No. _____

In The

Supreme Court of the United States

PAUL M. CARRICK,

Petitioner,

v.

T. RICE et al.,

Respondents.

On Petition For A Writ Of Certiorari To The Ninth Circuit Court Of Appeals

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. The Stated purpose of the Legislature in the Homestead Act of 1862 is "To secure Homesteads for actual settlers on the Public Domain." It is a condition of California's Statehood to freely allow settlers on the Public Domain but California is allowing settlers to be charged for securing their Homestead. But California State subsidiary Santa Cruz County charges them a fee for their Homestead (see APPENDICES D and E).

   The problem of States charging citizens for doing business with the federal government is not new Relying on U.S. Constitution Article 1 Section 8 "To make all Laws which shall be necessary and proper." The Supreme Court ruled in 1819 against Maryland's taxing a user of a U.S. Bank, (McCulloch v. Maryland, 17 U.S. 316). With the similarity between U.S. Constitution Article 4 Section 3 clause 2, Congress "shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States" and Article 1 Section 8, the Plaintiff seeks redress for fines and destruction of his Homestead built in compliance with Homestead Certificate 4889 when he refused pay local building regulators the way McCulloch refused to pay taxes to the State of Maryland.

2. Certificate 4889 appears as fulfillment of only the first requirement of United States Constitution Article 4 Section 3 Clause 2 to dispose of Territory belonging to the United States. The other requirements include "to make all needful Rules and Regulations respecting the Territory." As one of the

QUESTIONS PRESENTED – Continued

first successful settlers in this area in 191 years, the Plaintiff suggests that a few "needful Rules and Regulations respecting the Territory" need re-affirmation. Besides (1) above, the U.S. Government should continue to help Homesteaders as in the past: Mail Delivery, Rural Electrification are two.

3. The speech of Cash Entry Act author, Senator Edwards of New York which is recorded in the Abridgment of the Debates of Congress on March 6, 1820 reveals advantages of homesteading: "I will, at present, content myself with an effort, merely, to shield the present settlers upon public lands from merciless speculators whose cupidity and avarice would unquestionably be tempted by the improvements which those settlers have made with the sweat of their brows, and to which they, have been encouraged by the conduct of the government itself [to pre-empt squatters]." Combined with land surveys, Cash Entry Land Patents brought order to the Colonies' lawless eastern frontier and continue to this day. Do States weaken these protections by allowing shortened title Deeds which do not include the original Patent? Are States violating their enumerated Powers when they pass Marketable Title Acts? Article 1 Section 10 clause 6, Impairing Obligation of Contract by states should not allow shortening Chain of Title to leave a grantee without benefits and protections and benefits of the Land Patent when his place on the Chain of Title is beyond the cut-off point specified by the State Law. California has a Marketable Title Act which caused the Plaintiff

QUESTIONS PRESENTED – Continued

delay in Declaring his Land Patent per requirement in Lossing v. Shull, 173 S.W. 2d 1, 1 Mo 342 (1943).

4. After the Civil War, Amendment 14 sections 3 and 4 were not ready in time to deploy against slave owners with the result that 4 million freed slaves were deprived of land patents intended for them on their owner's property. Is it timely to use sections 3 and 4 to stop offenses of over-active-government and corporate bureaucrats when they fail to moderate their actions with section 2 due process? (refer to APPENDIX E example)

   Amendment 14 sect. 3 provides for permanent removal of these malefactors from their positions of authority and retirement benefits. Amendment 14 sect. 4 protects government from their abuse.

5. Does a local County containing Homestead Certificated land have any legal standing to make laws requiring taxes or permits for duplicating the benefits and obligations of homesteaded land specified in the patent? Must the Supremacy Clause of the United States Constitution, Article 6 section 2, have to bear the burden of protecting homesteaders? The Legislature should write "needful Rules and Regulations respecting the Territory" as allowed by Article 4 section 3 cl. 2 and thus share the burden of protecting homesteaders such as the Plaintiff?

QUESTIONS PRESENTED – Continued

6. Can the County call a Homestead a nuisance? Is California Civil Code 3482 stating that "Nothing which is done or maintained under the express authority of a statute can be deemed a nuisance" too vague?

   It didn't keep the "homesteads" of Homestead Certificate 4889 (APPENDIX D) from being labeled a nuisance and then demolished!

LIST OF PARTIES

All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Paul M. Carrick, an individual

Lucy H. Koh Judge, U.S. Northern California District Court San Jose Division

TROTT, Judge United States Court of Appeals, Ninth Circuit

TALLMAN, Judge United States Court of Appeals, Ninth Circuit

CALLAHAN, Judge United States Court of Appeals, Ninth Circuit

Attorney General of California

Karen Wadzinsky, U.S. Department of Justice

CORPORATE DISCLOSURE STATEMENT

The Petitioner, Paul M. Carrick, is an individual, making this petition on behalf of no corporate entity.

STATEMENT OF RELATED CASES

OPPOSITION TO EX PARTE MOTION OF COUNTY TO SEARCH 2ND TIME

CV 155817 NOTICE OF ADMINISTRATIVE APPEAL Cal. Gov. Code 53069.4

STATEMENT OF RELATED CASES – Continued

CV 158731 COMPLAINT FOR PERMANENT INJUNCTION, CIVIL PENALTIES, ILLEGAL RENTS, ATTORNEY'S FEES AND COSTS

CV 158757 VERIFIED AMENDED CROSS ACTION FOR PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY RELIEF

CV 158731 TRIAL, November 9, 10, 2019

CV 158731 MOTION TO SET ASIDE DEFAULT

APPEAL COURT SIXTH DISTRICT H035505

MOTION FOR RECONSIDERATION, California Supreme Court

PETITION FOR A WRIT OF CERTIORARI IN SUPREME COURT OF THE UNITED STATES, No. 11-533

12-CV-03852-LHK COMPLAINTS FOR: CANCELLATION OF INSTRUMENT; FAILURE TO PERFORM MANDATORY DUTY; INVERSE CONDEMNATION; VIOLATION OF CIVIL RIGHTS, DECLARATORY RELIEF; AND INJUNCTIVE RELIEF OF PRELIMINARY AND PERMANENT INJUNCTION AND CIVIL PENALTIES, COSTS, CIVIL CODE §52, 42 USC 1983; Homestead Act, 1862, and related Acts of Congress U.S. DISTRICT COURT NORTHERN CALIFORNIA DIVISION

U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT No. 13-16730

13-CV-01632-LHK 42 USCS 2709a U.S. DISTRICT COURT NORTHERN CALIFORNIA DIVISION (QUIET TITLE ACTION)

STATEMENT OF RELATED CASES – Continued

U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT No. 13-17236

CV-158731 INDIRECT CONTEMPT

CV-158731 APPOINTMENT OF RECEIVER

CV-158731 MOTION FOR NONSUIT

CV-158731 MOTION TO ABATE AND ASSESS COSTS

APPEAL SIXTH APPELLATE DISTRICT, No. H040261

APPEAL SIXTH APPELLATE DISTRICT, No. H045188

17-CV-03482-LHK, COMPLAINT, U.S. DISTRICT COURT NORTHERN CALIFORNIA DIVISION

18-CV-00454-LHK, COMPLAINT, U.S. DISTRICT COURT NORTHERN CALIFORNIA DIVISION

U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT No. 18-16257

PETITION FOR A WRIT OF CERTIORARI IN SUPREME COURT OF THE UNITED STATES, No. ___

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OTHER

PETITION FOR WRIT OF CERTIORARI

Petitioner Paul M. Carrick respectfully petitions for a writ of certiorari to review the judgment of the United States District Court Northern California District San Jose Division in this case.

OPINIONS BELOW

The United States Appeals Court Northern California Ninth Circuit delivered its MEMORANDUM Case No. 18-16257 regarding District Court No. 5:18-cv-00454-LHK on January 15, 2019.

The United States District Court Northern District of California San Jose Division Case No. 18-CV-00454-LHK.

ORDER GRANTING MOTION TO DISMISS; GRANTING MOTION FOR SANCTIONS.

STATEMENT OF JURISDICTION

Carrick is filing this petition within 90 days after the United States Court of Appeal Circuit 19 turned down review en banc on April 23, 2019 which makes this filing timely under Supreme Court Rule 13. Carrick invokes this courts substantive jurisdiction under 28 USCS 1254(1).

CONSTITUTIONAL PROVISIONS INVOLVED

This Petition pertains to property rights guaranteed by the following provisions of the Constitution and also to Obligations of Government.

Article 1 Section 8 Clause 18 (excerpted): "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Office thereof."

Article 1 Section 10 Clause 6 (excerpted): "No State shall . . . pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts,.."

Article 4 Section 3 Clause 2: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States;.."

Article 6 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, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

Fifth Article of Amendment (relevant portion excerpted): "No person shall . . . be deprived of life, liberty, or property, without due process of law; nor shall

private property be taken for public use, without just compensation."

Fourteenth Article of Amendment, Section 2 (relevant portion excerpted): "[N]or shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Fourteenth Article of Amendment, Section 3: "No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath as a member of Congress, or as an officer of the United States, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by vote of two-thirds of each House, remove such disability."

Fourteenth Article of Amendment, Section 4: "The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any

claim for loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void."

STATEMENT OF THE CASE

Carrick, like the first entryman on Homestead Certificate 4889 in 1893, Thomas Mayman, developed water resources, roads, gardens, and orchards on barren land without electricity, telephone, or mail delivery, or any government services. Carrick had to renew Homestead Certificate 4889 for the second time because the original plat of 160 acres was now 100 due to land sales. This involved having the land re-surveyed and making a Declaration of Land Patent on the same Homestead Certificate 4889 and advertising it but with different boundaries in the local newspaper. Thomas Mayman had to go through the same process in 1893 in order to be granted Homestead Certificate 4889 per Land Claims Act of March 3, 1851. This same Act was quoted by Justice Rehnquist to settle the case of Summa v. California in which California tried to extend its public trust servitude over lands patented to the petitioner's predecessors in implementation of the Treaty of Guadalupe Hidalgo: "We hold that California cannot at this late date assert its public trust easement over petitioner's property, when Petitioner's predecessors-in-interest had their interest confirmed without any mention of such an easement in proceedings taken pursuant to the Act of 1851. The interest claimed by California is one of such substantial magnitude that

(it) must have been presented in the patent proceedings or be barred." The County of Santa Cruz even today still strives to exert a public trust interest to force Carrick to obtain building permits as its County Codes 1.12.070, 13.10.140(a), 13.10.279(a), (b), and 12.10.125(a), (q), and grading sections 16.20.210(a) and 16.22.160, whereby he "wrongfully and unlawfully conducted grading and filling." Homestead Certificate requires Carrick to add intervening owners to the chain of title so that he could legally enjoy the same rights and privileges of possession on his 100 acre part of the original 160 acres Homestead Certificate 4889 that Thomas Mayman had "wrongfully and unlawfully." One doesn't have to build a homestead "willfully and without legal justification." It can be done "willfully and with legally" just do it naturally without confusing legal imputations by just re-searching the County Recorder's title files with index files.

The rewards of using rights and privileges are quite substantial assuming no government shows up on the chain of title. Now that Carrick had complete legal control of the appurtenances he could build his Homestead without getting Building Permits. There were no building permits in Thomas Mayman's day. Carrick pays taxes to the local Counties and Mayman also had to pay taxes. But he saves $1 million in illegal county fees by doing so.

Over the years, Carrick built several houses, planted 200 walnut and fig and apple trees, built a mile of road, and fences to raise goats. He survived several disasters: A major earthquake and two major fires

without any damage to buildings. Two of his houses didn't survive demolition of Santa Cruz County Planning Department. That organization derives substantial revenue from permits to houses and decided Carrick needed to be punished for not paying for their permits, (see APPENDIX article highlighting Roy Taylor as victim of the Planning Department in US Observer Article Volume 2 Edition 48 by Joseph Snook). Tenants lived in Carrick's two houses and they were thrown out by the County with all their belongings.

The Planning Department justified themselves by claiming Homestead Certificates were now obsolete, having been cancelled in 1976. Carrick found Public Law 94-579 section 701, October 25, 1976 which assures that his Homestead Certificate 4889 is still as good as ever. He also pointed to Homestead Certificate 4889 which implies he should build residences. That order in a federal land patent preempted any interest Santa Cruz County had in permitting housing by the Supreme Law of the Land, U.S. Constitution Article 6 section 2, and the Chain of Title.

Carrick wants his obligation to build residences under authority of Homestead Certificate 4889 affirmed by the Court. He also wants $7,000,000 for damages, ($1 million for each of the violently ejected tenants).

The Legislature which is responsible for the Homestead Act in 1862 intended for Land Patents to interpret the Law, Wisconsin R.R. Co. v. Forsythe, 159 U.S. 46 (1895).

Since Homestead Certificates are grants, (see line 1, ¶2 Homestead Certificate 4889), Northern Pacific Railroad Co. v. Barden, 46 F. 592, 617 (1891). Grants are interpreted according to intentions of the Legislature, California Civil Code 1066, Wisconsin R.R. Co. v. Forsythe, 159 U.S. 46 (1895).

This comports with Article 4 Section 3 Clause 2 of the U.S. Constitution: "Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States." Latent patents are their own standard of review.

If there is a conflict between different parts of the Patent, the part that comes first prevails California Civil Code 1069.

There is no collateral estoppel against a land patent, Sanford v. Sanford, 139 U.S. 642, 11 S.Ct. 666, (1891) ¶4. "It is true the determination of that department [land department] in matters cognizable by it in the alienation of lands under the laws of the United States cannot be collaterally impeached, where its enforcement is sought. In ejectment the question always is who has the legal title to the demanded premises, not who ought have it. In such case the patent of the government issued upon the land department is unassailable." A Government Patent is not an equity transaction. A Patent is a grant; it must be decided first.

A grant cannot be decided in a court of equity, but only a Court of Law, "State statutes with less authoritative ownership of title than the patent cannot be

brought into federal court," Langdon v. Sherwood, 124 U.S. 74 (1887) and Samuel C. Johnson Trust et al. v. Bayfield County, Wisconsin, 649 F.3d 799 (2011). Land Claims Act, March 3, 1851, 9 stat 683, gives would-be grantees three years to respond. Hooper v. Scheimer, 64 U.S. 235 (1859), declares this rule is old as the law. FRCP 1 and 2 give one type of action, civil action.

The Plaintiff had no power to control the Courts listed in Statement of Related Cases to conform to rules of interpretation of grants which has been by Law, California Civil Code 1066-1071, not equity, Hooper v. Scheimer, 64 U.S. 235, 16 L. Ed. 452 (1859). No Legislature would tolerate such chaos. The District Court (APPENDIX B) boldly claims to judge in equity, "The Court recognizes that pro se filings are to be construed liberally, including pro se motions as well as complaints," Bernhardt v. Los Angeles Cty., 339 F.3d 920, 925 (9th Cir. 2003).

No one has the ability to consistently interpret the one hundred and fifty years of case law from hundreds of court trials applied to 1,600,000 Homestead Certificates issued, each certificate being different except in Law.

Constant avoidance of the subject of land patents is apparent policy of British Legal Publishing Houses to purge them out of the Law. Try and find the phrase 'land patent' in *California Real Estate*, Miller & Starr; *California Real Estate*, Mathew Bender; *California Real Property*, CEB, CEB *Land Use Practice* I, and CEB *Land Use Practice* II. These propaganda books cater to real estate business and derivatives markets.

The United States Court of Appeals for the Ninth District falls for equity deception, "We review de novo." Garity v. APWU Nat'l Labor Org., 828 F.3d 848 (9th Cir. 2016). Both District Federal and Ninth Circuit Courts carefully avoid the legal name used for the Subject being litigated, "Homestead Certificate 4889," choosing instead to rename the subject matter as "the Homestead Act." "The Court does not agree that its prior decisions misinterpreted the Homestead Act" l.25 p9 of "ORDER GRANTING MOTION TO DISMISS; GRANTING MOTION FOR SANCTIONS," by Judge Koh.

The massive inertia of the existing installed base of land titles, case law, and real estate law treatises overwhelm the wiles of foreign law publishing houses so conveniently close to the capital of world finance and having no loyalty to the United States nor interest in supporting its Constitution. But only with the compliance of the Judicial branch of Government, U.S. Constitution Article 3.

California doctrine of res judicata depends on an actual hearing to obtain accurate results. There was no hearing in District Court Northern District San Jose Division. Some give-and-take interaction is needed to determine anything as subjective as "identity of claims" and "privity between parties." I accidentally had opportunity to observe one hearing actually held by Judge Koh. She was reprimanded by the pro se litigant for a decision she made about Discovery without his presence. I received no hearing from Judge Koh for neither 12-CV-03852-LHK, nor 13-CV-01632-LHK, nor 17-CV-03482-LHK, nor 18-CV-00454-LHK. All were

res judicata based decisions and are void. Lucide v. Superior Court, 51 Cal. 3d 335, 272 Cal Rptr 767, 795 P.2d 123 (1990) gives a more exact definition of claim exclusion.

On none of these cases did I get any feed-back from the citations which I gave. Refusing an evidentiary hearing is contrary to California Administrative Procedure Act, (Gov. Code 11410.10.) Fourth Amendment actual discovery is also required in Fuentes v. Shevin, 407 U.S. 67, 925 S.Ct. 1983.

Santa Cruz County Counsel acting on behalf of the DEFENDANTS produced a huge volume of transcripts. Nowhere in them was found any proof that Santa Cruz County Codes found in the Notice of Violation were not bogus as the Plaintiff contended repeatedly. Nor could be found any plaintiff or statute to justify their destruction of the Homestead appointed by the Legislature. Through the RELATED CASES, the Plaintiff contended that he built his homestead to be in compliance with U.S. Homestead Certificate 4889 and that State and County regulations are pre-empted by it.

White v. Pasadena, 617 F.3d 918, 926-27, attempts to adjudicate res judicata in a situation without mention of any grant. Mrs. White found out the hard way that none existed. The MEMORANDUM is too narrow in scope to handle traditional real estate law.

The 1863 Legislature made Homestead Certificates to be their own standard of review and they have worked quite successfully for 157 years. No Court has

any authority to interpret them differently. That power exists only with the United States Legislature.

The Plaintiff looks only to the law in his COMPLAINT filed in United States District Court and expects the value of his suffering and time loss to total at least $7,000,000.[2]

The State of California has allowed the County of Santa Cruz to operate an unconstitutional Planning Department threatening owners of Homesteads to pay tribute and incarcerating and destroying Homesteads of owners which do not pay. In Writ No. 11-533 this Plaintiff enclosed a copy of his letter to the State Attorney General informing him of this situation.

1. JURISDICTION

No Court has fully ruled on jurisdiction of this case despite numerous separate requests to do so. The Supreme Court of the United States is mandated to among other things, rule on jurisdiction.

By California Court of Civil Procedures 430.80(a), no court can have jurisdiction because there was no statement of objections, Answer, and no demurrer and the Plaintiff has consistently refused jurisdiction of

[2] County Ordinance limits expenditures to those items which will not cause County to be sued. For that reason, they are not listed among the DEFENDANTS. District Court Judge is liable for damages to amount which she is responsible for by not allowing Discovery per FRCP 26.

any and all courts. The Plaintiff never demurred to the County and his Answer was Struck because he would not perform Discovery on Appurtenances of Homestead Certificate 4889, (Rental Agreements, over which the County had no jurisdiction).

"Where no cognizable crime is charged, the court lacks fundamental subject matter jurisdiction to render a judgment of conviction, i.e. it is powerless in such circumstances to inquire into the facts, to apply the law, and to declare the punishment for an offense." Robinson v. State, 728 A.2d 698, 353 Md. 683 (1999). Santa Cruz County claims lack of building permits is a crime but ignore their own crime of exceeding their jurisdiction in California Constitution Art. 11 §6 by ignoring State Laws and making up their own and whimsically use them against the Public including the Plaintiff. "To be abated, a house must be substandard," Health and Welfare 17920.3, H&S 17922(g). The list of 41 possible substandard attributes does not include "lack of building permit." Santa Cruz just makes up "Code Section 12.10.125(a) Construction w/o Permits" which obviously cannot be in State Housing Law. Even if it could conjure up laws, Homestead Certificate 4889 is immune to them by the Land Claims Act of May 3, 1851.

Santa Cruz County has no jurisdiction because of lack of Administrative Review. Hagans v. Lavine, 415 U.S. 533 (1974) states that an Administrative Meeting must contain a defense of the Santa Cruz County's jurisdiction over Homestead Certificate 4889, upon

which the Plaintiff has his defense from their Building Permits.

Lawyer Andee Liesee requested FOIA-state for Protest Meeting Proceedings and none was found.

Plaintiff has complete control of appurtenances according to the Chain of Title and Santa Cruz County which does not appear on the Chain of Title, has none, Hooper v. Scheimer, if the County has no authority how can it sell building permits?

County Counsel Tamyra Rice was asked by the Plaintiff to prove County's jurisdiction for CV 158731 and *remained silent*, (see REPORTER'S TRANSCRIPT OF PROCEEDINGS, November 9, p.13 l. 13 and REPORTER'S TRANSCRIPT OF PROCEEDINGS, November 6, pg 3-5). Silence implies fraud, U.S. v. Tweel. In Connally v. General Construction Co., silence means acquiescence.

California Superior Court Case CV 158731 is a frivolous and capricious attempt by the County of Santa Cruz to garner revenue, (see "*Santa Cruz County Code Enforcement*," Joseph Snook, US Observer Vol 2 Edition 48), and Santa Cruz County has no jurisdiction to try the case of Building Permit on Homesteaded land. It was declared by the Plaintiff both in writing and in Court to be without jurisdiction, (PROTEST MEETING Exhibits A and C).

Jurisdiction of the Demolition of the Plaintiff's Homestead 4889 on June 1, 2, 2017 changed all this and the Plaintiff opened a separate matter from the

above State Superior Court case, including criminal acts, Trespass, Conversion, Harassment, Conspiracy, Fraud, Treason, and Civil Rights in CV 17-03482-LHK. The United States Justice Department declined to prosecute this case, (Karen Wadzinsky), and so, the Plaintiff was forced to prosecute it himself. When the County of Santa Cruz refused to make a valid ANSWER (see Rule 7) and instead JOINED to this Complaint a MOTION TO DISMISS. Because the Answer was invalid not correctly identify the Law, Homestead Certificate 4889, the PLAINTIFF refused to REPLY the MOTION TO DISMISS but only their Answer. Homestead Certificate 4889 is a grant and grants must be answered before equitable proceedings can commence. The Plaintiff had advised District Court Judge Koh of this Supreme Court rule, previously in 12-CV-03852-LHK, Langdon v. Sherwood, 124 U.S. 74 (1887), and she ignored it. CV 17-03482-LHK was DISMISSED. No Discovery was begun and the Statute of Limitation was near.

Since the Statute of Limitations commenced on the June 1, 2017, demolition, the PLAINTIFF opened CV 18-0454-JSC in UNITED STATES FEDERAL COURT NORTHERN DISTRICT on January 19, 2018. Without conferring with the PLAINTIFF, jurisdiction was removed back to DISTRICT COURT, SAN JOSE DIVISION. Again the DEFENDANT failed to make a valid ANSWER before DISMISSAL and the case was DISMISSED by Koh. Naming of the remaining DEFENDANTS was still incomplete. This could be done informally or part of Rule 26 Discovery.

The jurisdiction of this Court is invoked under 28 U.S.C. Section 1254(1).

> "While the Supreme Court's acceptance of certified questions from the federal courts of appeals under 28 U.S.C. 1254(1) has decreased sharply in recent decades, the Supreme Court has shown increasing willingness to make use of a different certification device: certification to the highest court of a state of questions of state law as to which there is substantial doubt. When the Supreme Court certifies a question to a state court, it abstains from an immediate decision on the merits and invokes the procedure, prescribed by state statute or rule, that permits the state court to entertain and decide the certified question and thus provide an authoritative explication of local law."[3]

Supreme Court Practice, 9th Edition, page 604.

In this case, one question to be certified to the California Supreme Court is "Does Health and Safety 17912 state that Housing Law has subject matter jurisdiction over existing buildings which are not permitted by local building authorities?" Subject matter jurisdiction presumed by Appeals Court is not Housing, despite that Housing was repeatedly asserted in lower court.

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[3] California Rules of Court 8.548 Decision on request of a court of another jurisdiction.

2. CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Due Process defined by Appeals Board in California Health and Safety Code 17920.5, 17920.6 and 17925, Uniform Housing Code, Chapter 12, Appeal, and Chapter 13, Procedures for Conduct of Hearing Appeals.

FIFTH AMENDMENT TO THE UNITED STATES CONSTITUTION: California Health and Safety 17980.10 details how and if a dwelling can be deemed a nuisance and abated according the due process defined by the Uniform Housing Code.

CONSTITUTION OF THE UNITED STATES ARTICLE 4 SECTION 4

FOURTH AMENDMENT TO THE UNITED STATES CONSTITUTION: California Health and Safety Code 17912 applies State Housing Law to all existing buildings and structures. Health and Safety 17920.3 describes conditions which make buildings "substandard." Housing Code Chapter 2 provides for enforcing standards of safety, cleanliness, and sanitation when the Building Official has good cause to believe substandard conditions exist without infringing on fourth amendment rights. Fourth Amendment violated by Santa Cruz County's "as-built" permits on occupied residences.

UNITED STATES CONSTITUTION Article 1 Section 8, Powers Granted Legislature, paragraph 3, should not be interpreted so as to force landowners to

obtain building permits the way it has been used to impose Zoning.

UNITED STATES CONSTITUTION Article 1 Section 9, Powers Denied Legislature, paragraph 3: Encumbrance cannot be placed on landowners by accusation for Building Code violation, (this is also a Fifth Amendment taking).

3. SUMMARY STATEMENT OF THE CASE

Webster's Dictionary defines jurisdiction as the power and authority and right to interpret and apply the law. The only cognizable law in this case is Homestead Certificate 4889. Application of that law gives the Plaintiff the right to possession of the appurtenances and charge those who destroyed his houses with that crime. The laws conjured up by the County are incompatible with State Law and the General Law County of Santa Cruz has no authority change them under the California Constitution Article 11 sect 6.

California State requires the Plaintiff's houses to have any one of listed "condition to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof" before they can be "abated" as was attempted June 1 and 2, 2017, Health and Safety 17980.10, 17958.2, 17958.7, 17958.9, 17920(k), 17920.3, 17920.5, 17920.6, 17910-12, 18449.27, 17959.4-5, 17960.1 must be followed. None were. Petition for Writ of Certiorari 11-533 detailed Due Process violations of the County.

When the County demurred to the Plaintiff's cross-complaint, the Plaintiff's lawyer proved the County's charges as frivolous and 'void for vagueness' but lodged no demurrer on behalf of the Plaintiff. The individual whose Complaint provoked the actions by County was tried in Santa Cruz County CV 153544 and despite testimony by County Planning Department personnel, was unable to prove any violations and the Court Dismissed the case. He had been unable to pay rent. The County then charged the Plaintiff with 'victimless crimes' which are not recognized by the State of California nor in the County's power to invent.

The DEFENDANTS the Plaintiff's UNITED STATES NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION Complaint Case No. 18-CV-00454-LHK as DEFENDANTS demonstrated an animus against Homestead Certificate 4889 which posted on the Premises gate. They demolished his houses to punish him for depriving them of their source of income, (see APPENDIX E). They must have taken their lessons from Al Capone who kept his family in Santa Cruz while he was in Alcatraz Prison.

4. DETAILED STATEMENT OF THE CASE

The subject of the following case is 20 acres of remote, difficult-to-develop unclaimed Federal Land. The land was in Department of California in Mexico before the Treaty of Guadalupe Hidalgo. Legislature of the United States of America in the years 1820 and 1863

passed Acts pursuant to United States Constitution Article 4 Section 3 Sect. 2. The United States Land Commission appointed it for disposal. The Surveyor General partitioned the land into Sections and Townships beginning in 1851 and finishing in 1883. Township 10 Section 2 Range 1 E (of Mt. Diablo) contained 36 potential lots, 21 being under Homestead Act of 1863 and most of the rest under Cash Entry Act of 1820. Thomas Mayman and his brother Charles selected two 160 acre lots side-by-side in 1893, Homestead Act Certificates 4889 and 4964. Carrick's reduced area 4889 straddles Summit Road with 80 acres to the north in Santa Clara County and 20 acres south in Santa Cruz County. 4889 is presently shared between five owners including the Plaintiff. Carrick's part of 4889 was possessed by a succession of owners, all except for Mayman and Carrick were speculators. Surveyor Walter Hoskins marked off the boundaries the portion which Carrick had purchased and registered the survey with Santa Cruz Department of Public Works in September, 1978. In 1982, Surveyor Larry Palm used Hoskins' survey when he finished surveying Carrick's 100 acres in 1984. As required by the Land Claims Act, the survey and chain of title was published in 1989 in the Santa Cruz Sentinel newspaper[4]. "No equitable title can be set up in ejectment in opposition to legal title." Hooper v. Scheimer, 64 U.S. 235, (1859). Having a legal title meant nothing to the Planning

[4] For 2 weeks, not 2 years required by the Land Claims Act in any newspaper of mass circulation. After 40 years no one complained.

Department, or perhaps they just didn't know what one was. The *PROTEST MEETING DETERMINATION*, APPENDIX F proves both deficiencies in the Planning Department's knowledge of the Law. A printed copy of Homestead Certificate 4889 as in APPENDIX D was included in Plaintiff's Exhibit C used in the PROTEST MEETING, APPENDIX F with statement of purpose, "To Secure Homesteads to actual Settlers on the Public Domain." The Plaintiff's Introduction in his Exhibit A concludes with, "It seems like there is no legal basis to your request to 'conduct site inspection' or require permits of houses built on the property. [Dated] March 15, 2006."

The "DETERMINATION" was written by someone who was not even at the meeting. Neither was the Planning Director, Tom Burns, in violation of due process "he who decides must hear." Vollstedt v. City of Stockton, 220 Cal. App. 3d 265, 276 (1990); Morgan v. United States, 298 U.S. 468 (1936).

The NOTICE OF VIOLATION only warned of [County] Action No. 2 "Referral to Administrative Hearing" as a possible outcome of the PROTEST MEETING for the Plaintiff. In Patel v. Penman, 103 F.3d 868, 879 (9th Cir. 1996), the court explained the Notices of Violation due process violation "those notices did not apprise [the owner] of his right to be heard to contest the permanent closure of the motel; at the most, they notified [him] of his right to protest the City's determination that code violations existed at the motel." Id. At 879. There was no post-deprivation procedure. County Code §10.01.080 explicitly states that

recordation of a red tag is "final and not subject to further appeal." Neither was the Plaintiff warned of Action No 7) "Abatement as a public nuisance."

There was no mention of "Homestead Certificate 4889" certified by the U.S. Department of Interior which the County Counsel apparently regarded as token out of a box of Cracker Jacks. Together with the survey of 1978 and Chain of Title, together with preemption by Article 6 §2 United States Constitution, and the above Due Process violations, invalidates the value of the entire PROTEST MEETING.

Following the presumption of Santa Cruz County Counsel which defends the Planning Department personnel in who were observed destroying two homes on the Plaintiff's homestead, the United States District Court Northern District San Jose Division, and United States Ninth Circuit Court of Appeals presume that the title is equitable. Homestead Certificate 4889 cannot be judged except by Legislature. Despite being presented with a Department of Interior certified copy of Homestead Certificate 4889, they refuse to try this case at Law as required but only as an Equity, (Rules 1 and 2 of Rules of Civil Procedure).

DEFENDANTS DESTROY PLAINTIFF'S HOMESTEAD

Refuses to pay $7,000,000 for damages, fines, and harassment

COUNTY CLAIMS IT NEEDS NO JURISDICTION TO ENFORCE LAWS DESIGNED TO RAISE REVENUE

State Law states that a Court has no jurisdiction to try a Complaint filed in Court against a defendant without his making an objection to the Complaint to or demurring against the Complaint. The PLAINTIFF challenged the Jurisdiction of the County over Homestead 4889 before, during, and after the County's Complaint against it. Neither the State Courts, nor the Federal Courts, nor the Protest Meeting answered the challenge to jurisdiction of the County's fund-raising program using the Planning Department. The Plaintiff raised the Supreme Court decision of Koontz v. St. John River Water Management, 568 U.S. 936 (2013).

Must all Land Patents legislated into existence under United States Article 6, Section 2, be adjudicated according to Law rather than as Equities? No party has proved that this Subject Land of the Plaintiff has debt to buy permit. Therefore it is not an Equity. The US Supreme Court so decided in 1893 in Sanford v. Sanford, 139 U.S. 642, 11 S.Ct. 666 (1891), and also Langdon v. Sherwood, 124 U.S. 74 (1887). In the unlikely event that a mistake was made in the original definition of the Land Patent, Quiet Title Act, 28 USCS 2409a is available to correct it. [having to raise to the

Supreme Court case every question of land use is impossibly difficult and expensive when it usually turns out in favor of the patentee]. This present case is one such. Another such case is Gobin v. Snohomish County Planning Department, 304 F. 3d 909 (9th Cir. 2002).

CLAIMS OBEYING FEDERAL LAW IS A CRIME

United States Homestead Certificate 4889 charges Plaintiff who is enabled to create a Homestead of ownership with creating a public nuisance for that Homestead, as defined in County Code that any violation of a County Code is a nuisance.

RESTORE CONSTITUTIONAL LAW FOR TRANSFERRING PROPERTY

Property Titles are almost universally color of law in the United States. Very few properties possess up-to-date surveys and complete chain of title to the United States. These properties are bait for frauds and charlatans and currently end up as fodder for the international derivatives market.

BUILDING CODE OR NONE AT ALL?

The Housing Law's Appeals Board's constitutional necessity should be re-iterated for cities only. Lack of building permits in rural areas in California and punishable on an ascending scale by Government. C 25132 and Penal Code 19, People v. Minor, 96 Cal. App. 4th 29 (2002).

Santa Cruz County refuses most of the California Building Code, including Appeals Boards even though its status as a General Law County prevents that, California Const. Art. 11 §6. In Santa Cruz County each appointment with the Appeals Board is a meeting with the County Supervisors and costs $1000 each time. Since the Supervisors are all lawyers and don't know much about building, expensive specialists must be hired which make costs even higher—defeating the original reason for having volunteer professionals as Board Members with the Building Official making appointments, Health and Safety 18949. The Trial Court skipped the presentation of finding of the California Attorney General in AG Opinion 79-601 that Appeals Board/California Building Standards Commission is necessary for the constitutional functioning of the Housing Law and Building Law. The Judge omitted the legal argument for California Code Regulations 108.4 and the unconstitutionality, (by US Constitution Art. 4 Section 4), of issuing Building Permits without Appeals, Board/California Building Standards Commission[5]. The Appeals Court is a court of error and did not make a pronouncement of this issue when it was brought up. The California Supreme Court declined to hear the case. Since the Constitutional question concerns both U.S. and California Constitution, it is appropriate that the U.S. Supreme Court address issue of inclusion of legislative contributions from private entities to regulations for Housing and Building

[5] Trial Reporters Transcript 330, 340 and Opening Appeal pages 53 and 55.

Standards. Legislative delegation by government is at issue. The DECLARATION OF INDEPENDENCE faulted the king's government "For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all cases whatsoever." Separation of Powers, US Const. Art. 4 Section 4 has proven effective the king's government for almost 250 years will not repeat the error of Santa Cruz County in not informing prospective appellants, including the Plaintiff, of the due process available, (People v. Swink, 150 Cal.App.3d 1076, 198 Cal. Rptr. 29.)

INCREASE SUPPLY OF LOW COST HOUSING

The Supreme Court's deciding the necessity of Constitutionality of California's Housing Law will increase the supply of quality low-cost housing. Santa Cruz County's Appeals Board failed because the Building Official did not provide appointments. Government regulation needs support by private sources to be effective. The mechanism for combining government authority with private resilience has been proven fruitful by past Supreme Court decisions. Affirmation of California's Housing Law supported by California Building Standards Commission and local Appeals Boards over prescriptive local codes will enhance prosperity in constitutionally-guaranteed freedoms.

AVOID DIVISION AMONG COURTS

Excluding unpermitted housing will provoke divisions in court decisions by opening legal conflicts. The

Housing Law itself does not oppose unpermitted housing. If Counties are allowed to over-reach their authority under Article 5 section 1 of the California Constitution by defining unpermitted housing as code violations the Inalienable Right to have, maintain, and protect private property defined in California Constitution Article 1 section 1(a) and support for land patents will be compromised.

4TH AMENDMENT ENFORCEMENT REQUIRES APPEALS BOARD EXPERTS

Strengthen mutual relationship between the Appeals Board and Housing Law jurisdiction to establish 4th Amendment Constitutional protection as per Mapp v. Ohio (1961) 367 U.S. 643. Without a local appeals board, even basic matter as jurisdiction of the Housing Code cannot be determined.

> "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."

Article 1 section 1(a) of the California provides reasonable expectation that no unreasonable and prescriptive law is required to live on and maintain and improve one's land. Without proof of Housing Code jurisdiction to draw a line defining what is police power, fourth, fifth, and fourteenth amendment protection, is

in jeopardy. Their motive for this is pecuniary not related to the health and safety standards enacted by the State Legislature and updated as necessary by the California Building Standard Commission and Appeals Boards. This controversy has made its way past the California State Appeals Board Sixth District which has refused to rule on the jurisdiction of Health and Safety standards contained in the Housing Law.[6] Distinguishing an "existing structure" from one which is under construction for the purposes of California Health and Safety 17912 requires the expertise of an Appeals Board to tell whether maintenance and occupancy operations predominate or whether Building is in progress, (see also California Code of Regulations tit. 24 section 3403.2). Building must commence prior to the effective date of the regulations but maintenance and change of occupancy can go on either before or after the effective date of such rules.

7. After a June 1, 2, 2019 incident when my own Homestead was destroyed I wrote to the

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[6] See April 21 Opinion page 22: "Carrick's code violations pertained primarily to lack of permits. Carrick fails to explain how the County Code at issue with respect to his property pertain to occupancy standards and thus Breseno [v. Santa Ana City] is not helpful to him." If the Appeals Court had accepted that Carrick's residences were under the jurisdiction of the Housing Code, then lack of permits is relevant. Building Permits are neither an occupancy standard, H&S 18917, nor cause of being substandard, H/S 17920.3). See also Chapter 14 Uniform Housing Code section 1401.3. Inequality of County Codes cited and standards of occupancy are exhaustive depicted in Appendix 1 of Opening Brief. "SUBSTANDARD BUILDING DO NOT OCCUPY" is the required verbiage under the Housing Law. Only if the Appeals Court rejected the Housing Law could they not accept this fact.

Attorney General of the United States informing him and he assigned Karen Wadzinsky to the situation. I received no help. The District Court and Ninth Circuit claims Homestead Certificate 4889 is inferior to State Law and the Planning Department was right to destroy my Homestead. The Department of Justice should affirm power of Homestead Certificate 4889.

The Legislature could grant homesteads to Indians who became citizens either as individuals or as entire tribes. This later purpose would work to entice Indians who had not made treaties yet to do so. The greatest purpose was to grant homesteads to freed slaves.

The fact that the Homestead Act was created in the midst of the Civil War between the States should hint about the Legislatures' real ultimate goal being to give away power to American Citizens to govern. What actually transpired was 1.6 million homesteaders being given 10% of the total area of the United States, 270 million acres. Both the Abridgment of the Debates of Congress and Case Law explicitly state this purpose: Wineman v. Gastrell, 54 Fed 819, 2 U.S. App. 581. That amount of acreage would greatly increase if 4,000,000 freed slaves had been granted homesteads made up of their former masters' estates. That increase area homesteaded by 1,000,000 acres. That was the plan of Abraham Lincoln and his chosen administrator General Otis Howard. It was not the plan of Lincoln's successor, Andrew Johnson. Although

Johnson had been a leading advocate of homesteads when in the Senate, his plan for former slaves was as sharecroppers on their former masters' plantations and not as independent homesteaders. *"Thunder In the Mountains,"* Sharfstein.

Was it too soon to interpret this power into actions to protect America not only against foreign adversaries were also needed against adversaries within? The 14th Amendment Sections 3 and 4 were not done in time to seize the slaveholders' plantations and transfer their ownership to the former slaves. Some uneducated persons were granted Homesteads, (see Debell, Sept 29, 1915, 227 F. 760, 8th Circuit).

Homesteads are not an abstract legal status but a state of being encompassing ability to own, divide, and sell property; cultivate and enrich land; engage in commerce; make contracts; and raise families. Homesteading was an ideal medium to turn 4,000,000 slaves into 4,000,000 productive citizens. The Plaintiff was able to avail himself of substantive and legal Homestead Certificate 4889 requirements to produce a working homestead without prior preparation.

PRESERVE REPRESENTATIVE FORM OF GOVERNMENT

The goal "In order to form a more perfect union" propounded by the DECLARATION OF INDEPENDENCE has moved men's hearts and minds for

centuries afterward through problems and circumstances never envisioned by its originators. Surely delegating legislation at a time when bad legislation was one evil which the Declaration of Independence purported to correct by revolution. It is still controversial in these later times when something as mundane as building a house requires special legislation. Teaching good government practices while propagating expertise to build improves both. Expertise must be put in a decision-making role to be effective and build responsibility. Such expertise is not usually found among those who make government a career.

THIRTEEN YEARS OF CONTINUAL HARASSMENT AND TRESPASS

March 25, 2006, I responded to letter from a County Planning Department Code Enforcement Officer, Jacob Rodriguez, requesting that I allow him to inspect my property. My immediate answer is in exhibit A 'March 15, 2006 Letter,' stating that my United States Homestead Certificate 4889 and Santa Cruz County Codes 12.10.125(a) and (q), and 1.12.070(a-n) claim authority to maintain and construct structures for habitation is never addressed by the Protest Meeting Letter of Determination. Not only is the County's presumption false but Homestead Certificate 4889 preempts the County Building Codes. Plaintiff refused to do Discovery on his Rental Agreements the County struck his Answer because they were his private property separate from his buildings and unrelated to the County's case they would have to separate case. The Plaintiff having made no demurrer to the County's

case, and contesting the County's personal jurisdiction and subject-matter jurisdiction, left them with a void case, California Code of Civil Procedure 430.80(a).

United States Homestead Certificate 4889 is a federal statute passed by the Legislature and Signed by the President and not Homestead Act, or land patent, or 'some kind of sovereign.' Lacking the proper name of the law, it is unlikely for these courts to comprehend the central issue of authority, The Supreme Law of the Land. Authority over "residences for actual settlers" or housing.

The offense is more complicated than having or not having shelter. The offense emanates not from the Constitution, but the Law of Nations and each Nation. The crime of treason in high places is likely.

RESULTING INJURIES TO PLAINTIFF

Elements of Tort

A prior action was commenced by or at the direction of the defendant(s) and was pursued to legal termination in the plaintiff's favor. Santa Cruz County Code Inspection Officer demanded to inspect Plaintiff's property. Plaintiff rebuffed the County's demand by quoting U.S. Constitution Art 6 sec 2, statutes (Homestead Certificate 4889) and case law, (Summa v. California, 104 Sup. Ct. 1751, (1984)). The County was unable to make a meaningful reply.

- The prior action was brought without probable cause. Using obsolete County Codes, (Jane Taylor, California Building Standards Commission,

letter to Attorney Joe Ritchey, 3-2-06), Santa Cruz County Counsel Tamyra Rice commenced illegal building code action CV 158731 against Plaintiff, on November 28, 2007, having already been warned that Plaintiff's United States Homestead Certificate 4889 protected against such collateral action, (Notice of [updated] Land Patent published in Santa Cruz Sentinel, March 7, 1999). Throughout the proceedings, evidence was falsified, notice of court actions with-held, FOIA results delayed until after needed as evidence, claims of jurisdiction falsified, (city versus county). Santa Cruz County Grand Jury Final Recommendations favored expenditures that increased comforts of city-dwellers, (a four lane highway in city widened while 80% of county roads still substandard), and opposed those that made county areas more usable, (County connecter road Hwy 35 improvement approved by Board of Supervisors in 1893 was still improved dirt after 126 years).

- These prior actions were initiated with malice, (two of Plaintiff's Homestead buildings assessed at $8000 on an unimproved county road without electricity, mail delivery, trash pick-up, road demolished while the Plaintiff's property was liened with costs of demolition of $32,515.01 by the Santa Cruz County Treasurer/Tax Collector.
- The Plaintiff suffered an injury. The dollar amount liened is less than the replacement value and does not include lost rent.

The Plaintiff also suffered costs of litigating. First, Barri Betancourt of Tree Law was paid $14,000 to

oppose ex parte action by the Planning Department based on Homestead Certificate 4889 and then open an Administrative suit against the County pursuant to Government Code 53069.4 protection. Barri's commute time was excessive and the Santa Cruz County Planning Department and County Counsel lied continually, so she asked me to find another lawyer. The Law firm of Remy, Thomas, Moose, and Manley provided a lawyer who was useful but knew nothing about Land Patent Law. The Plaintiff had to start handling the County's case himself, after paying Remy, Thomas $66,000.

REASONS FOR GRANTING THE PETITION

Restore Real Estate Transfer prescribed by Law

Reduce Homelessness

Protect those who rely on their Patent from oppression by States.

The proposals of this PETITION mends the patchwork Patent Law only slightly. It is the responsibility of the Legislature to write a Bill to make Patent more accessible and easy to use as well as address outstanding problems like Wild Deeds, uniform treatment of handling contingent conditions in loans, and encourage home ownership.

QUESTION 3, if not addressed, will allow perpetuation of "merciless speculators".

QUESTIONS 2 and 5 could be combined.

CONCLUSION

Land Patents are the initial reaction of American Colonists to the grievances described by Thomas Jefferson in the Declaration of Independence and are what the United States Constitution was written to support and protect. The well-documented conspiracy to eliminate Land Patent from Land Law of the United States is the cornerstone of investment market attack on the American Economy. United States government, State v. Hewitt Land Co., 74 Wash. 573, 134 P. 47 (1913). Foreclosures are the bottom of the food chain with derivatives at the top in terms of payback for work by lenders. The first law passed to support Home-owners Bill of Rights of 2013 was restoration of the law separating Note from the Deed. The Land Patent is the higher form of Title than a Deed. Real Estate Law Book publishers have erased the phrase 'Land Patent' from their lexicon. With 1.6 million of them issued, land patents are hard to get rid of. Land Patents are still found California Law, (Evid. C. 523). Derivative speculators get the highest mark-up by separating the Deed from the Note (and even divide the Note). Foundation of economic stability is home-owners because everyone needs a place to live and to keep it they meet their mortgage payment. That is also why the Building

Permit Extortion racket pays off so well for Santa Cruz County Planning Department and other counties. What these fraudsters didn't count on was the stability of Homestead Certificate 4889 and other patents. 4889 was issued 127 years ago and copies of legally certified copies are maintained by the United States Department of Interior and readily available. The Certificate 4889 even protects against any need for building permits by assigning responsibility to the patentee.

The Acts of Legislature could be realized and the President could then begin to form the government envisioned by the Founders. Performance of Land Patent Law would better support Treaties and allow for peace between Nations and Peoples of the World envisioned by the Law of Nations, Wineman v. Gastrell, 54 Fed 819, 2 U.S. App. 581, 1893. The Government of Santa Cruz County destroyed two houses belonging to the Plaintiff. The costs and penalties and time lost are a 5th Amendment takings which is payable at this time, Knick v. Township of Scott, Pennsylvania, et al., No 17-647 Supreme Court.

The Court should grant the Petition and Issue the Writ of Certiorari.

Respectively submitted,

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