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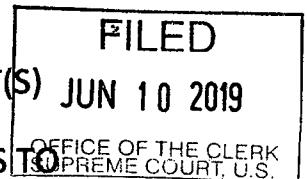
IN THE
SUPREME COURT OF THE UNITED STATES

Donna Sneller ---- PRO PER PETITIONER

VS

OPINION
RECEIVED
SUPREME COURT OF THE UNITED STATES

PEOPLE OF THE STATE OF COLORADO ---- RESPONDENT(S)
ON PETITION FOR A PEREMPTORY WRIT OF MANDAMUS



UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

PETITION FOR PEREMPTORY WRIT OF MANDAMUS

Donna Sneller

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QUESTIONS PRESENTED

Can the Congress only create tribunals inferior to the Article III section 1 one supreme Court?

Is there, within the phrase “The Supreme Court and all courts established by Act of Congress”, two independent Supreme Courts?

Can the phrase “The Supreme Court and all courts established by Act of Congress” be found in any other place within any of the fifty United States Codes other than only in 28 U.S.C. 1651(a) and in 28 U.S.C. 2071(a)?

Does 28 U.S.C. 1651(a) and 28 U.S.C. 2071(a) create a legislative Article III controversy beyond the political question and public rights doctrines of popular State and Federal governments?

Does each of the two independent Supreme Courts have their own independent Law-making and Rule-making Powers?

Does the two independent Supreme Courts represent two independent Governments of two independent Countries?

Is the “Supreme Court” within the phrase “The Supreme Court and all courts established by Act of Congress” actually the “one supreme Court” within Article III section 1 of the 1787 Constitution of the United States?

Is the one supreme Court’s judicial Powers superior in all respects to the Judicial powers of all State and Federal courts?

Is the one supreme Court’s jurisdictional provisions found in Article III section 2 clause 2 of the 1787 Constitution of the United States and in section 13 of the 1789 First Judiciary Act?

Does the judicial Power and jurisdictional provisions of the “one supreme Court” take preference over and predominate the other judicial powers and jurisdictional provisions of both the State and Federal courts?

Have the one supreme Court’s judicial Powers and jurisdictional provisions remained good and unchanged for over 229 years?

Does the Rules prescribed by the “Supreme Court” in 28 U.S.C. 2071(a) have the controlling and governing affect as ordered by that “Supreme Court”?

In exceptional circumstances of all “cases” and “controversies”, brought by or effecting “Ambassadors, other public Ministers, their Domestics or their

domestics Servants and those in which 'a State shall be Party", are all the courts and persons of popular National government required by the supremacy of the Rules of Law of the Land to follow and to give unquestionable adherence and affect to the Article III section 1 one supreme Court's determinations both as to Law and Fact in all civil and criminal matters within the Article III section 1 one supreme Court's independent sources of Jurisdiction, derived from Article III section II clause II of the Constitution of the United States and, but not limited to, sections 9, 11, 13,14, 16 and 34 of the 1789 First Judiciary Act?

Does any court or person of popular National government have authority to seek or sanction any departure or violation of the original 1787 Constitution of the United States through the legislation of popular National government?

Are all State and Federal Judges required by the supreme law of the land to give respect to all of the limitations, restrictions and provisions of the original Constitution of the United States above all else.

Are the Amendments to the original 1787 Constitution of the United States in the nature of a Statute?

Did the 14th amendment create a constructive jurisdiction against Mankind beyond the incidental powers of popular National government?

Does the appropriate, ultimate law-making authority within this Country have the Right to determine and resolve all "Cases and Controversies of a civil or criminal nature" by the "supremacy of the Rules of Laws of the Land", leaving the "Supreme Court of the United States" with Article III standing and the "virtually unflagging" Duty to compel all courts of popular Government to protect, follow and enforce the supremacy of the Rules of Laws of the Land" in all "Cases and Controversies within the territorial Limits and independent sources of Jurisdiction both as to Law and Fact of the 'one supreme Court'"?

Does the appropriate, ultimate law-making authority within this Country require unquestionable adherence by all courts and persons of popular Government?

Is the determinations made by the appropriate, ultimate law-making authority within this Country beyond the "judicial discretion" of all courts of popular National government?

Was the "Supreme Court of the United States" "established by an Act of Congress"?

Are the Judgments, Decrees, Writs and/or Mandates made by the "Supreme Court of the United States" inferior both as to Law and Fact to the "one supreme Court's" Judgments, Decrees, Writs and/or Mandates, in all

Cases, when made within the one supreme court's independent sources of Jurisdiction both as to Law and Fact?

Is it a Fact "there are two independent Governments doing Business within the United States?

Is one of the two independent Governments the Government of the Country of the said United States?

Has the United States of America and the Crown of Great Britain for himself his heirs and successors relinquished all claims to the Land, the Government, the propriety, the "territorial rights" of the same and every part thereof of the Country of the said United States; and if and anything remained with the Crown by the 1783 Definitive Treaty Of Peace was it only the dominion and regulation of the "public Rights" of the United States of America?

Is the Nation, the United States of America, the successor of the Crown of Great Britain the subordinate and subservient Common Agent between the two independent Governments of the Country of Great Britain and the Country of the said United States?

Is the one supreme Court an alternative article III Forum both as to Law and Fact in the nature of a private Right of Action?

Is the one supreme Court exclusive to each of the People in that Individual's individual capacity and is the one supreme Court exclusive of popular National government?

Is the one supreme Court by its self a court of competent jurisdiction; or is the one supreme Court made a Court of competent Jurisdiction only through the aid of the subordinate and subservient Common Agent the United States of America?

Does the United States of America have the pre-constitutional and constitutional obligations of necessity to give enforcement to the one supreme Court's civil and criminal common-law Remedies?

Is it necessary that the "proof of Facts be established in private" as to oust the equity jurisdiction of the District Courts and bar the equity powers of the Circuit Courts as courts of chancery?

Does Federal Question Jurisdiction also arise of Necessity in aid of a private litigated Case involving the construction of the Constitution, or a Law or a Treaty of the United States?

Has the general common Law been abolished?

If not is there still a body of private Common Law to be applied upon all commercial Transactions and Contracts made within the Country of the said United States?

Is the STATE OF COLORADO and the rest of the other forty-nine sister STATES OF THE FEDERAL UNION, free sovereign and independent states?

Within the United States which one of the two Supreme Court's, the Article III one supreme Court or the Supreme Court of the United States established by an Act of Congress, is vested with the Rightful and Lawful authority to establish the ultimate Law?

Does the Article III one supreme Court have original jurisdiction effecting Ambassadors, other public Ministers and Consuls and those in which a State shall be party in all Cases of a civil and/or a criminal nature?

Is the Nation, the United States of America and the several States, only legitimate governments to the limited extent of what is and remains enumerated or delegated to the Nation?

Can an Agent only exercise such Authority that is and remains enumerated or delegated to the Agent?

Are all rights and powers exercised by an Agent in excess or falling short of what is and remains enumerated or delegated to the Agent null and void?

Is the Article III section 2 clause 2 jurisdictional provisions of the Article III section 1 one supreme Court, a superior private Right of Action both as to Law and Fact, exclusive to the People of the said United States?

Thus making it a superior private Right of Action both as to Law and Fact beyond and exclusive of the "public rights" of actions, decided or determined within the relinquished "territorial rights" of the Country of the said United States, by the courts and persons from the government of "The United States of America"?

If the jurisdictional provisions of Article III section 2 clause 2 of the 1787 Constitution of the United States are unchanged to this day, then does the words, meaning and the jurisdictional provisions of Article III section 2 clause 2 of the 1787 Constitution of the United States take preference over and predominate all other Laws and Facts in all Cases within the territorial Limits of the Country of the said United States effecting" Ambassadors, other public Ministers and Consuls and those in which a State shall be Party?

Is the Article III one supreme Court, a/k/a the "Supreme Court" in section 13 of the 1789 First Judiciary Act, and in 28 U.S.C. 1651(a) and 2071(a) an Alternative Article III Forum superior to and exclusive of the popular governments Courts and thus exclusive to the Alternative Government otherwise belonging to each of the People of the said United States making Article IV section 3 clause 2 Claims to the Territory (Land) of the Country of the said United States and to such Alternative Forum and Government both as to Law and Fact?

Can any Thing within the 1787 Constitution of the United States be so construed by any court appointed or any PERSON holding office under the authority of the United States of America within the territorial Limits of the Country of the said United States as to deny or disparage any Rights to any Article IV section 3 clause 2 Claim made by one of the People of the said United States?

Does the jurisdictional provisions of Article III section 2 clause 2 of the 1787 Constitution of the United States confer original jurisdiction only on the Article III one Supreme Court in all Cases "effecting Ambassadors, other public Ministers and Consuls" and those in which "a State shall be Party" as a matter of Law or as a matter of Fact or as a matter of both Law and Fact?

Is the jurisdictional provisions of section 13 of the 1789 First Judiciary Act still valid and has the jurisdictional provisions of section 13 remained unchanged, by the Congress, for over 229 years?

Is the only thing that has been changed by the Congress in section 13 of the 1789 First Judiciary Act the Article III one Supreme Court's writ Powers?

Did the Article III one Supreme Court's writ Powers of section 13 of the 1789 First Judiciary Act become section 234 of the 1911 judicial Code?

Did section 14 of the 1789 First Judiciary Act, the prior all Writs Act, become section 262 of the 1911 judicial Code?

Did sections 234 and 262 maintain their separate existence until 1948 when the two sections over-lapping authority were consolidated into the present all Writs Act, 28 U.S.C. 1651(a)?

Does section 13 of the 1789 First Judiciary Act confer on the Article III one Supreme Court exclusive jurisdiction of all controversies of a civil nature, where a state is a party, except between a state and its citizens; and except also between a state and citizens of other states, or aliens, in which latter case it shall have original but not exclusive jurisdiction?

Does section 13 of the 1789 First Judiciary Act also confer on the Article III one Supreme Court exclusively all such jurisdiction of suits or proceedings against ambassadors, or other public ministers, or their domestics, or domestic servants, as a court of law can have or exercise consistently with the law of nations; and original, but not exclusive jurisdiction of all suits brought by ambassadors, or other public ministers, or in which a consul, or vice consul, shall be a party?

Does the Article III one Supreme Court also have appellate jurisdiction both as to Law and Fact from the circuit courts and the courts of the several states?

Does the Article III one Supreme Court also have power to issue writs of prohibition to the district courts, when proceeding as courts of admiralty and maritime jurisdiction, and writs of mandamus, in cases warranted by the principles and usages of law, to any courts appointed, or persons holding office, under the authority of the United States of America.

Can the several members and bystanders of the Nation, the political society of the United States of America, be only justly compared to ambassadors, other public ministers, or their domestics, or domestic servants residing on the land belonging to the Country of the said United States and every part hereof as "legal domestic resident aliens from abroad"; and can those PERSONS only report their powers, rights, laws and proceedings for the ratification, alteration or suspension in whole or in part by the Principal, being each individual one of the People of the Country of the said United States?

Did the United States of America, the Crown and Parliament of Great Britain jointly pre-constitutionally relinquish all claims, to the propriety, the territorial rights of the same and every part thereof to the independent alternative Government of the Country of the said United States in the 1783 Definitive Treaty of Peace upon the ground of reciprocal advantages and mutual convenience in order to promote and secure perpetual peace and harmony between the two governments of the two Countries, Great Britain and the said United States?

Are there two independent Supreme Courts operating within the territorial Limits of the Country of the said United States?

Does the two independent Supreme Courts have independent sources of jurisdictional provisions both as to Law and Fact?

Are there two separate and independent Governments operating within the territorial Limits of the Country of the said United States; and does each separate and independent government have its own separate and independent Laws, Facts, Courts and rules to be carried into execution by the subordinate and subservient common Agent the United States of America for the two governments?

Does the jurisdictional provisions of Article III section 2 clause 2 of the 1787 Constitution of the United States confer original jurisdiction on the federal Supreme Court of the United States?

Does the jurisdictional provisions of Article III section 2 clause 2 of the 1787 Constitution of the United States only confer original jurisdiction on the Article III section 1 one supreme Court?

Did only one of these two independent Governments, adopt the 1787 Constitution of the United State as its organic Law in March of 1789 and is this other independent Government known as the Nation, the United States of America successor to only the dominion and regulation of the "public rights" of the Nation that were not relinquished, by the Crown of Great Britain in the 1783 Definitive Treaty of Peace?

Are the jurisdictional provisions of the federal Supreme Court of the United States today found only in 28 U.S.C. 1251 through 1259?

Do the exclusive jurisdictional provisions of section 13 of the 1789 First Judiciary Act take preference over and predominate any other jurisdictional provisions of both Federal and State law of all controversies of a civil nature, where a state is a party?

Does the 14th amendment to the 1787 Constitution of the United States specifically pertain and apply to the term "person"?

Is the scope and delineation of the Term "person" necessary in order to determine who is in Fact a Person "subject to the jurisdiction thereof" of the United States of America and the several States within the provisions of the 14th Amendment: and was the 14th amendment ratified by holding the southern States as Military districts ?

If the private proof of the scope and delineation of the alleged PERSON is not made, can the principles of estoppel or of res judicata be rightful applied as a matter of Law and as a matter of Fact?

Is person (persona) a term of the civil law?

Is Man or Woman (homo) a term of Nature?

Is person (persona) of a different specie from Man or Woman (homo)?

Did the 14th Amendment truly create a different specie from Man or Woman to a PERSON?

Are the 13th, 14th and the 15th Amendments also known as "civil rights amendments"?

Is the United States of America a creation of the civil law?

Are all the Courts established by Acts of Congress a creation of the civil Law?

Is the State of Colorado a creation of the civil law?

Are all the Courts, established by the Legislature of the STATE OF COLORADO or any other STATE OF THE FEDERAL UNION, a creation of the civil law?

Do all creations of the civil law come within the classification of PERSON?

Is the Term PERSON or PERSONS within the classification of tangible or of Nature?

Are, but not limited to, the Terms Man, Woman, Son, Daughter, Posterity, People, Land, Soil, Earth and Country within the classification of tangible or of Nature?

Can any of the federal or state courts create or attain party and concern themselves against any Thing that is tangible or of Nature?

Can any federal or state court exercise jurisdiction over any Thing that is classified other than a PERSON or the Contracts between PERSONS?

Does the United States Court of Appeals Tenth Circuit have only original cognizance necessary in aid of the civil matter of the Litigated Case number 11-2018 DGS, Donna Sneller V. THE PEOPLE OF THE STATE OF COLORADO commenced and prosecuted against the STATE OF COLORADO in and by the (My) Article III one Supreme Court within the territorial Limits and independent sources of Jurisdiction both as to law and Fact of the Country of the said United States?

Does the United States Court of Appeals Tenth Circuit have only exclusive cognizance necessary in aid of the criminal matters of the Litigated Case number 11-2018 DGS, Donna Sneller V. THE PEOPLE OF THE STATE OF COLORADO commenced and prosecuted against several PERSONS holding office in various ways under the authority of the Nation the United States of America in and by the (My) Article III one Supreme Court within the territorial Limits and independent sources of Jurisdiction both as to law and Fact of the Country of the said United States?

Which one of the two parties, the woman Donna Sneller or THE PEOPLE OF THE STATE OF COLORADO, is vested with the predominating Power to choose the governing Laws and Facts of the proper True Place and Case in order to Create a final Remedy of and to terminate the Controversy raised by the State and Federal public Records?

Is this extraordinary Petition for Common-law Writ Mandamus of necessary in aide of the Article III one Supreme Court's Common-law Writ of Mandamus of record in the United States Court of Appeals for the Tenth Circuit of case Number 18-1440 THE PEOPLE OF THE STATE OF COORADO v. SNELLER arise within the territorial Limits and independent sources of Jurisdiction both as to Law and Fact of the Country of the said United States?

Which one of the two parties, the woman Donna Sneller or THE PEOPLE OF THE STATE OF COLORADO, is vested with the predominating Power to choose the governing Laws and Facts within the proper Court and Case, criminal Case number 2018T212 THE PEOPLE OF THE STATE OF COORADO v. SNELLER commenced in the District Court of the County of Costilla, State of Colorado and in the litigated Case Number 11-2018 DGS, Donna Sneller V. THE PEOPLE OF THE STATE OF COLORADO commenced and prosecuted in the (My) Article III one Supreme Court within the territorial Limits and independent sources of Jurisdiction both as to law and Fact of the Country of the said United States, in order to create an appropriate final civil and criminal Remedy of the Controversy that has been raised by the federal and state public Records between the two parties of the Cases of the Courts of the two independent Governments both doing business within the United States?

List of Parties

All parties appear in the caption of the case on the cover page.

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:

People of the STATE OF COLORADO ET AL

USDC JUDGE LEWIS T. BABCOCK

USDC Clerk JEFFERY COLDWELL

MAGISTRATE JUDGE KIMBERLY L. WOOD

DISTRICT ATTORNEY COSTILLA COUNTY COLO. CHRISTA NEWMEYER-OLSEN

ASSISTANT DIST. ATTORNEY MATT MOTCHKEVITZ

COSTILLA COUNTY COURT CLERK ANGEL SANCHEZ

CHP OFFICER HOUDE #3743

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The COMPLETE Record of Independent Action 11-2018 DGS

TABLE OF AUTHORITIES CITED

| CASES | PAGE NUMBER |
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| Marbury v. Madison 5 U.S. (1 crunch) 137, 178- 79 (1803) | |
| Baker V. Carr | |
| Chandler v. The judicial Council of the Tenth Circuit | |
| Zivotofsky 1, 132 S. Ct, 1421, 1430 (2012) Zivotofsky II 135 S.t. 2076 (2015) | |
| Lexmark International, Inc. V. Static Control Components Inc., 134 S.Ct. 1377, 1386 (2014). | |
| Boumediene v. Bush, 552 U.S. 723 128 S.Ct.2220.171 L. Ed. 2d 41 (2008)128 S. Ct. at 2293, 2294 (Scalia, J., dissenting). | |
| Bollman & Swartwout, the All Writs Act was found to authorize a writ of habeas corpus | |
| Georgia v. Bailsford 3 U.S. (3 DAIL) 1, 4 (1794) | |
| Luther, 48 U.S. (7 How.) at 39 | |
| Haines v. Kerner, 404 U.S. 519, 520-21 (1972) | |
| Cohens V. Virginia, 19 U.S. (6 Wheat) 264, 404 (1821) | |

STATUTES AND RULES

Act of Sept. 24, 1789, c. 20, 1 Stat. 73, 80 to 81. This provision became § 688 of the Revised Statutes of 1873, and § 234 of the Judicial Code of 1911, 28 U.S.C.A. § 342.

1789 First Judiciary Act 9, 11, 13, 14, 16, 34

1783 Definitive Treaty of Peace

28 U.S.C. 1331

28 U.S.C. 1443(2)

28 U.S.C. 1651 (a) (b)

28 U.S.C. 1652 and 1746(2)

28 U.S.C. 2071 (a) (b)

28 USC 1291 and 1292

28 U.S.C. 1251 through 1259

Rule 2 of the F.R.C.P. Civil Action

FRCP Rules 1; 15, 57; 60(b), 64; 81(b); 82;

Rule 9FRCP

OTHER

Preamble to the Constitution

1787 Constitution of the United States

The Definitive Treaty of Peace 1783

The Judiciary Act of 1789, Sec. 9, 11, 13, 14, 16, 34

Wright and Miller section 4005 Extraordinary Writ Jurisdiction

Authorities Sited

one supreme Court

May 10th 2019

June 20th 2019

Article I section 8 clause 9

Article III section 1, of the 1787 Constitution of the United States

Article III section 2 clause 1 & 2

Article IV section 3 clause 2

Article IV section 4

Article VI clause 1

Article VI clause 2

Article VI clause 3

sections 11, 13, 14 and 16 of the 1789 First Judiciary Act

28 USC 1291, 1331, 1651, 1652, 2071 and 2072.

The vague section 1291 shall be construed to mean the one Supreme Court in all cases where 28 U.S.C. 1251-1259 shall not attach to the captioned parties within the federal Supreme Court's jurisdiction.

Rule 2 of the Federal Rules of Appellate Procedures

Rules 60(d)(1), 60(b)(6) and 60(b)(3) of the F.R.C.P

Rule 64 of the F.R.C.P

This rule applies to all public or private Corporations and all other parts and members of the independent political society of the United States of America. The United States of America and all parts thereof shall have "no proper territorial judicial Standing". Their standing is without the United States under 28 U.S.C. 1746(1).

The equity jurisdiction of the District Courts does not survive, the equity powers of the Circuit Courts and the equity powers and equity jurisdiction of the Courts of Appeals for the Circuits are barred, and, the Admiralty and Maritime jurisdiction of the federal courts are barred not to be applicable, against DONNA SNELLER in any Place within the territorial Limits of the Land of the Country of the said United States, beyond the high tide water mark of the Seas by the Laws of Nations; leaving, the federal question Statute, 28 U.S.C. 1331 as modified upon Terms of Donna Sneller's established more perfect Union by the Common Law, to govern only to the extent that it procedurally applies in all related Cases. The predominating rule is that "the one who exercises the "proper first territorial Rights to Claims in Time" has the first and superior territorial Rights to first and superior Claims, and all other rights to claims are either "junior" or "legal fiction usufructuary rights" to claims going as far back as to the Laws of the beginnings of the Roman Empire.

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is *10 N*

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

[] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is *10 N*

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

JURISDICTION

For cases from the **federal courts**:

The date on which the United States Court of Appeals decided my case was December 10th 2018.

NA No Petition for rehearing was timely filed in my case.

NA A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

NA An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. __ A _____.
The jurisdiction of this Court is invoked under 28 U.S.C. 1257(a).

For cases from **state courts**:

The date on which the highest state court decided my case was NA. A copy of that Decision appears at Appendix _____.

NA A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

NA An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. __ A _____.
The jurisdiction of this Court is invoked under 28 U.S.C. 1257(a)

The appropriate use of the “Common-law Peremptory Writ of Mandamus” is respectfully issued to Supreme Court Associate Justice the Honorable **Brett Kavanaugh, in Chambers** a PERSON holding office under the authority of the United States of America necessary in aide of the United States Supreme Court and this [one] Supreme Court’s respective jurisdictions agreeable to the usages and principles of Law herein as mandatory **“pre-constitutional Obligations of Necessity”** of all PERSONS holding office under the authority of the United States of America residing in respect to the Land as Residents within the Territorial Limits and subject to the Laws of Nations, two independent Governments, more than two jurisdictions, the Article III judicial Powers, the Independent sources of Jurisdiction and the predominating Laws and Facts, as private Terms of the before mentioned **previously existing prior to 1789 necessary alternative Government as of Right and as of Law** of the Country of the said United States and every Part thereof.

All Rights claimed that **were relinquished** by the Crown for himself, his heirs **and successors (the new Nation of Great Britain the United States of America and all parts thereof)** to the Land and Soil, the government, the propriety (appropriateness), the territorial rights of the same and every part thereof [**Donna Sneller and the alternative independent Government, its different governing Laws (Terms), Actions, Remedies, Rules, Facts and etc**] of the Country of the said United States inure ipso facto to the benefit of the Country of the said United States and every Part thereof, through the then different delegated authority of all public officers of the whole Nation the United States of America as Great Britain’s successors.

These almost endless private Terms as “Claimed relinquished territorial Rights of the said United States”, therefore are pre-constitutional Obligations of Necessity, of all public officers, by the law of Nations, denominated as **duties, due from the whole Nation, the United States of America and the Crown and Country of Great Britain, to the Country of the said United States and every Part thereof.**

Re-guarding the relinquished Rights denominated as “Duties claimed by **Donna Sneller**”; all public officers of the common Agent the United States of America and Supreme Court Justice Brett Kavanaugh would have only cognizance, as a subordinate and subservient form of jurisdiction as a Duty to acknowledge and/or carry those relinquished Rights, Benefits and Remedies into complete and satisfactory execution for **Donna Sneller** as if the different interpretation or construction of the Constitution, the Laws and the Treaties of the said United States had been given at first for **Donna Sneller**, within the United States to enjoy unmolested in all Places and at all Times, Circumstances and Cases within the territorial Limits and independent sources of Jurisdiction of the Country of the said United States.

But those relinquished Rights would only be cognizable, as a supreme Right to exercise a superior superseding Jurisdiction in respect to those Rights, under the Authority of the Country of the said United States and every Part thereof, leaving the public officers of the common Agent the United States of America with only a necessary essential pre-constitutional governmental **ministerial Duty to be performed in this and all other related Circumstances** and Cases at all Times and at all Places within the territorial Limits of the Country of the said United States according to the “private Terms” of Donna Sneller’s established more perfect Union, herein and hereafter to Wit.

Within the territorial Limits and independent sources of Jurisdictions of the Country of the said United States, whenever there is an Violation of a Duty due to the said United States and every Part thereof by any VESSEL, PERSON or public officer of the common Agent, the United States of America there is then an Invasion of a relinquished Right belonging the said United States and every Part thereof; and that act becomes civilly and/or criminally actionable, and that PERSON or VESSEL of the United States of America is then subject to the Laws of two independent Governments, more than the two ordinary Jurisdictions, to the superior Article III judicial Powers, the Laws of Nations, independent sources of Jurisdiction both as to Law and Fact, Donna Sneller’s different interpretation or construction of the Constitution, the Laws and the Treaties of the said United States and to incurring the Penalties of the highest Displeasures of the Country of the said United States and every Part thereof.

The appropriate Government of the Country of the said United States derives their individual authority from the natural Rights, of the natural Law, endowed to each Man/Woman by his/her creator and from the 1783 relinquished territorial Rights to the Dominion of the Land and Soil of the Country of the said United States.

“That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, [I did not consent and have said so numerous times]— That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”

The legitimate service of Processes and the extraordinary Writs, have not and shall never Rightfully and Lawfully run in favor of those within the dominion and regulation of the Crown and the United States of America within the territorial Limits and independent sources of Jurisdiction of the Country of the said United States nor operate, in any manner, against those without the dominion and regulation of the Crown and the United States of America within

the territorial Limits and independent sources of Jurisdiction of the Country of the said United States.

All of the extraordinary Writs issued by this [one] supreme Court to any Court appointed or Person(s) holding an office, in any manner, under the authority of the United States of America shall have such affect, both as to Law and Fact as this [one] supreme Court shall order, command and/or direct in all Circumstances and Cases within the territorial Limits and independent sources of Jurisdiction of the Country of the said United States.

Article I section 8 clause 9; The Congress of the United States of America shall have power to create public Courts [tribunals] inferior both as to law and Fact to this Article III [one] supreme Court.

Article III section II clause II; In all Cases effecting Ambassadors, other public Ministers and Consuls (foreign and domestic aliens) and those in which a State shall be Party (by law and /or as a matter of Fact) this [one] supreme Court shall have original Jurisdiction. As there is no higher Court to which an appeal can be taken, for counter-determination, from the original, exclusive, exclusively, appellate and/or inherent Jurisdictions (independent sources of Jurisdiction) of this [one] supreme Court.

In all the other Cases this [one] supreme Court shall have appellate Jurisdiction both as to Law and Fact, with such exceptions and under such regulations as Congress shall make, within their remaining granted rights and powers.

Article IV section 3 clause 2; The Congress of the United States of America shall have temporary usufructuary power to dispose of and make all needful rules and regulations respecting the Territory and other Property belonging to the [said] United States and every Part thereof.

And nothing in the 1787 Constitution of the United States shall be so Construed as to Prejudice any Claims of the United States or of any particular State. But all independent Article IV section 3 clause 2 "Claims [made by the People] of the [said] United States predominate all claims of the United States of America and any particular State or States. The failure of the United States of America to provide pre-constitutional reciprocal advantages and mutual convenience to the alternative Government of the said United States and all Parts thereof and/ or the application of any disadvantage or inconvenience shall disqualify any PERSON performing such wrongful act to reside as a resident within the territorial Limits of the Country of the said United States.

Article IV section 4; The Nation the United States of America shall guarantee a Republican Form of Government in all places within the territorial

limits and Jurisdictions of the Country of the said United States. Such a Republican Form of Government is one that the People can either exercise directly themselves or indirectly through representatives chosen by the people.

Article VI clause 2; The 1787 Constitution of the United States and all the predominating Laws of the Country of the said United States; and the laws of Nations and the United States of America which shall be made agreeable to the limitations, restrictions and provisions, as new Terms of Donna Sneller's more perfect Union otherwise required or provided by the different interpretation or construction of the Constitution, the Laws and the Treaties of the said United States; but ordained and established for the Agent the United States of America to carry into satisfactory execution for the said United States and every Part thereof; and all Treaties made, or which shall be made, under the remaining Authority of the Nation the United States of America, shall be the Supreme Laws of the Land; and the Judges in every place within the territorial limits of the Country of the said United States shall be bound thereby, any Thing in the Constitutions or Laws of any State or of the National government to the Contrary notwithstanding.

Article VI clause 3: The Senators and Representatives of the Congress, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States of America and of the several States, shall be bound by Constitutional Oath or Affirmation, to support all the limitations, restrictions, provisions and all the new Terms of the alternative independent form of Government otherwise required or provided by the different interpretation or construction of the Constitution, the Laws and the Treaties of the said United States but ordained and established for the Agent the United States of America to enforce, carry into satisfactory execution and protect from both foreign and domestic Invasion.

The appropriate use of a Common-law Preemptory Writ of Mandamus is employed and directed to Supreme Court Associate Justice the Honorable Brett Kavanaugh, **in Chambers** to exercise the hereby conferred supervisory control in aid of this [one] supreme Court's independent sources of Jurisdiction in accordance with the required Article VI clause III "Constitutional Oath" of the United States within the relinquished land of the said United States, to support the Limitations, Restrictions and provisions of the Country of the said United States, to compel the Tenth Circuit Court to issue the arrest warrants according to the Indictments sitting in their possession, but not jurisdiction by the federal Supreme Court in aid of the independent political society of the United States of America in accordance with the judicial oath.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Preamble to the Constitution

1787 Constitution of the United States

Article I section 8 clauses 9 and 18

Article III section 1

Article III section 2 clause 2

Article IV section 3 clause 2

Article VI clauses 1, 2 and 3

28 U.S.C. 1331

28 U.S.C. 1443(2)

28 U.S.C. 1651 (a) (b)

28 U.S.C. 1652 and 1746(2)

28 U.S.C. 2071 (a) (b)

28 USC 1291 and 1292

28 U.S.C. 1251 through 1259

1789 First Judiciary Act 9, 11, 13, 14, 16, 34

Wright and Miller section 4005 Extraordinary Writ Jurisdiction

Statement of the Case

I Donna Sneller declare and Claim there is an appropriate style change and the shifting of the Usages of Government de jure in respect to the Country of the said United States.

I Donna Sneller through My Article III section 1 one supreme Court's independent sources of Jurisdiction derived from Article III section 2 clause 2 claims the retained Rights and reserved Powers to determine both the Law and the Facts in Controversy which could alter or render some parts of Article I, II, III, **IV**, **V**, and VI of the 1787 Constitution of the United States a nullity. In support see Georgia v. Bailsford 3 U.S. (3 DAIL) 1, 4 (1794) ("you have nevertheless a right to take upon yourself to --- determine the Law as well as the Fact in controversy").

At this stage of the Case the core Duty of the Supreme Court of the United States within the territorial Limits and independent sources of Jurisdiction both as to Law and Fact of the Country of the said United States is its duty to give Remedies through political and private processes "above and beyond the reach of the Court" where the Common law of My one Supreme Court is competent to give civil and criminal remedies to be granted even if the Extraordinary Writ would have political implications upon State and Federal popular governments.

The exceptional circumstances of this extraordinary Case would affirm, suspend, alter, limit or modify certain parts of, but not limited to, Marbury v Madison, Baker V. Carr, Chandler v. The judicial Council of the Tenth Circuit and Zivvotofsky I and II; in favor of Donna Sneller in all cases where "'a State shall be party' derived from any article, section or clause from within the 1787 Constitution of the United States".

The appropriate use of the Common-law Extraordinary Writ is necessary to settle controversies in which the United States is a Party embraced within the several questions in which the Construction of the Constitution, the Amendments thereto, the Laws and the pre-constitutional Treaty of the United States has created, involving the rise of Donna Sneller's Article IV section 3 clause 2 Claim of sovereign Immunity derived from the claimed and relinquished alternative appropriate Government of the Country of

the said United States and every part thereof, the territorial supremacy of the Rules of Law of the Land and to the required Constitutional Oath of the Honorable Justices of the Supreme Court of the United States beyond the particular Facts of their ordinary judicial oath, the political question and public rights doctrines of popular State and Federal courts and the ordinary enumerated rights and delegated powers of the State and Federal National governments. The 1787 Constitution of the United States includes the organization of the national governments, and according to the original meaning of the word "Constitution", the 1787 Constitution of the United States is an organic law.

It includes the organization of the popular government, the grant of powers, the distribution of those powers into legislative, executive, and judicial, and the names of the departments and the officers by which and by whom the powers are exercised and the governing Laws enforced. With these provisions a Constitution, nominally terminates.

But the 1787 Constitution of the United States goes further. It also contains restrictions and limitations upon the enumerated, delegated and incidental rights and powers of the popular Federal and State governments that it allows to be permanently and perpetually organized, the Rightful, Lawful, and Peaceful means to establish a different construction or interpretation of the Constitution, the Laws and the Treaties of the United States, and the re-establishment of the previously existing prior to 1789, the 1783 relinquished claims, to the predominating, pre-constitutional, alternative, co-existing, free sovereign and independent Government de jure within the territorial Limits and of, in and for the Country of the said United States that still remains available to all Mankind within the United States.

In scrutinizing the laws and the procedures of State and Federal courts of popular government whether considered by State and Federal popular governments constitutional or statutory "in all Cases effecting Ambassadors, other public Ministers and Consuls and those in which a State shall be party the supreme Court shall have original Jurisdiction" and "in all the other Cases before mentioned the supreme Court shall have Appellate Jurisdiction, both as to Law and Fact, with such exceptions and under such regulations as the Congress shall make", for consistency with

Article III section 2 clause 2 of the 1787 Constitution of the United States is quintessential, a constitutional Duty of the Justices of the Supreme Court of the United States.

The Congress made such exceptions and regulations in the good and unchanged jurisdictional provisions of section 13 of the 1789 First Judiciary Act; which reads "That the Supreme Court shall have exclusive jurisdiction of all controversies of a civil nature, where a state is a party, except between a state and its citizens; and except also between a state and citizens of other states, or aliens, in which latter case it shall have original but not exclusive jurisdiction. And shall have exclusively all such jurisdiction of suits or proceedings against ambassadors, or other public ministers, or their domestics, or domestic servants, as a court of law can have or exercise consistently with the law of nations; and original, but not exclusive jurisdiction of all suits brought by ambassadors, or other public ministers, or in which a consul, or vice consul, shall be a party. And the trial of issues in fact in the Supreme Court, in all actions at law against citizens of the United States, shall be by jury. The Supreme Court shall also have appellate jurisdiction from the circuit courts and courts of the several states, in the cases herein after specially provided for; and shall have power to issue writs of prohibition to the district courts, when proceeding as courts of admiralty and maritime jurisdiction, and writs of mandamus, in cases warranted by the principles and usages of law, to any courts appointed, or persons holding office, under the authority of the United States.

All other jurisdictional provisions, the Laws, the Amendments, and the proceedings of popular State and Federal governments are required to be in compliance with the "necessary and Proper" clause of Article I section 8 clause 18 or fail to state a claim in harmony with Article VI clauses 1, 2 and 3.

The use of the Common-law Extraordinary Writ involving "the Authority to commence and maintain the criminal proceedings against Donna Sneller by the State of Colorado raised by the records of the State and Federal courts" is appropriate for reasons of the "virtually unflagging" duty and Article III standing of the Supreme Court of the United States to decide the questions and end the Controversy created by the construction of the Constitution, a law or a Treaty of the United States. In support I cite Lexmark International, Inc. V. Static Control Components Inc.,

134 S.Ct. 1377, 1386 (2014).

State and federal Judges must respect the provisions, limitations and restrictions of the Constitution above all else and therefore can't sanction its departure nor violation by State nor Federal contrary legislation. Article VI clauses 1, 2 and 3.

In further support I cite Marbury v. Madison 5 U.S. (1 crunch) 137, 178- 79 (1803) ("could it be the intentions of those who gave the power to say that in using it, the constitution should not be looked into") and further in respect to jurisdictional provisions of section 13 of the 1789 First Judiciary Act and 28 U.S.C. 1651(a) and 2071(a) I cite Zivotofsky 1, 132 S. Ct, 1421, 1430 (2012) ("this is what courts do") to interpret the amendments and statutes for consistency with the 1787 Constitution of the United States.

The jurisdictional provisions of section 13 of the 1789 First Judiciary Act and 28 U.S.C. 1651 (a) and 2071(a) do not exceed Congressional legislative power in respect to My article III one "Supreme Court's" independent sources of Jurisdiction both as to Law and Fact in all Cases within the territorial Limits of the Country of the said United States.

But on the other hand when the 14th amendment is combined with "all courts established by Act of Congress" that does exceed Congressional legislative power where the enumerated rights and delegated powers of popular Federal and State governments interferes with Donna Sneller's ultimate choice as of Right and as of Law to choose her appropriate Country, Government, Allegiance, Laws, Facts, Rules, and Remedies in respect to her article III one Supreme Court's independent sources of Jurisdiction both as to Law and Fact in all Cases within the territorial Limits of the Country of the said United States; and in this way only the restrictions imposed by the 9th and 10th Amendments and by Zivotofsky II 135 S.t. 2076 (2015) are applicable against any opposing PERSON residing as a resident within the territorial Limits of the Country of the said United States.

The restrictions of the 6 categories within Baker v. Carr will not apply.

(1). The ultimate law-making powers of the People of the said United States, the Legislative and the Executive branches of the Nation the United States of America have already demonstrated both the pre-constitutional and the constitutional powers to resolve the controversy.

(2). The Supreme Court of the United States has the power and is capable of resolving the questions and controversy, because, in today's internet world, it is not without "judicially discoverable and manageable standards" for doing so.

(3). There is "initial political determinations" already made by the composite political and public body of "We the People of the United States" and the legislative and Executive branches of the United States of America beyond the "judicial discretion" of the Supreme Court of the United States [of America].

(4). The failure to end the controversy created by the construction of the Constitution, the Laws and a Treaty of the United States would express "lack of respect due to the appropriate, ultimate law-making powers".

(5). The private and political decisions made by the ultimate law-making powers requires "unquestionable adherence".

(6). There is no right as of Law to maintain embarrassment between the public and private appropriate, ultimate law-making powers because "the 'Supreme Court' Rule is that decisions of the appropriate, ultimate Law-making powers predominate as conclusive and final and all others are subordinate and/or subservient.

The superior "judicial Powers" of the Article III section 1 "one supreme Court" a/k/ a the "Supreme Court" and the inferior "Judicial powers" of "all courts established by Act of Congress" which also includes the federal Supreme Court of the United States, the phrase within 28 U.S.C. 1651(a) and 2071(a) "The Supreme Court and all courts established by Act of Congress" and the Mandamus powers in Marbury v. Madison between the two Supreme Courts have now been made more certain to all interested parties by the 1783 Definitive Treaty of Peace the United States of America relinquished all claims to

the Land, the Government, the propriety, the territorial rights of the same and every part thereof of the Country of the said United States, which suspended all of the "territorial rights" of the United States of America's sovereignty as of Right and as of Law within the territorial Limits of the Country of the said United States, with the exception where the Laws of the United States of America are deemed a necessary part of the Law of the article III alternative Forum.

This suspension of the territorial rights caused the United States of America to have de facto sovereignty within the Country of the said United States and has provided Donna Sneller as of Right and as of Law with the claim of sovereign Immunity from the United States of America as successor of the foreign Country of Great Britain within the territorial limits of the Said United States.

In support of the right to deport the criminal defendants, as "domestic resident aliens from aboard", I cite Boumediene v. Bush, 552 U.S. 723 128 S.Ct.2220.171 L. Ed. 2d 41 (2008) "The decision was shaped by an emphasis on the "de facto" sovereignty of the United States over Guantanamo Bay. Four dissenters protested that "[t]he writ of habeas corpus does not, and never has, run in favor of aliens abroad." 128 S. Ct. at 2293, 2294 (Scalia, J., dissenting).

My Article III one Supreme Court finds, declares and claims that the ultimate law-making powers have resolved the Case and the Controversy by the law of the Nation and a pre-constitutional Treaty of the Nation, leaving the Supreme Court of the United States with the pre-constitutional Duty to compel the 10th Circuit Court to prosecute all Persons named in the suit, within the territorial Limits and independent sources of Jurisdiction both as to Law and Fact of the "Supreme Court", for any violation of the law of Nations.

The Conclusion is to secure and promote perpetual Peace and Harmony between the Country of Great Britain and the Country of the said United States and every part thereof as of Right and as of

Law within the territorial Limits and independent sources of Jurisdiction of the Country of the said United States through the authority of the common agent, the United States of America upon the ground of reciprocal advantages and mutual convenience between the two independent Governments of the two Countries doing Business within the United States

The courts of popular National Government are required to follow the Article III one supreme Court's determinations both as to Law and Fact in all "Cases and Controversies".

REASONS for granting the Writ:

The use of the common-law peremptory Writ of Mandamus is appropriate under these exceptional circumstances.

The common-law Writ of Mandamus is necessary in aid of the two Supreme Courts respective Jurisdictions.

The common-law Writ of Mandamus is beyond "judicial discretion" of the Supreme Court of the United States.

The supremacy of the Rules of laws of the Land in the litigated Case affecting the State of Colorado, and PERSONS as Ambassadors, other public Ministers, their Domestics and their domestic servants residing as residents within the territorial Limits and independent sources of Jurisdiction both as to Law and Fact of the Country of the said United States requires "unquestionable adherence" by all the State and Federal courts and officers of the popular corporate government.

The Supreme Court of the United States has a "virtually unflagging" duty to give Remedies through political and private processes "above and beyond the reach of the Court" where the Common law of My one supreme Court is competent to give civil and criminal remedies to be given even if the Common-law Writ of Mandamus would have political implications upon State and Federal popular (corporate) governments.

The highest Appellate Jurisdiction had already been exercised over the Tenth Circuit Court by the Article III one supreme Court.

The Supreme Court of the United States lacks all Jurisdictions both as to Law and Fact over the Article III one Supreme Court.

In the Case number 11-2018 DGS Sneller v. THE PEOPLE OF THE STATE OF COLORADO in prosecuting the State of Colorado and the Named criminal defendants; My Article III one "Supreme Court" took and retains exclusive jurisdiction of all controversies of a civil nature, where a state is a party and exclusively all such jurisdiction of suits or proceedings against ambassadors, or other public ministers, or their domestics, or domestic servants, as a court of law can have or exercise consistently with the law of nations; and original, but not exclusive jurisdiction of all suits brought by ambassadors, or other public ministers, or in which a consul, or vice consul, shall be a party.

The "propriety of the superior Article III alternative Forum, the one supreme Court takes preference over" the exceptional circumstances of the common-law Writ of Mandamus requiring only the exercise of the individual Justice of the Supreme Court of the United States supervisory administrative powers.

Congress, even if they could, failed to make any Article III section 2 clause 2 "exceptions and regulation" over the Article III one supreme Court's superior Appellate Jurisdiction both as to Law and Fact between the two Supreme Courts.

Even remote potential Jurisdiction of the Supreme Court of the United States justifies the common-law Writ of Mandamus.

CONCLUSION

This petition is an abridgement of my substantive rights, and is construed by the Article III one supreme Court as a Peremptory Writ of Mandamus to Associate Justice Brett Kavanaugh to issue the Mandamus to the 10th Circuit Court because all public (Corporate) officials and agents have a duty and a new delegation of authority to and from the said United States and this one supreme Court.

Respectfully submitted,

Donna Sneller

one supreme Court