incarcerated prisoner common law only intent suppressed duty to disclosed evidence FRCP 26B(iv); established aforethought act suppressed Equal Protection Clause; Respondent no legal merits introduce any incarcerated prisoner common law from inception Wolf Fallica Piscitello Cases: 04CV206, 08CV5071, 14CV5999, 16CV9436, 19CV00696 established Misprision of felony 18USC4 conceal U.S. Court Federal Claims certified fraud

established foundation original proceeding 19-5291  
D.C. Circuit Court of Appeals: dissolve civilian  
authority by Respondent continuity of conduct  
facilitated evidence destroyed, suppressed; enabled  
Respondent created common law from the bench,  
obstructed Supremacy Clause established by  
Respondent's misapplication incarcerated prisoner  
common law equated Petitioners Pro Se free citizens  
as incarcerated prisoners without bars when there  
are NO INCARCERATED PRISONERS; Respondent  
voided Bill of Rights, Respondent voided  
constitutional freedoms suspended by Respondent  
technicality aforethought act established foundation  
arbitrary conduct; origins misapplication  
incarcerated prisoner common law 2004 U.S. Court  
Federal Claims Case 04CV226; exposed Jan 2019  
fraud upon court by Respondent. Respondent  
enforced created common law from the bench voided

Bill of rights, decisions on all cases voided statute legal foundation; established all decisions without APA FAR 14 notice enabled Respondent misused rational basis test denied First Amendment right be heard when Respondent dissembled conduct suppressed evidence be heard, established Respondent outside jurisdiction U.S. Constitution. Respondent nullified APA FAR statute; obstructed due process False Claims Act Civil Rights Act 1866 Rico; voided constitutional rights protect individual rights specifically inalienable rights: contract property liberty; Respondent established by conduct; corrupt government voided *Congress's Vesting Clause* denies rights of the individual muted. Respondent court created technicality, aforeshortened act suppressed evidence never be heard enabled by suspension Bill of rights without due process. Officers of the court conduct nullified statute, twist

rule of law obstruct due process. Respondent facilitated enabled *willful blindness obstruct justice* *deny duty to disclosed evidence* not to hear the TRUTH; equated free people incarcerated prisoners without bars; continuity of conduct established Respondent voided founding principles In God We Trust, the rights of man; void freedom, destroy inalienable rights validated by multiple documented acts Respondent imposed this court technicality incarcerated prisoner common law sole intent voids Bill of rights conceal failure enforce Law by IRS established misprision of treason 18USC2382. U.S. Court Federal Claims failure prosecute government self dealing contracts: Respondent continuity of conduct misapplication incarcerated prisoner common law last fifteen years establish foundation judicial, executive abuse of power, foundation corruption institutionalized. Respondent nullified

Bill of rights inclusive Reexamination Clause  
Seventh Amendment; Reexamination Clause violated  
exposed corrupt court exposed; U.S. Tax Court Case  
3747-04L established Reexamination Clause without  
contracting officer there is no FAR 14 notice there is  
no bidder; established Respondent unsuccessful  
bidder false statement 18USC1001 established  
foundation all legal decisions unsuccessful bidder  
certified FRAUD; voided Contract Clause U.S.  
Constitution, nullified individual rights voids Ninth  
Amendment destruction inalienable rights interfere  
Federal Statute voids Supremacy Clause.  
Respondent issued unsuccessful bidder without FAR  
14 notice Respondent nullified APA FAR statute.  
Petitioner DOD Contractor: Respondent conduct  
established legal process, judicial system by officers  
of the court systemic misuse incarcerated prisoner  
doctrine established system corrupted, rife with

created common law abuse; misuse of authority, evidence suppressed 18 USC 1519 by False Statements 18 USC 1001, Petitioners' evidence exposed no contracting officers; no contracting officer there is no bidding process by Congressional Statute APA FAR government contracts, Petitioners' evidence exposed self dealing government contracts certified illegal act legal by office of President Agency IRS; misuse of office Extortion, Respondent certified fraud misuse incarcerated prisoner common law facilitate Misprision felony 18USC 4. Respondent failure enforce Constitution exposed by Case 3747-04L U.S Tax Court exposed Respondent Case 04Cv226 facilitated perjury 18USC1621 no FAR 14 there is no unsuccessful bidder: Respondent conduct direct conflict with Congress's Vesting Clause; Respondent unsuccessful bidder false statements aforethought act destroy Petitioner's liberty contract

property rights, Respondent's intent concealed self-dealing government contracts exposed by Petitioners evidence Exhibit One; Respondent continuity conduct exposed systemic misuse no legal merits imposed incarcerated prisoner common law established Respondent voided people file grievances be heard by fraud upon court; Respondent obstructed duty disclosed evidence; voided First, Fifth Amendment by dissembled conduct, Respondent constructive knowledge APA FAR no contracting officer exists there never can be bid process; established Respondents intent conceal government corruption denied evidence heard issue doctrine civil rights law given standing with judicial scrutiny rational basis test direct conflict Tucker Act, established conspiracy against United States 18USC371, evidence replaced by fabricated false statements; no existence APA FAR 14 affirmed by writ of Scrire

19CV00696 SDNY: only request APA FAR 14 DOJ failure provide APA FAR 14 notice unsuccessful bidder; established Respondent's continuity conduct courts weapons against the people with approval office of President promotes officers of the court certified fraud created law from the bench conceal government self dealing contracts; Respondent created law equated free citizens incarcerated prisoners without bars, established open hostility towards Enablement Clause Fourteenth Amendment; freedom liberty redefined by Respondent FREE PEOPLE equated by the courts, incarcerated prisoners without bars; Respondent created common law technicality incarcerated prisoner common law executed with aforethought only intent void rule of law; voids individual rights established fingerprints fascist state: Gen McCauliffe Battle of the Bulge stated correctly how to respond to

fascist intimidation, NUTS; only a fascist state  
believe People will accept fraud, false statements  
unsuccessful bidder with no APA FAR 14 notice; law  
mandated Respondent provide evidence state  
unsuccessful bidder Respondent must be in  
possession APA FAR 14 notice: there is none: due  
process obstructed, violated Fifth Fourteenth  
Amendment: evidence dictates unsuccessful bidder  
fabricated false statement 18USC1001, Petitioners  
evidence document stated no contracting officers  
established evidence suppressed: all decisions issued  
unsuccessful bidder voided congress's vesting clause:  
unsuccessful bidder definition established by  
contracting officer: Respondent previous decisions  
certified fraud voided Respondent legitimacy  
facilitated by Respondent equated U.S. citizens as  
incarcerated prisoners without bars: suppressed  
evidence in Respondent's possession executed

contracts payments invoices over 1400 pages  
evidence inclusive judicial findings Reexamination  
Clause voided by Respondent continuity of conduct  
misapplication of incarcerated prisoners common law  
facilitated by Respondent's perjury 18USC1621  
unsuccessful bidder with no APA FAR 14 notice for  
Petitioners evidence EXPOSED there was no  
contracting officer; Respondent conceal at all costs  
inclusive destruction inalienable rights conceal  
evidence exposed no contracting officer on  
government contract enabled Respondent dissembled  
conduct voided Bill of Rights without due process;  
Respondent issuance incarcerated prisoner common  
law established malicious act with a singular intent,  
destruction of evidence enabled by executive ,  
judiciary two branches government collusion obstruct  
*Necessary Proper Clause U.S. Constitution,*  
Respondent aforethought nullified Supremacy

Clause mandated False Claims Act Rico Civil Rights  
Act 1866; Respondent must provide FAR 14;  
documented conduct Respondent arbitrarily voided  
Bill of rights with approval of this court past history  
without addressing fact instead conceal existence  
Respondent's court technicality origins facilitated  
willful blindness not hear evidence enabled civil  
rights law standing U.S. Court Federal Claims:  
foundation court past history voided Tucker Act  
28USC1491 created common law from the bench  
altered government voided legitimacy U.S.  
Government represent the people: Respondent void  
U.S. Constitution freedoms by aforethought, Officers  
United States only intent promoted fabricated stories  
by false statements 18USC1001 unsuccessful bidder  
enforced as law by judicial opinion on government  
contract is not law; APA FAR 14 is law by congress's  
vesting clause: Respondent mandated by law provide

contracting officer notice unsuccessful bidder FAR 14, an impossible feat for Petitioners evidence exposed no contracting officer: evidence destroyed by court technicality never had legal standing U.S. Court Federal Claims; incarcerated prisoner common law sole intent suppressed evidence 18 USC 1519 voided Equal Protection Clause, Petitioners' evidence exposed no contracting officer; specificity Petitioner DOD Contractor statute APA FAR government contract statute defines unsuccessful bidder not an arbitrary opinion is not law, unconstitutional conduct, created common law from the bench established acts against sovereign U.S. Constitution by Office of President promoted arbitrary decisions gestures due process promoted as due process established foundation unconstitutional conduct by certified fraud unsuccessful bidder without APA FAR 14; Respondent decisions founded on rational basis

test, decision origin U.S. Court Federal Claims  
established Respondent voided Tucker Act  
28USC1491, proceeded certified fraud as fact,  
destroyed inalienable rights contract property  
liberty, Respondent sole intent keep status quo self  
dealing government contracts. Respondent's  
arbitrary capricious decisions obstructed due process  
of law 18USC 1503; Tucker Act mandated strict  
scrutiny: Respondent decisions outside jurisdiction  
U.S. constitution issued orders no legal merits  
established arbitrary conduct defined as tyranny;  
Declaration of Independence, Magna Carta:  
Respondent interference False Claims Act Civil  
Rights Act 1866 Rico. Respondent suppressed  
evidence two letters exposed self dealing government  
contract established no accountability federal funds  
spent, conceal government self dealing contracts;  
Misprision of felony concealed exposure government

waste fraud abuse concealed by agencies mandate  
enforce the law, established IRS failure prosecute;  
established taxation without representation,  
Respondent legitimacy voided, law mandates inverse  
presumption of liberty Ninth Amendment;  
Respondent altered government from within; Office  
of President Agencies defended self dealing  
government contracts enabled by office of President  
informed IRS failure prosecute voided accountability,  
enabled dereliction duty defend Sovereign U.S.  
Constitution, IRS FBI DOJ void people rights to due  
process aided by courts collusions create technicality  
misapplication incarcerated prisoner common law  
void Bill of rights without due process established by  
continuity of conduct Respondent only loyalty  
protected corruption of office President agencies  
enable failure prosecute, IRS FBI DOJ failure  
enforce statute established treason against sovereign

U.S. Constitution 18USC2381 enabled by courts  
facilitated willful blindness, created court  
technicality, incarcerated prisoner common law void  
duty to disclose evidence against Pro Se Petitioners,  
conceal IRS failure prosecute established Misprision  
of Treason 18USC2382, certified fraud, false  
statement 18USC1001 unsuccessful bidder destroyed  
contract property liberty rights false statements  
18USC1001 issued, facilitated void Ninth  
Amendment enabled destruction inalienable rights  
established tyranny voided Respondent legitimacy to  
govern; Respondent voided Rule of law: Respondent,  
this court bound to rule of law be enforce by  
Marbury v Madison 5 US 137, 163; established law  
mandated Statute Constitutional Amendments  
Supreme Law; Fraud on court decisions unsuccessful  
bidder enabled when this court accepted court  
technicality incarcerated prisoner common law

facilitated created common law from the bench  
suspends Bill of Rights without due process U.S.  
Supreme Court voided its own authority, no longer  
defends Supremacy Clause U.S. Constitution.  
Respondent BAD CONDUCT voided authority  
Article III, breach Contract Clause U.S, Constitution  
void rule of law enables elite above the law voids the  
Republic: nullified Article IV Guarantee Clause U S  
Constitution.

#### **Granting the Writ**

Respondent Court created Technicality with office of  
President void government accountability to the  
people.. Respondent misused their office, an act of  
extortion violated oath “*preserve and defend the  
Constitution, Article II, §1(8)*. The panel mandated  
exercised original jurisdiction over (and then  
disposed of) this suit of “national significance” in this

unprecedented way by not enforce statute or U.S. constitution but misuse common law, void constitutional freedoms conceal misuse incarcerated prisoner common law established judicial executive overreach suspend Bill of rights without due process of law; decision, panel not only committed legal error, but also effected a sweeping expansion of appellate jurisdiction irreconcilable with Cohen v. Beneficial Industrial Loan Corp. 337 U.S. 541 1949; Supreme Court held to be appealable those orders which "finally determine claims of right separable from, and collateral to, rights asserted in the action, too important to be denied review and too independent of the cause itself to require that appellate consideration be deferred until the whole case is adjudicated. Respondent nullified inalienable rights founded Bill of Rights; destruction inalienable rights mandated Ninth Amendment U.S. Constitution

voids Respondent legitimacy voided by Courts failure recognized Supreme Court Ruling *Marbury v Madison* 5 U.S. (1 Cranch) 137, 176 (1803), Supreme Court verified mandated U S Constitution is LAW: Supreme Law: statute, constitutional amendments cannot be voided by arbitrary common law created from the bench; origin incarcerated prisoner common law created false statement 18USC1001 unsuccessful bidder, Respondent defense; written declaration unsuccessful bidder established false statement exposed by Petitioners evidence established no contracting officers necessary enable due process of law established APA FAR 14 notice unsuccessful bidder only contracting officer issues notice can identify unsuccessful bidder by evidentiary support of bidding process necessary component have a contracting officer: no contracting officer there is no solicitation for a bid, *misapplication incarcerated*

*prisoner common law executed by judge discretion violated will of the legislature, Supreme court decision **Bush v. Palm Beach County Canvassing Board**, 531 U.S. 70 (2000)*, Respondent obstructed due process with extreme malice aforethought voided Federal Statute Civil Rights Act 1866 False Claims Act all to conceal IRS certified illegal act self dealing government contracts to federal employees inside the government an illegal act arbitrarily certified by IRS legal, became exposed by U.S. Tax Court Case 3747-04L; U.S. Court Federal Claims void all 1400 pages evidence denied be disclosed by issuance incarcerated prisoner common law has no legal merits to contract law. U.S. Government contract fraud certified illegal acts as legal; Respondent's IRS treason concealed by Respondent's misapplication incarcerated prisoner common law issuance: intent void obstruct due process of law; Supreme Court

established authority on legal foundation Marbury v Madison enforce Supremacy Clause U.S. Constitution: incarcerated prisoner common law misapplied U.S. Court Federal Claims; voids its own authority; oath “*preserve and defend the Constitution,*” Article II, §1(8). Court failed in past 04-10473, 11A224 15- 498 three times 15 years Court enforced created common law concealed judges created technicality misapplication incarcerated prisoner law commonly misused for only one intent; suppressed evidence government self dealing contracts exposed by Petitioners’ Exhibit 1; Court voided Bill of rights placed politics corruption self dealing enabled by Office of President outside jurisdiction U.S. Constitution. Petitioners’ right to be heard voided by court created technicality condition precedent void duty disclosed evidence; discovery denied replaced by fabricated false statements

unsuccessful bidder when all courts possession of evidence established impaired *Contract Clause U.S. Constitution Article I Sec 10*; facilitated Misprision of treason Office of President conceal IRS failure prosecute self dealing government contracts violated *18USC241 deprivation of rights, facilitated conspiracy against rights 18USC242 by interference federal statute 10USC333 Specifically False Claims Act 31 U.S.C. §§ 3729 – 3733, Civil Rights Act 1866 RICO 18USC1961*: Respondent dissembled conduct omission condition precedent incarcerated prisoner common law enabled FRCP 26B(iv) denies disclosure Petitioners Pro Se evidence voids right to be heard: conceal Respondent failure prosecute 1996 IRS *self dealing laws 26USC4941 established Treason 18USC2381*: motivation Respondent facilitated Court created technicality civil rights incarcerated prisoner common law with no legal standing, facilitated

misuse rational basis test enabled Respondent suspend Bill of Rights:

### **I. Respondent voided Rights of the Individual**

Ninth Amendment voided by Respondent court created technicality misapplied facilitate mandamus relief is otherwise “appropriate under the circumstances.” *Cheney v. United States Dist. Court for D.C.*, 542 U.S. 367, 380-81 (2004). Only, “exceptional circumstances amounting to judicial ‘usurpation of power’” or a “clear abuse of discretion” will “justify the invocation of this extraordinary remedy. Maxims void freedom to American people, Respondent legislate by misuse rational basis test created law by declaration (a king), arbitrary acts: *King can do no wrong has no basis in our government: Langford v United States 101 U.S 341:* established Respondent facilitated caste system

above the law: certified fraud legitimate by created common law from the bench: *Quis custodiet ipsos custodes?* Who will guard the guards themselves; Respondent obstruction Ninth Amendment disparages rights retained by the people suppression Equal Protection Clause holds Respondent liable under the law; *United States v. Nixon, 418 U.S. 683 (1974).* “*the fundamental demands of due process of law in the fair administration of justice.*” Respondent, origin contempt Ninth Amendment: US Court Federal Claims arbitrarily destroyed contract: nullified Liberty, Enablement Clause Fourteenth Amendment voided legitimacy U. S. Government; stated by St. George Tucker, author first constitutional treatise, agreed with Madison. Tucker: *“View of the Constitution of the United States” Ninth Amendment guarded the people's collective right to alter or abolish their form of government: under the*

*principles of the Ninth and Tenth Amendments, "the powers delegated to the federal government, are, in all cases, to receive the most strict construction that the instrument will bear, where the rights of a state or of the people, either collectively, or individually, may be drawn in question."* Exposed court created technicality established malice act enabled failure to hold person or persons accountable rule of law; Respondent not held accountable established arbitrarily abuse of power by misapplication incarcerated prisoner common law voided Bill of rights; Petitioners constitutional right to petition nullified been exposed by Respondent's status quo altered Constitution's Guarantee Clause enabled by court created technicality incarcerated prisoner common law only intent destruction evidence voids inalienable rights; this unconstitutional practice only singular malice intent destroy evidence; enabled

Respondent deny duty disclosed evidence FRCP 26B(iv) established Respondent mal in se misuse office extortion facilitated destruction constitutional freedoms by continuity conduct. Respondent created common law from the bench by collusion two branches government facilitated Respondent systematically equated all U.S. Citizens incarcerated prisoners without bars; Court's constructive knowledge decision 04CV226 judicial opinion foundation rational basis test established Court's perverse act, voided Tucker Act, nullified Congress's Vesting Clause established Respondent interference False Claims Act Statute 10USC333 established foundation destruction property contract liberty rights exposed by Tax Court judicial findings same exact evidence exposed declaration unsuccessful bidder false statement proven false; 2007 U.S. Tax Court 3747-04L, judicial findings exposed IRS lied

why IRS state under oath of perjury Petitioner Wolf HIRED; Respondent conceal U.S Court Federal Claims misprision of treason destroyed facilitated deprivation of rights 18USC241; IRS failure prosecute self dealing government contracts 1996 whistleblower complaint IRS self dealing government contracts 501C foundation became realization IRS certified illegal acts legal upon IRS disclosure *IRS does not investigate fraud*; defines IRS conduct Treason 18USC2381. EXHIBIT 1 two letters June 10, 1996 June 7, 1996 established reasonable person with sound mind could convict on extortion Hobbs Act 18USC1951 violations by misuse office, contract manipulations pass substantial evidence test June 7 1996 letter established NO COR COTR, no contracting officer: established by FAR 14.409-1 Notice of award, mailed to unsuccessful bidders established no bidding process; June 10, 1996 letter I

am primary contractor simultaneously letterhead  
established Athletic director misuse office for  
improper gains, same Athletic Director witness for  
IRS declare primary contractor, simultaneously  
government employee violated extortion see *U.S. v  
Margiotta, 688 F.2d 108 (2nd Circ 1982)*: “*Court held  
that extortion “under color of official right” occurs  
“when a public official makes wrongful use of his  
office” whether or not “the wrongful use of his office  
is accompanied by actual or threatened forces”.*

Respondent practice arbitrarily destroy evidence by  
created common law established tyranny; civilian  
authority govern legitimacy is voided by misuse this  
court technicality destroys inalienable rights:  
Respondent malice voided inalienable rights voids  
legitimacy to govern established officers United  
States dereliction of duty defend U S Constitution,  
Supreme Court failed in past defend individual

rights Ninth Amendment mandated origin U.S. Constitution voided Respondent failed American People protect, defend inalienable rights established legitimacy voided; sovereign U.S. Constitution nullified from within; rule of law voided by common law from the bench created systematically by continuity of conduct officers of the court apply technicality incarcerated prisoner common law only malice intent void, destroy evidence, obstruct disclosure violated 18USC1519: evidence suppressed disclosed overt act government self dealing contracts, Respondent continuity of conduct suppressed equal protection clause Respondent interfere with Federal statute 10USC333 obstruct due process enabled by incarcerated prisoner common law commonly used, an establish courts practiced voids rights of individuals established failure protect individual freedoms by judicial executive abuse of power;

Respondent's contempt individual rights Ninth Amendment by failure give fair hearing by misapplication incarcerated prisoner common law established all decisions unconstitutional conduct no proper disclosure or discovery process established gesture due process on all orders issued see Milligan v Central Hanover Bank & Trust 339 U.S. 306, 70 S. Ct. 652 (1950) Respondent voided APA FAR Statute replaced with fiction *obstruct Due process Fifth Amendment created law, nullified Tucker Act,* Respondent took the law into their own hands and should have known better see Monell vs Social Services 436 U.S. 658 (1978) Respondent voided Enablement, Due Process, Liberty Clause Fourteenth Amendment intent destroyed evidence, established Self Dealing Government Contracts, Exhibit One stated NO Contracting officers established Respondent issued just gesture of due

process established constructive knowledge Ninth Amendment mandated protection contract property liberty voided by Respondent misapply incarcerated prisoner common law U.S Court Federal Claims established Respondent malice intent voided contract law, nullified Tucker Act voids Respondent legitimacy to govern; due process obstructed in all cases against Pro Se: opinions issued certified fraud by aforethought with malice intent destroy freedom from within for all parties was with full constructive knowledge disclosure was obstructed from origin: *see Envelope Co. v. Denominational Envelope Co., 80 F.2d 179, 182 (4th Cir.1935)* “*of all material facts of which an officer acquires knowledge while acting in the course of his employment and within the scope of his authority.*” Petitioners have no federal felony records: *Respondent acting fast and loose with the judicial machinery see Diffrischia v. New York*

*Central railroad Company 307 F.2d 473 (3d Cir. 1960)*. Respondent doctrine is a Maxim; incarcerated prisoners unsuccessful bidders obstructed due process; conceal officers standards of conduct FAR 3.101 establish transparency of funds; needs contracting officer, notice of award APA FAR 14: APA FAR's procedural due process, defines unsuccessful bidder, Respondent certified illegal act perjury legal enabled by maxim incarcerated prisoner obstructed duty disclosed FRCP 26(B)(iv) nullified, voided Reexamination Clause concealed Respondent voided separation of powers exposed U.S. Court of Federal Claims created law from the bench see Erie Railroad v Tompkins, 304 U S 64 (1938): "*The Supreme Court held that federal courts lacked the power to create common law, violation of the separation of powers*"

Respondent altered government enabled by

causation common law created by court Technicality:  
Respondent voided contract rights only intent  
obstructed procedural due process created  
obstruction to remedy by concealment Misprision of  
Treason 18 USC2382 Respondent alter contract  
singular intent certified fraud with fabricated Bid  
conceal IRS failure to prosecute self-dealing  
government contracts by Respondent aforethought  
acts fraud extortion, violated **Antoni v Greenhow 107**  
**U.S. 469, 27 l. ed. 468; contracts are inalienable**  
*rights see State of New Jersey v. Wilson, 7 Cranch,*  
*164, 166, where it is declared that the contract clause*  
*of the Constitution "extends to contracts to which a*  
*State is a party, as well as to contracts between*  
*individuals;" or in Providence Bank v. Billings, 4 Pet.*  
*514, 560, where this court, speaking by Chief Justice*  
*Marshall, said that it had "been settled that a*  
*contract entered into between a State and an*

*individual is as fully protected by the tenth section of the first article of the Constitution, as a contract between two individuals;" or in **Green v. Biddle**, 8 Wheat. 1, 84, where it was said, through Mr. Justice Washington, "that the Constitution of the United States embraces all contracts, executed or executory, whether between individuals, or between a State and individuals; and that a State has no more power to impair an obligation into which she herself has entered than she can the contracts of individuals;" or in **Woodruff v. Trapnall**, 10 How. 190, 207, where, speaking by Mr. Justice McLean, the court declared that "a State can no more impair, by legislation, the obligation of its own contracts, than it can impair the obligation of the contracts of individuals;" or in **Wolff v. New Orleans**, 103 U.S. 358, 367, where, speaking by Mr. Justice Field, this court unanimously held "that the prohibition of the Constitution against the*

*passage of laws impairing the obligation of contracts applies to the contracts of States, and to those of its agents under its authority, as well as to contracts between individuals.*": Respondent impaired contract misused maxims Rational Basis Test on contract law, misapplication rule 12b, interfered False Claims Act destroyed contract, property rights, interfered Civil Rights Act 1866, stated by writers *Civil Rights Act 1866*" Senator Edmunds, for example, "section 1983 uncontroversial because it tracked the Civil Rights Act of 1866,: which criminalized interference with specific, delineated interests, such as "the right to make and enforce contracts"; Respondent voided retained Rights by the people established Reverse Preemption Ninth Amendment; Petitioners' mandates enforcement 10 USC 333: Respondent bound to limited powers. *To what purpose are powers limited, and to what purpose is that limitation*

*committed to writing; if these limits may at any time, be passed by those intended to be restrained*

*Marbury v Madison 5 U.S. (1 Cranch) 137, 176 (1803).* Ninth Amendment Individual Rights voided established Constitutional Crisis contempt rule of law, certified fraud, suppression Equal Protection Clause interference with statute; denies people access to the courts, destruction inalienable rights contract, property, liberty: Edmund Randolph stated that “*a republican government must be the basis of a national union; and no state in it ought to have it in their power to change its government into a monarchy.*” : Madison *Federalist No. 43:* “*the superintending government ought clearly to possess authority; defend the system against aristocratic or monarchical innovations* *Constitution:* reverse incorporation: *it would be unthinkable that the same Constitution would impose a lesser duty on the*

**Federal government.”** *Bolling v. Sharpe*, 347 U.S. at 500; *Lynch v. Household Finance Corp.*, 405 U.S. 538 (1972): “. . . there is no real dichotomy between personal liberties and property rights. Respondent altered government gave standing Civil Rights U.S. Court Federal Claims exposed by U.S. Tax Court judicial findings; Respondent again destroyed evidence Court Case 08CV5071 voided Reexamination Clause by misuse court technicality became exposed Jan 2018 established continuity conduct at origin 2004, established Respondent systematically certified fraud legal, altered dichotomy rule of law Respondent certified false statements unsuccessful valid fraudulent act; bidder obstructed procedural due process Civil Rights Act 1866 voided contract interfered False Claims Act; *United States v. Sciuto*, 521 F.2d 842, 845 (7th Cir. 1996) “The right to a tribunal free from bias or

*prejudice, based, on Due Process Clause: U.S Constitution; obligation requires congressional enactments be judged by standards of the Constitution. “*Trop v. Dulles*, 356 U.S. at 103. The significance of the judicial oath is illuminated by that of the President, who does not swear to defend the nation, but to “preserve and defend the Constitution,” Article II, §1(8). Note John Adams’ insistence on “exact” observance of the “fundamental principles of the constitution*

## II. PETITIONERS NEVER HEARD

D C Circuit Court of Appeals error Petitioners evidence never heard in all cases: disclosure evidence voided by declaration incarcerated prisoner common law voids inalienable rights: court failed recognized Ninth Amendment judges lacking a proper view of

*the Ninth Amendment, “outcome of lawsuit would be virtually pre-determined: government wins” by rational basis test: U.S. citizen loses: Why Respondent motivated voided Tucker Act; enabled standing civil rights law outside jurisdiction U.S. Constitution enabled civil rights law facilitated fraud upon the court violated administration justice, obstructed judicial machinery to function properly; Respondent aforethought act; misapplication incarcerated prisoner common law voided unenumerated rights established foundation American law innocent until proven guilty established in inalienable right liberty Ninth Amendment, established by legal foundation *presumption of liberty, facilitates heighten scrutiny; strict scrutiny mandated Tucker Act; Respondent evade being accountable rule of law mandated, Respondent obstructed False Claims Act dictated by**

*voice of the legislature established removes burden of proof from the citizen to the government. Respondent obstructed by imposed Fraud on the court misapplication rational basis test facilitated Fraud upon the court! “Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court". Bulloch v. United States, 763 F.2d 1115, 1121 (10th Cir. 1985), court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions of the court have been directly corrupted.” "Fraud upon the court" has been defined by 7th Circuit Court of Appeals to "embrace that*

*species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery cannot perform in the usual manner its impartial task of adjudging cases that are presented for adjudication."*

*Kenner v. C.I.R., 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512, ¶ 60.23.* The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final." What effect does an act of "fraud upon the court" have upon the court proceeding? "Fraud upon the court" makes void the orders, judgments of that court. "fraud upon the court" vitiates the entire proceeding. In other words certified fraud on the court valid: judge acted upon misuse of office; if judge acts without jurisdiction, he has engaged in treason to the Constitution. Instead of imposing the burden on the citizen to establish the

*violation of a "fundamental" right, a burden as  
mandated by Congress False Claims Litigation, Rico,  
Civil Rights Act 1866 burden be imposed on the  
government, Valparaiso University Law Review, Vol.  
26, No. 1 [1991], Art. 26 ] FOR TODAY'S*  
**CONSTITUTION 429: Ninth Amendment**  
*established presumption of liberty thereby placing a  
burden of justification on the government, every  
action of government that infringes upon the rightful  
liberties of the people can be called into question.*

Respondent equated all U. S. citizens incarcerated  
prisoners without bars Respondent malice intent  
voided Ninth Amendment *Presumption of liberty;*  
*Courts acknowledge Ninth Amendment's unique*  
*constitutional function by resisting legislative or*  
*executive usurpation of the unenumerated rights*  
*"retained by the people" while, at the same time,*  
*avoiding unfettered judicial discretion.* That created

this interference unfettered judicial executive discretion voided Tucker Act imposed suppression evidence by misapplication incarcerated prisoner common law established interference with Federal Statute 10USC333 False Claims Act Civil Rights Act 1866 voids Respondent's legitimacy govern: Respondent asserted willful blindness misapplication incarcerated prisoner common law unsuccessful bidders fictional false statement without evidence: Respondent has no possession FAR 14 notice APA FAR statute government contracts defines unsuccessful bidder which never happen, affirmed by rules of evidence, bidder does not exist for contracting officer does not exist, Petitioners' evidence Exhibit 1: Respondent certified fraud asserted as law by declaration with misapplication incarcerated prisoner common law void APA FAR Statute, only FAR 14 notice presented

with contractor officer report can define unsuccessful bidder which never happen; just fiction by Respondent history enforce declarative statement exposed false statement by judicial findings U.S. Tax Court case 3747-04l established U.S. Court Federal Claims Case facilitated Misprision of felony; no evidence Bid existed; destruction of evidence by misapplication incarcerated prisoner common law has no legal merits False Claims litigation, Respondent mandated by Congressional statute Rules Enabling Act: rules of evidence provide disclosure; Pro Se constitutional right self representation protections voided when disclosure obstructed conceal evidence suppressed by misapplication incarcerated prisoner civil rights law no legal standing was given standing enabled Respondent void APA FAR Statute, facilitated false statement unsuccessful bidder, Petitioners' evidence

exposed government corruption, suppressed by Respondent continuity conduct systematically altered law facilitated English Law enabled court proceedings be a star chamber see Farella v. California, 422 U.S. 806 (1975):"the Star Chamber has, for centuries, symbolized disregard of basic individual rights. Star Chamber not merely allowed, but required, defendants to have counsel. The defendant's answer to an indictment was not accepted unless it was signed by counsel. When counsel refused to sign the answer, for whatever reason, the defendant was considered to have confessed."

Respondent altered government from within, concealed IRS failure prosecute, enabled impairment contract destroyed People's retained Rights; established tyranny: voids legitimacy, established contempt to Bill of Rights by *ingenious*

*misapplication incarcerated prisoners common law  
enabled false statements unsuccessful bidders  
created an affirmation in particular cases implies a  
negation in all others denied Petitioners to be  
heard, created maxim, voided Ninth Amendment see  
Joseph Story, **Commentaries on the Constitution of  
the United States** §1007 (5th ed. 1905); Respondent  
destroyed Rights of man: that national interests and  
people's natural rights are to be the government  
duty, safeguard the people: Respondent's  
institutions oversight IRS FBI DOJ U.S. Court  
Federal Claims enabled, status quo continued,  
government contract fraud established national  
security threat enabled by condition precedent,  
denies people access to the courts voids *First  
Amendment protections has long been recognized as  
an indispensable attribute of an Anglo-American  
trial*. Both Hale in the 17th century and Blackstone*

in the 18th saw the importance of openness to the proper functioning of a trial; it gave assurance that the proceedings were conducted fairly to all concerned, and it discouraged perjury, the misconduct of participants, and decisions based on secret bias or partiality. See, e. g., M. Hale, *The History of the Common Law of England* 343-345 (6th ed. 1820); 3 W. Blackstone, *Commentaries* \*372-\*373. Jeremy Bentham not only recognized the therapeutic value of open justice but regarded it as the keystone:

*"Without publicity, all other checks are insufficient: in comparison of publicity, all other checks are of small account. Recordation, appeal, whatever other institutions might present themselves in the character of checks, would be found to operate rather as cloaks than checks; as cloaks in reality, as checks only in appearance." 1 J. Bentham, *Rationale of Judicial Evidence* 524 (1827).*

Respondent failure disclosure evidence by chicanery, voided Ninth Amendment through misapplication incarcerated prisoner common law enabled Courts misapplied by dissembled conduct FRCP 26B(iv) destruction evidence without disclosure. Respondent actions *direct conflict Respondent own policy dissembled conduct, George W Bush May 1, 2005*

*Proclamation dissembled conduct waste courts time clogs the court: Respondent wasted time only intent*

keep status quo self dealing government contracts concealed by Respondent's agency IRS facilitated self dealing government contracts exposed by U.S. Tax Court Case 3747-04L hearing; IRS stated witness government employee also primary contractor confirmed statements Exhibit One two letters exposed IRS failure enforce law, Respondent concealed by destruction inalienable rights: suppressed evidence : dissembled conduct equated

all U.S. citizens as incarcerated prisoners

Respondent voided fairness, *discovery "is not a one-*

*way proposition": Hickman v. Taylor, 329 US 495,*

*329 US 507. Issues cannot be resolved by doctrine of*

*favoring one class of litigants over another; suspect*

*class Petitioners Whistleblowers Wolf, woman owned*

*business, whistleblower Fallica ethnic slur, Piscitello*

*disabled woman. Respondent usurped power,*

*deprived Petitioners of life, liberty, or property,*

*impaired contract: U.S Constitution. The basic*

*principle our Government is one of limited powers*

*and that such an arrogation of unlimited authority*

*by Respondent cannot be supported by the language*

*or the history of any provision of the*

*Constitution. See, e.g., Adamson v. California, 332*

*U.S.46, 332 U.S.68 (1947) (dissenting*

*opinion); Griswold v. Connecticut, supra, at 381 U.S.*

*507 (1965) (dissenting opinion).* When this Court

*assumes for itself the power to declare any law -- state or federal -- unconstitutional because it offends the majority's own views of what is fundamental and decent in our society, Petitioners whistleblowers Realtors, Private attorney generals authorized by Congress's Vesting Clause, by statute, Supremacy Clause U.S Constitution nullified when Respondent equates U.S. citizen fight for people's individual rights are equated by Respondent incarcerated prisoners without bars established foundation enabled Respondent's systemic fraud issued unsuccessful bidder government contracts without evidence Far 14 notice established false statement 18USC1001, aforethought act conceal Respondent's self dealing government by Officers United States Judges DOJ FBI IRS conduct established contempt rule of law, voided inalienable rights; altered government voided rule of law this great Nation*

*ceases to be; rule of law voided altered be governed according to the "law of judges" voided people freedoms by arbitrary acts. **Higher Scrutiny mandated: Carolene Products Footnote 4, 304 U.S. 144: IRS admitted, HIRED, Reexamination Clause ,;***

Contracting officer (C.OR.; COTR) only defines unsuccessful bidder by FAR 14 notice can never happen, evidence exposed no C.O.R., none exists; Respondent intent conceal self dealing government contracts evidence destroyed by fraud perjury obstruction inalienable rights; Respondent equated free citizens petition court Pro Se be classified incarcerated prisoners without bars established collusion, executive, judiciary obstructed evidence disclosed while possession evidence contracts executed checks Respondent suppressed Equal Protection Clause by systemic continuity conduct misapplication incarcerated prisoner common law

facilitated willful blindness enabled deny duty  
disclosed evidence, aforethought acts destruction  
evidence Respondent enforce FRCP 26 B (iv):

*(B) Proceedings Exempt from Initial Disclosure. The following proceedings are exempt from initial disclosure: (iv) an action brought without an attorney by a person in the custody of the United States, a state, or a state subdivision:*

Respondent never acted on statute; Respondent  
condition precedent incarcerated prisoner common  
law deny duty to disclosed; facilitated Respondent  
void statute APA Contract Law conceal law  
mandates FAR 14 notice be produced established  
unsuccessful bidder; incarcerated prisoner common  
law issued no legal merits nor standing, origin False  
Claims Litigation, U.S. Court Federal Claims  
Respondent obstructed due process clause Fifth

Fourteenth Amendment voided Federal Statute  
empower U.S. citizen protect their rights, American  
people from corruption obstructed voice of the  
legislature interfered False Claims Act enabled by  
Respondent's abuse of power incurred by  
misapplication incarcerated prisoner common law  
originated U.S. Court Federal Claims Court, civil  
rights law enabled where Civil Rights has no legal  
standing, Respondent facilitated dissembled conduct  
empower FRCP 26B(iv); equated all U.S Citizens  
incarcerated prisoners without bars voided Bill of  
rights repealed Thirteenth Amendment established  
abuse of power see *Bankers life & Cas. Co. v Holland*  
*346 U.S 349, 382-385 74 S.Ct 145, 98 L.Ed 762:*  
Respondent's contempt for Rule of law, misuse Rule  
12b, issued Motion Dismiss foundation rational basis  
test introduced fiction incarcerated prisoner common  
law void disclosure 1400 pages of evidence by

Respondent given Civil Rights standing in direct conflict Tucker Act; declaration unsuccessful bidder nullified APA FAR Christian Doctrine only FAR 14 notice can state unsuccessful bidder proven by U.S.

Tax Court judicial findings Respondent cannot provide FAR 14 notice: Respondent enabled misapplication incarcerated prisoner common law in a court with no legal standing civil rights but dissembled conduct applied FRCP 26B(iv)

Respondent conceal due process dictated Respondent provide APA FAR 14 contracting officer report; evidence suppressed by misapplication incarcerated prisoner common law facilitated dissembled conduct FRCP 26B(iv) applied suppressed all evidence with complaint, facilitate Rule 12 in Respondent favor since evidence voided suppressed denied disclosure: Respondent voided Ninth Amendment, incarcerated prisoner common law a maxim initiated malice

intent void strict scrutiny, suppressed Petitioner evidence originated U.S. Court Federal Claims enabled Respondent standing civil rights; incarcerated prisoner common law doctrine denied duty hear evidence: suppressed evidence exposed no contracting officers existed, federal employee simultaneously primary contractor established act extortion certified illegal act legal by office of president Agency IRS : no contracting officer established APA FAR 14 notice unsuccessful bidder does not exist; but exposed as false statements 18USC1001 issued by perjury 18USC1621 suppressed evidence 18USC1519 facilitated obstruction of justice 18USC1503 . Respondent conceal self dealing government contracts by this continuity conduct established Respondent Fraudulent intent *is shown if a representation is made with reckless indifference to its truth or*

falsity. Cusino, 694 F.2d at 187. In addition, "If fraudulent intent may be inferred from the modus operandi of the scheme." United States v. Reid, 533 F.2d 1255, 1264 n. 34 (D.C. Cir. 1976) ("[T]he purpose of the scheme 'must be to injure, which doubtless may be inferred when the scheme has such effect as a necessary result of carrying it out.") (quoting United States v. Regent Office Supply Co., 421 F.2d 1174, 1180-81 (2d Cir. 1970) (quoting Horman v. United States, 116 F. 350, 352 (6th Cir.), cert. denied, 187 U.S. 641 (1902))).

Respondent scheme void Ninth Amendment keep government corruption going enabled no accountability be retained as status quo void individual rights voids a republic to a monarchist government with a class above the law voids natural rights, Rights of man established ALL People are Created Equal.

## CONCLUSION

Respondent facilitated *doctrine INCARCERATED PRISONER COMMON LAW VOIDED RIGHT BE HEARD; EQUATED U.S CITIZENSHIP INCARCERATED PRISONERS WITHOUT BARS is not to be tolerated, enabled Respondent void inalienable rights; doctrine incarcerated prisoner common law is not compatible U.S. Constitution. It is the doctrine of absolutism, pure, simple, and naked it enabled Respondent created common law from the bench voided rule of law made mockery American justice system, institutions, office of President executive agencies IRS DOJ FBI collusion with Judiciary voided fundamental rights of liberty.*

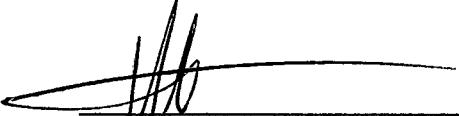
American People denied access to the courts is Freedom denied: imposed arbitrary acts as law established denial Bill of Rights validated tyranny voids legitimacy to govern, established MANDATE

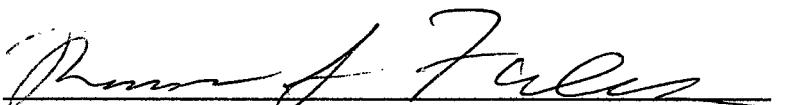
10USC333 Martial law until congress gives oversight  
protect the people from Respondent bad behavior;  
hold all cases comprised 19-5291 are nullities created  
by fraud enabled by misuse incarcerated prisoner  
common law doctrine obstructed justice last fifteen  
years: holds Respondent accountable, liable to rule  
of law, accountable to continuity of conduct  
facilitated malice destruction Petitioners inalienable  
rights by Respondent misuse incarcerated prisoners  
common law, established Respondent aforethought  
acts voided Petitioners natural rights; established  
*destruction inalienable rights.* Petitioners pray,  
petition this court: restore Petitioners inalienable  
rights, restore Guarantee Clause, protect  
Sovereignty United States Constitution, stated by  
George Washington What price freedom: Meus dux  
sit veritas: my guide is the truth, Petitioners  
mandated government must be truthful: if not, there

is no leadership no protection of sovereignty U.S.

Constitution: leadership through truth.

May 16, 2020

  
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