

NO. _____
18-11404

IN THE SUPREME COURT OF THE UNITED STATES

WADE GREELEY LAY

PETITIONER,

v.

OKLAHOMA DEPT. OF CORRECTIONS, et. al.,

RESPONDENTS.

*on Petition for a Writ of Certiorari to the
Supreme Court of the United States*

Sherry Day
1-23-19

WADE GREELEY LAY # 516263

OKLAHOMA STATE DEPARTMENT

P.O. BOX 27

MCALISTER OKLAHOMA 74502

DID-SE

DATE: 01/23/2019

RECEIVED

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTIONS PRESENTED

PETITIONER, IN HIS PURSUIT TO APPROACH THE JUSTICES OF THIS COURT ON HABEAS CORPUS APPEAL, DUE TO EXTRAORDINARY CIRCUMSTANCES, HAS UNCOVERED BY EXPERIENCE, THE DETRIMENTAL FAILURES OF A PARTICULAR JUDICIAL DOCTRINE. SUBSTANTIVE DUE PROCESS HAS SO UTTERLY ALTERED THE VITAL PRINCIPLES OF OUR POLITICAL SYSTEM, IT HAS REDDED THE INTEGRITY OF LAW INOPERATIVE AND ARBITRARY. FIVE QUESTIONS ARISE FROM THIS OUTCOME THAT WARRANT THIS COURT'S REVIEW.

1. HAS SUBSTANTIVE DUE PROCESS AS A JUDICIAL DOCTRINE, WITH AMELIORATING STATUTES OVER TIME, SO ALTERED THE VITAL PRINCIPLES OF OUR POLITICAL SYSTEM, FULFILLING THE CAVEAT OF JOHN DICKINSON, JUNE 6, 1787, AT THE FEDERAL CONVENTION, EXCLUDING THE STATE GOVERNMENTS FROM THEIR PROPER AGENCY?

2. DOES THE CONSTITUTION OF THE UNITED STATES, I.E., THE MANIFEST TENOR OF THE INSTRUMENT, CREATE A SYSTEM AS THAT ARTICULATED BY ALEXANDER HAMILTON IN FEDERALIST # 28, PARAGRAPH 7, SAYING: "POWER BEING ALMOST ALWAYS THE TOTAL

QUESTIONS PRESENTED

2. - "OF POWER," THAT THE STATE GOVERNMENTS SHOULD STAND AS SENTINELS,
OR AS "OBSTACLES TO USURPATION AND THE FACILITIES OF RESISTANCE," AGAINST
THE CENTRAL AUTHORITY?
3. HAS THE DOCTRINES OF SUBSTANTIVE DUE PROCESS AND INCORPORATION OF THE
BILL OF RIGHTS, SO DISTORTED THE COMPOSITION AND STRUCTURE OF THE GOV-
ERNMENT AS ORIGINALLY DESIGNED, REMOVING THE ABILITY OF THE STATE CON-
FERMENTS PRACTICALLY TO FULFILL THE OBLIGATIONS OF PROTECTIVE FEDERALISM,
VIOLATING THE ARTICLE IV, SECTION 4 GUARANTEE TO A REPUBLICAN FORM
OF GOVERNMENT, AS DEFINED BY JAMES MADISON IN FEDERALIST* 39.
4. HAS SUBSTANTIVE DUE PROCESS EMPOWERED FEDERAL JUDGES TO A DEGREE,
INFLUENCING BUREAUCRATIC OFFICERS (STATE AND FEDERAL), IN A MANNER SIMI-
LAR TO THE LORDS AND NOBLES OF THE EUROPEAN MONARCHIES, DISTORTING THEIR
LOYALTY FROM THE RULE OF LAW, TO CARRY OUT THE WILL OF THE JUDICATURE,
OR PRINCE?
5. SHOULD THE CERTIORARI POOL, CONTROLLED BY THE CLERKS OF THIS U.S. SUP.
CT. BE REORGANIZED, TO PREVENT THE TYPE OF PREJUDICE AND CENSORSHIP
EXPERIENCED BY PETITIONER IN THIS CASE, AND OTHERS FILED BY WADE LAY?

LIST OF PARTIES

APPELLANT/PETITIONER, WADE GREENE LAY, AND RHONDA KEMP (SISTER

HAVING POWER OF ATTORNEY, AND HAS AND WILL ACT AS "NEXT FRIEND" (IF NEEDED);

OKLAHOMA DEPARTMENT OF CORRECTIONS; W.R. ALBARKH (DIR. O.D.C.), OKLA-

HOMA STATE PENITENTIARY; TERRY ROYAL (WARDEN AT O.S.P.); JERRY PERRY

(H-UNIT WGR. AT O.S.P.).

PARTIES OF INTEREST

FEDERAL PUBLIC DEFENDER (OKC-WESTERN DISTRICT) (SUSAN OTTO - DIRECTOR),

PATTI CHERZI (ASST. F.P.D.), SARAH JENNIGAN (ASST. F.P.D.); LISA NESBITT

(CLERK U.S. SUP. CT.); AND ELIZABETH SHOMAKER (CLERK 10TH CIRCUIT COURT);

PHIL LOMBARDI (CLERK U.S.D.C. N.D./OK) (RETIRED).

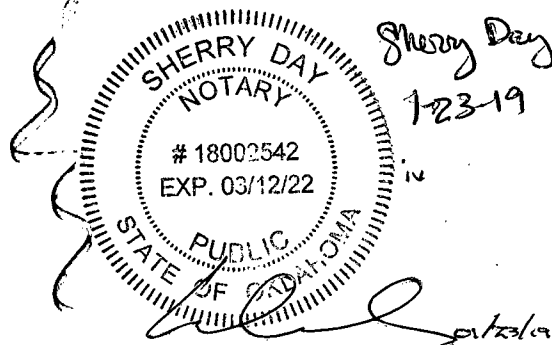


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TABLE OF AUTHORITIES

UNITED STATES SUPREME COURT:

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Citizens United v. Federal Election Commission, 558 U.S. _____ (2010), _____ 35

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FEDERAL CASES:

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Lay V. United States, (LW-18-139-DAW); 18-1035, 10th CIR.; _____ 5, 8
 CERTIORARI IMPLICITLY REJECTED BY REDMOND BRINES (CIR. U.S. SUP. CT.)

Rhonda Kemp V. Royal, (NEXT FRIEND FILED 01/09/2017), _____ 1, 10
 CERTIORARI IMPLICITLY REJECTED BY LISA MESSITT (CIR. U.S. SUP. CT.)

Richard Glossip V. Kevin J. Gross, (LW-14-665-E) _____ 9, 38

STATE CASES:

Lay V. Oklahoma Dept. of Corrections, (LW-2016-113); NO. 116, 213,
 PITTSBURGH COUNTY DIST. COURT; OKLAHOMA SUPREME COURT

Lay V. State, (LW-8-2008-1081),
 OKLAHOMA COURT OF CRIMINAL APPEALS

STATE CASES - APPEAL TO OKLAHOMA SUP. CT.:

Lay V. Administrative Office of Courts, FILED 01/12/19,
 OKLAHOMA SUPREME COURT

FEDERAL STATUTES:

28 USC § 2101(c) _____

28 USC § 2254 _____

42 USC § 1983 _____

- Supreme Court Rule 11 _____

STATE STATUTESMISCELLANEOUS AUTHORITIES

THE FEDERALIST PAPERS

JAMES MADISON'S NOTES ON DEBATES AT THE FEDERAL CONVENTION

INDEX OF ATTACHMENTS

ATTACHMENT-A

1. ORDER AND JUDGMENT - AUGUST 22, 2018 (10TH CIRCUIT COURT)

THIS ORDER AND JUDGMENT IS COMPLETELY INCOHERENT TO THE FACTS. (SEE OPENING BRIEF, DOC. NOS. 01019987734 AND 01019987735).

ATTACHMENT-B

2. ORDER - JANUARY 31, 2018 (U.S.D.C. W.D. OK.)

THIS ORDER IGNORES THE FACTS PRESENT IN THE PLEADINGS, IN PARTICULAR FRAUDULENT DOCUMENTS CLEARLY SENT BY O.S.P., CONFIRMING LAY'S INABILITY TO DEPEND ON STATE PROCESS TO PAY THE FILING FEE.

EXHIBIT 790-A

3. ORDER - NOVEMBER 16, 2018 (10TH CIRCUIT COURT)

THIS ORDER BY CLERK (CHRIS WOLPERT) IS A VIOLATION OF FEDERAL LAW, I.E., 28 USC § 1915, THE PRISON LITIGATION AND REFORM ACT. THE CLERK ORDERS PETITIONER TO SUBMIT C.F.P. FORMS OUTSIDE OF THE CONGRESSIONAL MANDATE, COMPELLING THE PRISONER TO YIELD TO THE PRISON'S DENIAL OF FUNDAMENTAL RIGHTS,

EXHIBIT 790-B

4. LETTER FROM 10TH CIR. (ELIZABETH SHOMAKER) JANUARY 07, 2019

THIS CASE IS ILLEGITIMATELY FILED. NO SUCH CASE HAS BEEN INVESTIGATED BY WADE LAY

EXHIBIT 790-C

5. ORDER - AUGUST 29, 2018 (10TH CIR. COURT)

EXHIBIT 790-D

6. LEGAL CO-PAY RECEIPT (OKLA. STATE PENITENTIARY)

x

PREFACE TO
PETITION FOR WRIT OF CERTIORARI

PETITIONER, WADE LAY, RESPECTFULLY PETITIONS THIS COURT FOR A WRIT
OF CERTIORARI TO REVIEW THE OPINION RENDERED BY THE UNITED STATES
COURT OF APPEALS FOR THE TENTH CIRCUIT IN *Lay v. O.D.C.* (NO. 18-6024
(10th CIR. 2018), SEE ORDER DATED 08/22/2018.

OPINIONS BELOW

THE DECISION FOR THE U.S. COURT OF APPEALS FOR THE TENTH CIRCUIT DENYING
RELIEF IS FOUND AT *Lay v. O.D.C.* NO. 18-6024, ATTACHED AS ATTACHMENT A. THE
FEDERAL DIST. COURT DECISION DENYING LAY RELIEF IS FOUND AT *Lay v. O.D.C.*,
(CN-17-1224-D), ATTACHED AS ATTACHMENT B.

JURISDICTION

THE TENTH CIRCUIT DENIED RELIEF ON AUGUST 22, 2018. LAY FILED
A TIMELY PETITION FOR REHEARING *en banc*, WHICH THE TENTH CIRCUIT
MISCONSTRUES AS A SECOND PETITION FOR REHEARING, ATTRIBUTING THE MOTION
FOR INJUNCTIVE RELIEF AS A PETITION FOR PANEL REHEARING. (SEE EXHIBIT
190-C). JUSTICE SOTOMAYOR EXTENDED THE TIME TO PETITION FOR CERTIORARI
UNTIL JANUARY 28, 2019. THIS COURT HAS JURISDICTION PURSUANT TO 42
USC § 1983.

STATUTORY PROVISIONS

1. 42 USC § 1983 - THIS STATUTE, ORIGINALLY PASSED BY CONGRESS IN 1871 HAS THE INTENT TO ENFORCE LAWS OF THE UNITED STATES SUPPORTING CONSTITUTIONAL RIGHTS TO CITIZENS OF THE FEDERAL STATES. HOWEVER, FEDERAL JUDGES HAVE DISREGARDED EVERY FACET OF THE RULE OF LAW, UTILIZING STATE ACTORS TO FULFILL AN ILLEGAL WILL FULFILLING A PARTICULAR AGENDA TO CENSOR PETITIONER IN HIS OPINIONS ABOUT THE CONSTITUTION. THE STATUTE IS INOPERATIVE.

2. 28 USC § 2101(C), WITH RULE 11 OF THE SUPREME COURT RULES, ALLOWS FOR AN APPEAL TO THIS COURT BEFORE JUDGMENT IN A UNITED STATES COURT OF APPEALS. PETITIONER IS DENIED THIS LAWFUL RIGHT IN THE PARALLEL CASE *Lay v. United States*, LCN-18-139-RANN; NO. 18-7085

STATUTORY PROVISIONS

2. 10th Cir. 2018, by REDMOND BARNES (CLERK OF U.S. SUP. CT.),

LISA NESBITT BEING A PARTY IN *Gray v. U.S.* MR. BARNES ACTS ON

MISS NESBITT' BEHALF, DENYING LAW THE BENEFIT OF THE LAW AND

SUPREME COURT RULE 11

3. ANTITERRORISM AND EFFECTIVE DEATH PENALTY ACT (AEDPA)

4. 28 OFC § 2254

CONSTITUTIONAL PROVISIONS

1. ARTICLE IV, SECTION 4

2. 14TH ARTICLE OF AMENDMENT

3. ART. 1, SECT. 3, CLAUSE 1

4. ARTICLE VI, CLAUSE 2

5. ARTICLE IV, SECTION 1

6. ARTICLE IV, SECTION 2

7. ARTICLE I, SECT. 8, CLAUSE 18

8. ARTICLE I, SECT. 10, CLAUSE 1-

STATEMENT OF THE CASE

WADE LAY (PETITIONER) FILES THE ABOVE TITLED CASE NOVEMBER 13, 2017, DUE TO OKLAHOMA STATE PENITENTIARY (O.S.P.) PERSISTENTLY INTERFERING WITH HIS HABEAS CORPUS ISSUES. ON SEPTEMBER 14, 2016, OSP CONFISCATES PETITIONER'S HABEAS FILES JUST A FEW WEEKS AFTER LAY SENDS IN FORMER PROSECUTOR'S CERTIFICATION FOR AN EXTRAORDINARY WRIT TO THE U.S. SUP. CT.

ON JANUARY 09, 2017, TULSA ATTORNEY (DANIEL GRAY), FILES PLEADINGS IN TWO CIVIL ACTIONS, *ie., Lay v. Oklahoma Dept. of Corrections*, (LIN-2016-113) FILED IN THE PITTSBURGH COUNTY DIST. COURT; AND *Rhonda Kemp v. Royce*, (NEXT FRIEND FILING), TO THIS SUPREME COURT. IN BOTH ARENAS, IN THE STATE COURT PROCESS, AND THE U.S. SUP. CT., GOVERNMENTAL ACTORS VIOLATE LAW TO PREVENT ADJUDICATION OF THE CLAIMS.

ON SEPTEMBER 25, 2017, JUST NINE DAYS PRIOR TO WADE LAY'S DEADLINE TO SHOW THE OKLAHOMA

FBI

THE INITIAL COMPLAINT IS FILED ON SEPT 21, 2016. ON JAN. 09, 2017, PROOF OF SERVICE TO PARTIES IS FILED BY Hired COUNSEL. THE CASE IS APPEALED TO THE U.S. SUP. CT., (NO. 116,213). THE STATE SUP. CT. DISMISSES THE CASE DUE TO LACK OF PROOF OF SERVICE TO PARTIES. / 2) SEE MULTIPLE LETTERS TO SCOTT HARRIS, ADMINISTRATIVE OFFICE OF COURTS; ADMINISTRATIVE ASST. TO C.J. ROBERTS.

SUPREME COURT, PROOF, THE PARTIES WERE SERVED MULTIPLE TIMES; AFTER DENYING

LAY NOTARY & COPIES FOR 17 DAYS, O.S.P. TAKES ALL OF WADE LAY'S PROPERTY (LEGAL AND PERSONAL), UNDER A BOGUS PREHEARING DETENTION, PREDICATED ON FALSE CHARGES OF MISCONDUCT.

THIS ACTION RESULTS IN THE NOVEMBER 13, 2017 FILING OF *Lay v. O.D.C.*, (CIV-17-1224-D); NO.

18-6024 (10TH CIR. 2018); CERTIORARI NO. 18-A404. (THE ABOVE TITLED CASE).

LEGAL ARGUMENTS

IN LAY'S OPENING BRIEF TO THE TENTH CIRCUIT COURT OF APPEALS, HE WRITES:

"IT IS THE PUBLIC WHO SUFFERS WHEN AN AGENCY AND ITS DEPARTMENT OF CORRECTIONS ARE SO FAR OUTSIDE A LAWFUL ADMINISTRATION.... TO IGNORE SUCH CORRUPTION WITHIN THE STATE ENTITY GIVES THE IMPRESSION, A CORRUPT INSTITUTION SERVES A PARALLEL PURPOSE." PETITIONER IS REFERRING TO THE PURPOSEFUL INATTENTIVE

NEGLECT OF THE U.S. DISTRICT COURTS IN OKLAHOMA, IN PARTICULAR, THE UNITED STATES DISTRICT

COURT FOR THE WESTERN DIST. OF OKLAHOMA (U.S.D.C. W.D./OK.). HOWEVER, DUE TO PAST EXPERIENCE,

F.W.

* OKLAHOMA STATE PENITENTIARY (O.S.P.) / 2) O.S.P. DENIES C.F.P., IN VARIOUS WAYS WITHHOLDING CERTIFICATION AND PRODUCING FRAUDULENT DOCUMENTS. (SEE PKT** 10 & 15, AND 16 - 29). / 3) SEE DOC. NO. 01019487134, PG# 29-30, LAY'S 30 PG. OPENING BRIEF IN THIS CASE.

PETITIONER AS APPELLANT KNEW THE 10TH CIRCUIT APPEAL WAS MERELY A LEGAL STEPPING

STONE TO APPROACH THIS COURT. ⁴ EACH U.S. COURT IS WELL AWARE OF THE PRISON'S MALFEASANCE ¹

TO SERVE AS AN EXEMPLARY SPECIMEN OF A BROAD PATTERN OF BEHAVIOR IN THE SUBORD-

INATE COURTS OF THE UNITED STATES EXERCISING AUTHORITY OVER THIS JURISDICTION,

PETITIONER PRESENTS THE FOLLOWING DESCRIPTION INDICATIVE OF THE PREJUDICE FOUND IN

ALL FOUR FEDERAL COURTS. (C, U.S.D.C. NO/DK; U.S.P.C. E.D./OK; U.S.D.C. W.D./OK; 10TH CIRCUIT.)

WADE LAY AS APPELLANT, FILES HIS APPEAL IN THIS CASE ON FEBRUARY 13, 2018. HE

FILES THE 30 PAGE OPENING BRIEF ON MAY 2, 2018, ANTICIPATING A QUICK RESPONSE

SIMILAR TO THE MULTIPLE JUDGMENTS AND ORDERS FROM THE CIRCUIT COURT IN THE PAST,

⁵ SINCE 2012. HOWEVER, THE TENTH CIRCUIT REMAINS SILENT, AFTER SEVERAL PLEADINGS AND

FILE 4 IT IS SO OBVIOUS WITHIN THE PLEADINGS THAT O.S.D. DENIES I.F.P. BY PRODUCING FRAUDULENT DOCUMENTS, AND THE CLAIM THAT THE PLAINTIFF COULD NOT PAY THE FILING FEE THROUGH STATE PROCESS IS TRUE AND ACCURATE. /

FILE 5 PETITIONER APPROACHED THIS COURT ON APPEAL IN *Lay V. O'Lea*, 13-6056; *Lay V. G.D.C.*, 15-7023; *Lay V. Trammell / Warrior*, 15-5067; *Lay V. O'Man*; *Lay V. G.T.H.*; THE ABOVE TITLED CASE; AND *Lay V. United States*, 15-7035. ON DOZENS OF OCCASIONS, THE TENTH CIRCUIT IN EVERY CASE, DENIES TO WADE LAY THE REMEDIAL AVAILABILITY OF THE LAWS AND CONSTITUTION OF THE UNITED STATES. IT IS FLAGRANT. (SEE Dkt. NO. 15-1996-261 FOR MOTION TO CONSOLIDATE *Lay V. G.D.C.* & *Lay V. G.T.H.*.)

MOTIONS, THE APPEALS COURT FAILS TO RESPOND, FOR THAT REASON, WADE LAY FILES

A MOTION FOR INJUNCTIVE RELIEF PURSUANT TO FED. R. CIV. P. 62 (g)(1), ON AUGUST

22, 2018, DUE TO REPEATED ACTIONS BY O.S.P., DUPLICATING THE MALFEASANCE COMPLAINT

MAINTAINED ABOUT IN THE ORIGINAL COMPLAINT IN THE U.D. COURT, (SEE DOC NO. 010110043289

& DOC. NO. 010110043290).

PETITIONER BELIEVES FACTUAL EVIDENCE IS PRESENT, UPON THE PUBLIC RECORD SUPPORTING

THE CLAIM THAT, PLEADINGS AND MOTIONS GIVEN TO O.S.P. LAW CLERK ARE FORWARDED

TO THE CLERK OF THE RULING FEDERAL COURT, AND TO THE FEDERAL PUBLIC DEFENDER

(SUSAN OTTO - P.R., WESTERN DIST., O.K.). PETITIONER IN THIS INSTANCE GIVES HIS MOTION

FOR INJUNCTIVE RELIEF TO O.S.P. LAW CLERK ON AUG. 22, 2018. THE TENTH CIRCUIT COURT

AFTER HOLDING THE CASE FOR SIX MONTHS, FAILING TO RESPOND TO MULTIPLE PLEADINGS,

SUDDENLY DISMISSES THE CASE, DENYING C.F.P., WHICH SUCH C.F.P. APPLICATION WAS SUBMITTED

END

*) ON AUG. 22, 2018, THE VERY SAME DAY, JUST AS ON JULY 19, 2018, LAY SUBMITS HIS CONSTITUTIONAL CHALLENGE
FOR FILING, THE U.S.D.C. E.D. O.K., DISMISSES LAY V. United States, 18-139-RAW.

IN MARCH OF 2018, AND O.S.P. DEDUCTS 20% OFF OF LAY'S TRUST FUND ACCOUNT,

AMOUNTING TO \$ 284.45, ON 08/22/2018, AT THE TIME OF DISMISSAL.

THE APPEAL IS DISMISSED AUGUST 22, 2018, BUT LAY DOES NOT RECEIVE NOTICE

UNTIL THE 29TH, SUBSEQUENTLY PETITIONING THE CIRCUIT COURT FOR REHEARING

IMMEDIATELY. PETITIONER DISCOVERS THAT O.S.P. VIOLATES FUNDAMENTAL LAWS,

ONLY MAILING ENVELOPE 1 OF 2 ENVELOPES FILED ON THE 22ND OF AUGUST, 2018, I.E.,

MADE LAY'S MOTION FOR INJUNCTIVE RELIEF, ENVELOPE # 2 IS NOT RECEIVED BY THE

TENTH CIRCUIT COURT. SO LAY SENDS PROOF OF THIS VIOLATION IN HIS PETITION FOR

REHEARING EN BANC, BUT THE TENTH CIRCUIT COURT ILLEGITLY DESIGNATES THE MOTION

FOR INJUNCTIVE RELIEF, FILED AT O.S.P. ON THE 22ND OF AUGUST, 2018, AS A PETITION

FOR REHEARING ON THE 29TH, PRIOR TO LAY EVEN BEING AWARE COGNITIVELY OF THE

DISMISSAL OF THE CASE. THEREFORE, THE CIRCUIT COURT REJECTS THE PETITION FOR

END

* O.S.P. ALSO REMOVES THE EXHIBITS IN THIS PLEADING, SEE, 101-A, B, & C, SEE DOC NOS. 010110050760, 010110050761.

SEE ALSO EXHIBIT 190-D.

REARRING, WHICH LIKE THE MOTION FOR INJUNCTIVE RELIEF, AND LIKEN TO THE OPENING

BRIEF FILED IN MAY OF 2018, CONTAINS A LARGE CACHE OF DOCUMENTARY EVIDENCE

OF EXTREME MISMANAGING BY O.S.P. VIOLATING FUNDAMENTAL RIGHTS. YET *key* ✓

O.D.C., 18-6024, IS DISMISSED AS FRIVOLOUS BY THE TENTH CIRCUIT.

THIS IS ONE OF DOZENS OF EXAMPLES OF SUBTERFUGE THAT HAS OCCURRED IN THIS CASE,

SUCH AS THE U.S.D.C. W.D. /OK/ CONSPIRING WITH PRISON OFFICIALS, WHOM ALLOCATE TRUST

FUND EXPENDITURES ILLEGALLY, ACQUIRING \$400⁰⁰ WITH STEALTH AND DECEIT FRAUDULENTLY

SENDING \$400⁰⁰ TO THE W.D. COURT ON 10/22/2018, COLLABORATING WITH U.S. MAGISTRATE

BERNARD JONES TO SUBVERT PETITIONER'S EFFORTS IN THIS CERTIORARI FILING. (SEE OXY # 41-

50, *key* ✓ O.D.C., (CV-17-1224-D), *key* ✓ THE ABOVE FILED CASE). W.D. COURT WILL NOT PROVIDE

DOCUMENTATION REQUESTED IN THIS MATTER

F.N.

* PETITIONER SEND TWO SUBMISSIONS OF A SUPPLEMENTAL BRIEF TO THIS U.S. SUP. CT. THE FIRST, *Redmond*

BARNES RETURNS AS A CASE IN *key* ✓ U.S.; IN THE SECOND, *Lisa Nesbitt* FAILS TO RESPOND

ALTOGETHER, THE BRIEF DESCRIBES THIS SITUATION IN GREAT DETAIL.

THE UNITED STATES DISTRICT COURTS IN OKLAHOMA, AND THE TENTH CIRCUIT COURT OF APPEALS HAVE JOINED IN A CONSPIRACY TO DENY WADE LAY ACCESS TO THE JUSTICES OF THIS COURT. AFTER THE FLAGRANT MISMANAGEMENT OF *Lay v. O.D.C.*, 17-1224-D, THE TENTH CIRCUIT, IGNORING FACTUAL EVIDENCE OF DENIAL OF *i.f.p.*, BY O.S.P. WITH & FRAUDULENT DOCUMENTS, (SEE DKT# 10 & 15). THE OFFENSE REOCCURS IN THE CASE *Lay v. United States*, 18-139-RAW; 18-7035, WHEN LAY NEEDS *i.f.p.* TO PROSECUTE THE APPEAL, O.S.P. REFUSES TO PROVIDE *i.f.p.* CERTIFICATION. CHRIS WOLPERT (CLERK OF 10TH CIR.), AFTER THE 10TH CIRCUIT REFUSES TO ADJUDICATE WADE LAY'S MOTION TO STAY THE PROCEEDINGS PURSUANT TO RULE 11, AND 28 U.S.C. § 2101 (e), COINCIDING WITH REDMUND BARNES REFUSING TO ACKNOWLEDGE LAY'S PETITION IN *Lay v. U.S.*, UNDER RULE 11, THE TENTH CIRCUIT ATTEMPTS TO COMPEL LAY TO CIRCUMVENT THE *i.f.p.* REQUIREMENT UNDER 28 U.S.C. § 1915, F.N. & SEE DKT# 10 & 15 OF 17-1224-D; AND *Lay's* OPENING BRIEF, DOC. NO. 01019987135, AT PAGES 8-31, A DETAILED DELINEATION PROVES O.S.P. DEPRIVES LAY *i.f.p.* CERTIFICATION.

AND SUBMIT AN INCOMPLETE SET OF ⁶ LAY FORMS, RATHER THAN THE 10TH CIRCUIT ACKNOW-

LEDGING THE EXISTENCE OF AN ELEMENT OF THE MALFEASANCE CAUSING THE APPEAL

Lay v. O.D.C., 18-6024, NOW PENDING IN THIS COURT. THIS IS THE PARALLEL PURPOSE

THAT IS ILLICIT, NOW APPEALED, ¹ ~~12~~ CERTIORARI 18-1404.

THIS SAME TYPE OF SUBTERFUGE IS EXHIBITED BY THE W.D. COURT, AND THE 10TH CIR-

CUIT COURT IN *Richard Glossip v. Kevin J. Gross*, (CV-14-665-F), WHEN LAY FILES A

NOTICE OF APPEAL TO THE W.D. COURT PURSUANT TO ⁷ Supreme Court Rule 18, "APPEAL FROM

A UNITED STATES DISTRICT COURT" THE W.D. COURT SENDS THE NOTICE TO THE TENTH CIRCUIT

COURT UNDER THE TITLE ⁸ *Lay v. Andrew*, WITH A CASE NO. 19-6002. THIS IS A CAPITAL

CASE, WHERE WADE LAY BY ORDER OF THE W.D. COURT (DKT* 260), IS A PARTY, AS

TERMED: "ANY OTHER CONDEMNED PRISONER[.]" YET IS WITHOUT COUNSEL, AS IT IS WADE

F.N.3

6) SEE THE ORDER OF THE 10TH CIR. COURT CHRIS WOLPERT DATED NOV. 16, 2018, (EXHIBIT 190-A). / 7) SEE DKT*

266 OF *Glossip v. Gross*, 14-665-F. / 8) SEE EXHIBIT 190-B. YET WADE LAY HAS NOT FILED A CASE

WITH PARTIES: "WADE LAY" OR SOMEONE NAMED "ANDREW".

LAY HAS SEPERATED FROM ANY ASSISTANCE OF THE FEDERAL PUBLIC DEFENDER (OKC-

SUSAN OTTO, DIRECTOR).

THE W.D. COURT HAS FILED A CASE, *ex. Lucy V. Andrew*, IN THE 10TH CIRCUIT COURT,

WITHOUT PETITIONERS KNOWLEDGE, APPROVAL, OR SIGNATORY VERIFICATION. SIMILAR

TO LISA NESBITT'S MISHANDLING OF (NEXT FRIEND) *Rhonda Kemp V. Terry Royal*,

FILED ON JAN. 09, 2017; MISS NESBITT ATTRIBUTES THAT CIVIL ACTION TO *Wade Lay*

V. Terry Royal, (CIV-08-617-TCK-PJC); NO. 15-5111 (10TH CIR. 2015), FILED BY THE

GOVERNMENT LAWYERS WHO CAUSED THE IMPEDIMENT TO FILING A HABEAS APPEAL. (SEE

LAY'S MOTION FOR INJUNCTIVE RELIEF, 18-6024, FILED IN THIS CASE TO THE 10TH CIR. COURT,

DOC. NO. 010110043289, AND 010110043290). *Kemp V. Royal*, ADDRESSES THE ILLEGALITY OF

E.N.

9) IF JUSTICE SOTOMAYOR WILL VIEW PC⁹ 10-12, SHE CAN SEE EVIDENCE IS PRESENT, FILED IN THIS CASE, THAT WADE LAY (PETITIONER) DID NOT FILE THE *McFarland* MOTION INSTIGATING HIS HABEAS CORPUS APPEAL, BUT RATHER THAT ACTION WAS PROMULGATED BY PHIL LOMBARDI (CLERK OF THE U.S.D.C. N.D./OK.), AND PATTI CHEZZI (ASSY. FEDERAL PUBLIC DEFENDER, OKC, OKLA., WESTERN DIST., SUSAN OTTO- DIR.).

Law V. Royal, FILED BY FEDERAL ACTORS!

PETITIONER COULD SAY, THIS IS A SMALL PORTION OF THE ABUNDANT MASS OF EXAMPLES,
THE PROVERBIAL "TIP OF THE ICEBURG", BUT THIS IS BUT A TIP OF THE ICEBURG IN
WHICH, THE GLACIER IT WAS ATTACHED IS THE REPRESENTATIVE MASS, OR THE
WHOLE; BEING CHARACTERISTIC OF THE CUSTOMARY ACTIONS OF THIS ENTIRE BUREAU-
CRATIC ENDEAVOR, STARTING IN 2008 WITH OKLA. INDIGENT DEFENSE SYSTEM (O.I.D.S.),
JAMES MADISON PRODUCES AN ADEQUATE CAVEAT IN HIS REPORT ON THE ALIEN AND
SEDITION ACTS, ACCURATELY DESCRIBING THE PAST ABUSES OF A POWER EXERCISED
BY THE MONARCHS OF EUROPE IDENTICAL TO SUBSTANTIVE DUE PROCESS PROFFERED
AS A JUDICIAL DOCTRINE, BUT IS IN REALITY AN EXPANSION OF NATIONAL POWERS
THAT ARE NOT GRANTED. MADISON PREDICTS THE OUTCOME, ONE COULD SAY PROPHETICALLY, SAYING:
"THAT THE GENERAL ASSEMBLY DOOTH ALSO EXPRESS ITS DEEP REGRET, THAT A SPIRIT

6. N.Y.
10) THE MONARCHS OF EUROPE UTILIZED THEIR BUREAUCRACY, OR PLACEMEN IN THE SAME MANNER AS
WHAT HAS OCCURRED IN THIS INSTANT CASE.

" HAS, IN SUNDRY INSTANCES, BEEN MANIFESTED BY THE FEDERAL GOVERNMENT, TO ENLARGE ITS POWERS BY FORCED CONSTRUCTIONS OF THE CONSTITUTIONAL CHARTER WHICH DEFINES THEM; AND THAT INDICATIONS HAVE APPEARED OF A DESIGN TO EXPOUND CERTAIN GENERAL PHRASES (WHICH HAVE BEEN COPIED FROM THE VERY LIMITED GRANT OF POWERS IN THE FORMER ARTICLES OF CONFEDERATION, WERE THE LESS LIABLE TO BE MISCONSTRUED) SO AS TO DESTROY THE MEANING AND EFFECT OF THE PARTICULAR ENUMERATION WHICH NECESSARILY EXPLAINS AND LIMITS THE GENERAL PHRASES, AND SO AS TO CONSOLIDATE THE STATES, BY DEGREES, INTO ONE SOVEREIGNTY, THE OBVIOUS TENDENCY AND INEVITABLE RESULT OF WHICH WOULD BE TO TRANSFORM THE PRESENT REPUBLICAN SYSTEM OF THE UNITED STATES INTO AN ABSOLUTE, OR AT BEST A MIXED MONARCHY. "

MADISON HERE DESCRIBES A SPIRIT, OR INCLINATION, A DESIGN AND ITS SUBSEQUENT EFFECTS, WITH THE "INEVITABLE RESULT", I.E., "TO TRANSFORM THE PRESENT REPUBLICAN SYSTEM", INTO, WHAT MADISON CALLS A "MIXED MONARCHY." OVER TIME BY DEGREES, THE EXTREMITIES OF A CIVIL WAR, MADISON'S PROGNOSIS OR FOREWARNING IS INCREDIBLY ACCURATE, THE ADVERSE CONDITIONS OF THE CAVEAT HAVE BECOME REALITY.

A THOROUGH ANALYSIS IS BEYOND THE SCOPE OF THIS PETITION, BUT THE BASIC

CHARACTERISTICS OF A MONARCHY, AS DEFINED BY THE FOUNDING GENER-

ATION, IS BOTH THE STANDARD OF COMPARISON, AND THE CRITERION UPON

WHICH THE ARTICLE IV, SECTION 4 GUARANTEE TO A REPUBLICAN

FORM SHOULD BE JUDGED. IN THE SAME MANNER AS MADISON JUST-

IFIES THE RESISTANCE OF 1798, THE RESPONSIBILITIES OF THE STATE

GOVERNMENTS, UNDER THE U.S. CONSTITUTION REMAINS. MADISON DECLARES:

"A FAIR COMPARISON OF THE POLITICAL DOCTRINES NOT UNFREQUENT AT THE PRESENT DAY, WITH THOSE WHICH CHARACTERIZED THE EPOCH OF OUR REVOLUTION, AND WHICH FORM THE BASIS OF OUR REPUBLICAN CONSTITUTIONS, WILL BEST DETERMINE WHETHER THE DECLATORY RECURRENCE HERE MADE TO THOSE PRINCIPLES OUGHT TO BE VIEWED AS UNSEASONABLE AND IMPROPER, OR AS A VIGILANT DISCHARGE OF AN IMPORTANT DUTY."

THEREFORE, THE SPIRIT, DESIGN, AND RESULT, OF AN ENCROACHMENT BY

THE CENTRAL AUTHORITY, IS ACCORDING TO THE FRAMERS, BY DECLARATION

5.00

1) ALTHOUGH THIS COURT HAS CHARACTERIZED ART. IV, SECT. 4 AS A POLITICAL QUESTION, THE POLITICAL QUESTION ALLOWING SPECIFIC CONDITIONS, IS A CONSTITUTIONAL MATTER DEMANDING DEFINITION, TO REMEDY THE MALADY.

AND EXAMPLE, A MATTER TO BE DEFINED AND WITHSTOOD, BY THE STATES
 IN THEIR SOVEREIGN CAPACITY, AS DETERMINED BY THE CONSTITUTION. HOW-
 EVER, THROUGH CONSTRUCTIVE POWERS, AS UNRAVELLED BY MADISON, AFTER
 THE CIVIL WAR, THROUGH AHEADS OF THE 14TH AMENDMENT, THE SUPREME
 COURT OF THE UNITED STATES TRANSFORMED A LIMITED CONSTITUTION INTO AN UN-
 CHARTERED GOVERNMENT THAT MAY RULE IN ALL CASES WHATSOEVER.

THE CHARACTERISTICS OF A MONARCHY HAVE PREVAILED, AS FORESEEN BY

MADISON AND DEFINED BY HIM, THE DEFINITION IS SIMPLE. MADISON WRITES:¹²

"TO CONSOLIDATE THE STATES INTO ONE SOVEREIGNTY NOTHING MORE CAN
 BE WANTED THAN TO SUPERSEDE THEIR RESPECTIVE SOVEREIGNTIES, IN
 THE CASES RESERVED TO THEM, BY EXTENDING THE SOVEREIGNTY OF THE
 UNITED STATES TO ALL CASES OF THE 'GENERAL WELFARE' - THAT IS TO
 SAY, TO ALL CASES WHATSOEVER."

F.N.A.

12) SEE MADISON'S REPORT ON THE ALIEN AND SEDITION ACTS. THIS DESCRIBES THE AEDPA PERFECTLY.

THIS DISTINCTION DOES NOT REFER TO INCIDENTAL POWERS, RATHER TO
FUNDAMENTAL ATTRIBUTES THAT ARE CONSISTENT WITH SOVEREIGN
GOVERNMENTS, AS THAT DESCRIBED IN ITS CONSTITUTIONAL FORMULATION
BY MADISON IN FEDERALIST ~~NO~~ 39 & 51. MADISON SEPERATES THE BASIC
DISTINCTIONS OF A MONARCHY AND A REPUBLIC, AND THIS IS SETTLED BY AND WITH
THE TWO VERY UNIQUE POOLS OF FINANCIAL STABILITY, AND THE FOUNTAIN
FROM WHICH IT SPRINGS FORTH WITHIN EACH SYSTEM.

IN THE FIRST INSTANCE HE SAYS: "NO HEREDITARY OR SELF-APPOINTED AUTHORITY",
SUCH AS A MONARCH, OR IN MODERN TIMES A DICTATORSHIP, OR EMPIRE SUCH AS
CHINA, WILL BEAR SPECIFIC ATTRIBUTES. EVERY LEADER, OR GOVERNMENTAL
POWER SEEKS TO GIVE THE APPEARANCE OF A BENEDICT FORCE DIRECTED

E.M.

* SUCH AS THE INDEPENDENT DISCRETION OF ARTICLE VI, CLAUSE 2, PREVENTING THE
ENCROACHMENT BY CONGRESS WITH 28 USC § 2254 (d) (1 & 2), THAT HAS BEEN SANCTIONED
BY THE U.S. SUPREME COURT.

TOWARDS NATIONAL SECURITY AND THE ADVANCEMENT OF PRIVATE RIGHTS; BUT IN

EVERY FORM OF GOVERNMENT FACTIONS PREVAIL AND ASSUME CONTROL OVER

THE FORMS ESTABLISHED. IN ANY FORM OF GOVERNMENT, AS IN THE SECOND INSTANCE,

(I.E., REPUBLICAN FORM), IT IS THE PROPERTY INTEREST, (I.E., THE DOMINATE CONTROL OVER

CORPORATIONS THAT CAUSES FACTIONS TO COALESCE AROUND WHATEVER SOURCE OF FINANCIAL

STRENGTH THAT PREVAILS.

IN THE BRITISH MONARCHY, IT WAS THE CROWN AND HIS NOBLES, THAT THIS POWER WAS

ENTRUSTED; IN THE UNITED STATES, IT IS THE STATE LEGISLATURES, AND THE SUPREMACY

13

OF LAW AS DICTATED BY THE CONSTITUTION OF THE U.S., THAT CARRIES THIS BANNER OF COUNTER-

BALANCING POWERS. MADISON ATTRIBUTES THIS FOUNDATIONAL^{FINANCIAL} STABILITY, LIKE THE REST OF THE

FRAMERS, AS THE MEANS TO SECURE ALL OTHER RIGHTS, POLITICAL AND PRIVATE. HE STATES:

F.N.

(3) THIS STANDARD IS SUBDIVIDED INTO SEPERATE SPHERES INITIALLY, THEN DIVIDED INTO "SEVERAL DESCRIPTIONS OF CAUSES", (SEE FED. # 80, PAR. 2), OF WHICH LIMITATIONS ARE ASCRIBED.

" THIS VIEW OF THE SUBJECT MUST PARTICULARLY RECOMMEND A PROPER FEDERAL SYSTEM TO ALL THE SINCERE AND CONSIDERATE FRIENDS OF REPUBLICAN GOVERNMENT, SINCE IT SHOWS IN EXACT PROPORTION AS THE TERRITORY OF THE UNION MAY BE FORMED INTO MORE CIRCUMSCRIBED CONFEDERACIES, OR STATES, OPPRESSIVE COMBINATIONS OF A MAJORITY WILL BE FACILITATED; THE BEST SECURITY, UNDER THE REPUBLICAN FORMS, FOR THE RIGHTS OF EVERY CLASS OF CITIZENS, WILL BE DIMINISHED; AND CONSEQUENTLY THE STABILITY AND INDEPENDENCE OF SOME MEMBER
¹⁴
OF THE GOVERNMENT, THE ONLY OTHER SECURITY, MUST BE PROPORTIONALLY INCREASED. " (EMPHASIS ADDED).

HERE, AS DETERMINED FIRST BY THE FRAMERS AT THE FEDERAL CONVENTION, NOW BEING ANALYSED AND EXPLAINED BY HAMILTON AND MADISON, THAT FOUNDATIONAL FOUNTAINHEAD, ¹² THE FORMER POWER OF THE CROWN AND HIS NOBLES, THAT ECONOMIC FORCE IS FRAGMENTED AND DIFFUSED INTO
¹² THE SEVERAL STATE LEGISLATURES.
 POLITICAL BODIES ELECTED BY THE PEOPLE OF EACH STATE, THE FORMER POWERS OF WEALTH, DOMINATING THROUGH VARIOUS FORMS OF PREROGATIVE,

END.

(14) THAT MEMBER IS THE STATE LEGISLATIVE PRESENCE IN THE NATIONAL COUNCILS: ART. I, SECT. 3, CL. 1; ART. VI, CL. 2.

PATRONAGE AND PRIVILEGE, IS BROKEN INTO PARTS BEYOND ANY

FEASIBLE COMPREHENSION OR DESIGN OF CONSOLIDATION. YET AFTER

THE CIVIL WAR IT IS SO EASY TO DETECT, THAT THE U.S. SUP. CT. THROUGH MEANS

OF CONSTRUCTIVE POWERS, IE, THE DOCTRINE OF SUBSTANTIVE DUE PROCESS PROVIDED

BY THE 14TH AMENDMENT, DISMANTLES THE PEREMPTORY WHOLE OF THE CONSTITUTION,

OR TO SAY, "THE MANIFEST TENOR OF THE INSTRUMENT."

THE CONSTITUTION OF THE UNITED STATES, IS, WHAT JEFFERSON DIRECTLY REFERS

TO IN THE DECLARATION OF INDEPENDENCE, WHEN HE STATES:

"PRUDENCE, INDEED, WILL DICTATE THAT GOVERNMENTS LONG ESTABLISHED SHOULD NOT BE CHANGED FOR LIGHT AND TRANSIENT CAUSES; AND ACCORDINGLY ALL EXPERIENCE HATH SHOWN, THAT MANKIND ARE MORE DISPOSED TO SUFFER, WHILE EVILS ARE SUFFERABLE, THAN TO RIGHT THEMSELVES BY ABOLISHING THE FORMS TO WHICH THEY ARE ACCUSTOMED. BUT WHEN A LONG TRAIN OF ABUSES AND USURPATIONS, PURSUING INVARIABLY THE SAME OBJECT, EVINCES A DESIGN TO REDUCE

"THEM UNDER ABSOLUTE DESPOTISM, IT IS THEIR RIGHT, IT IS THEIR DUTY, TO THROW OFF SUCH GOVERNMENT, AND TO provide new guards for their future security." (EMPHASIS ADDED).

THE NEW GUARDS FOR THEIR FUTURE, IS OUR PRESENT¹. IT IS WITHIN THE ORIGINAL CONSTRUCT, THAT A SYSTEM IS FASHIONED, OF WHICH, THE DOCTRINE OF SUBSTANTIVE DUE PROCESS, SUPPORTED BY ANNELICATING STATUTORY ADVANCEMENTS, ^{IF} USURPATIONS PURSUING INVARIABLY A PARTICULAR OBJECT, HAS ELIMINATED "THE COMPOSITION AND STRUCTURE OF THE GOVERNMENT," AS ARTICULATED BY HAMILTON, WHICH SERVES TO RESTRAIN, ^{IS} "THE DANGER OF USURPATION" (SEE FEDERALIST³¹, PAR. 11).

IRREGARDLESS OF ANY CLAIMS OF ABUNDANT LIFE, OR MISCONCEPTIONS OF LIBERTY, THAT IS IN REALITY, A COMPLIANT DISPOSITION TO AN ESTABLISHED ORDER, WHEREBY, FOR THE SAKE OF THE INDIVIDUALS' ^{OWN} MORALITY, IT IS A "DISPOS[ITION]" TO SUFFER, WHILE EVILS ARE

F. 18

15) THIS FORCE IS THE "federalist principle", AS DICTATED BY THE PEREMPTORY WHOLE OF THE CONSTITUTIONAL TEXT.

"SUFFERABLE," RATHER THAN A CONVICTION "TO RIGHT THEMSELVES"; THEY OPERATE

UNDER A DELUSION THAT EASES THE CONSCIENCE, THAT NO SUCH EVIL EXIST. AMERICANS

STAND AT THE PRECIPICE OF OPPRESSION, IGNORING THE BRIDGEHEAD LOSS OF STRUCTURE,

STILL ENJOYING THE VIEW. THEY HAVE FORGOTTEN MADISON'S ADVICE:

"IT IS PROPER TO TAKE ALARM AT THE FIRST EXPERIMENT ON OUR LIBERTIES. WE HOLD THIS PRUDENT JEALOUSY TO BE THE FIRST DUTY OF CITIZENS, AND ONE OF THE NOBLEST CHARACTERISTICS OF THE LATE REVOLUTION. THE FREEMEN OF AMERICA DID NOT WAIT TILL USURPED POWER HAD STRENGTHENED ITSELF BY EXERCISE, AND ENTANGLED THE QUESTION IN PRECEDENTS. THEY SAW ALL THE CONSEQUENCES IN THE PRINCIPLE, AND THEY AVOIDED THE CONSEQUENCES BY DENYING THE PRINCIPLE."

THE ABSENCE OF AUTONOMY IN A STATE JUDGES DISCRETION; THE VACANCY OF THE STATE

LEGISLATURES IN THE APPOINTMENT OF U.S. SENATORS, AND THE ELECTION OF THE PRESIDENT OF

THE U.S.; THE REMOVAL OF A CENSUS, IN THE DIRECT TAX ON INDIVIDUALS; THE NATIONALIZATION

OF THE STATE MILITIAS; COMBINED WITH THE REMOVAL OF THE STATES POWERS OF POLICE

OVER THEIR CORPORATIONS, BY MEANS OF SUBSTANTIVE DUE PROCESS; THESE ARE
 THE POLITICAL AND SOCIAL ELEMENTS CREATING THE INERTIA THAT PRODUCES THE IMPULSE,
 EMPOWERING THE SUBORDINATE FEDERAL JUDICATURES OVER STATE AND FEDERAL
 ACTORS THAT MAKE UP THE BUREAUCRACY. THE STABLE, AND INDEPENDENT MEMBER
 OF THE FEDERAL GOVERNMENT, AS DEFINED BY MADISON IN FEDERALIST # 51, PAR. 10;
 I.E., THE U.S. SENATE, ACCOUNTABLE TO THE STATE LEGISLATURES FOR THEIR APPOINTMENT,
 HAS BEEN TRANSITIONED, AFTER THE CIVIL WAR, PRIMARILY BY THE FORCE AND INFLUENCE
 OF SUBSTANTIVE DUE PROCESS AND CONSTRUCTIVE POWERS, TO THE UNITED STATES
 SUPREME COURT, AND SUBORDINATE COURTS.

THE GOVERNMENT OF THE UNITED STATES HAS "SUPERSEDED" THEIR RESPECTIVE
 SOVEREIGNTIES, [OF THE STATES] IN THE CASES RESERVED TO THEM, BY EXTENDING THE SOVEREIGNTY
 OF THE UNITED STATES¹⁵, VIOLATING THE ARTICLE IV, SECTION 4 GUARANTEE, AND THE TENTH

FALL

(5) SUPPL AT 13 - MADISON'S REPORT ON THE ALIEN AND SEDITION ACTS.

ARTICLE OF AMENDMENT. THE IMMEDIATE UNDERMINING OF THE *federalist*

principle IS COMPREHENDED IN THE 14TH AMENDMENT (Ratified July 9, 1868), THROUGH

CONSTRUCTIVE POWERS THE SPHERE OF NATIONAL AUTHORITY IS ENLARGED, WITH JUDICIAL

DOCTRINES THAT CONTAIN VARIOUS EXCEPTIONS TO POWERS NOT GRANTED.

THESE DOCTRINES ARE SWIFTLY BUTTRESSED BY AMELIORATING STATUTES, THAT,

OVER TIME, AFFECT THE VITAL PRINCIPLES OF OUR POLITICAL SYSTEM; WHICH, UNDERGOING

SEVERAL GENERATIONS OF SOCIETAL DIGESTION, THE PEOPLE CRY OUT TO THE VERY SOURCE

RESPONSIBLE FOR THE INJURY, FOR REMEDIAL RELIEF. — AT THIS TIME, WADE LAY

WILL CITE A LARGE PORTION OF HIS PETITION TO THE OKLAHOMA SUPREME COURT, IT IS AS FOLLOWS:

" THIS IS WHY THE COURTS OF THE UNITED STATES IN OKLAHOMA AND THE TENTH CIRCUIT COURT

HAVE CONSPIRED TO CENSOR WADE LAY. BECAUSE THE TRUTH, ONCE HEARD, SO QUICKLY A-

NIMATES THE SAME VIVACIOUS REALITY AS THAT DESCRIBED BY JEFFERSON, HE SAYS:

" IF ONCE THEY BECOME INATTENTIVE TO THE [ACTUAL] PUBLIC AFFAIRS, YOU AND I AND CO-

NGRESS AND ASSEMBLIES, JUDGES AND GOVERNORS, SHALL BECOME WOLVES. IT SEEMS

" TO BE THE LAW OF OUR GENERAL NATURE, IN SPIKE OF INDIVIDUAL EXCEPTIONS; AND EXPERIENCE DECLARES THAT MAN IS THE ONLY ANIMAL WHICH DEVOURS HIS OWN KIND, FOR I CAN APPLY NO Milder TERMS TO THE GOVERNMENTS OF EUROPE AND TO THE GENERAL PREY OF THE RICH ON THE POOR.' (Jefferson to Carrington, Jan. 16, 1781).

" THIS GOVERNMENT HAS TO THE CONTRARY TURN THE TABLES HAVING ONCE SCATTERED THE FLOCK, THROUGH STRIKING THE SUBORDINATE GOVERNMENTS AT THE HEART, REMOVING THEIR POWERS OF POLICE OVER THEIR CORPORATIONS, FORCIBLY ABDICATING THE PROPERTY INTEREST TO A MODERN DAY NOBILITY, SUBSEQUENTLY RECONSTITUTING THE REPUBLICAN GOVERNMENTS OF THE SEVERAL STATES, REDUCING THEM TO INCORPORATED SERVENTS; THE LONG WOLF EMERGES, AS CHARACTERIZED BY HAMILTON IN FEDERALIST # 28, PARAGRAPH 6. HE WRITES:

" IN A SINGLE STATE, [LIKE THAT WHICH EXIST IN THE UNITED STATES PRESENTLY,] IF THE PERSONS INTRUSTED WITH SUPREME POWER BECOME USURPERS, THE DIFFERENT PARCELS, SUBDIVISIONS, OR DISTRICTS OF WHICH IT CONSISTS, HAVING NO DISTINCT GOVERNMENT IN EACH, CAN TAKE NO REGULAR MEASURES FOR DEFENCE. THE CITIZENS MUST RUSH TUMULTUOUSLY TO ARMS, WITHOUT CONCERT, WITHOUT SYSTEM, WITHOUT RESOURCE; EXCEPT IN THEIR COURAGE AND DISPAIR.

" YET, NOTWITHSTANDING THIS HERITAGE, THE CURRENT GOVERNMENT OF THE UNITED STATES, AFTER STRIPPING THE STATE GOVERNMENTS OF EVERY VESTIGE OF FEDERAL POWER; FROM THEIR POWERS OF POLICE OVER THEIR CORPORATIONS; FROM THEIR EFFECTUAL INFLUENCE OVER ELECTORS OF THE PRESIDENT OF THE UNITED STATES; FROM THEIR APPOINTMENT OF

" UNITED STATES SENATORS; FROM THE CENSUS REQUIREMENT OVER A TAX ON INDIVIDUALS; FROM THEIR EFFECTUAL SECURITY OF MILITIAS, TO THE COMPLETE OPPOSITE SIDE OF THE SCALES. THEREFORE WHEN HAMILTON SAYS:

" THE PEOPLE, [IN SUCH A GOVERNMENT AS THAT REPORTED BY THE CONVENTION,] WITHOUT EXAGGERATION, MAY BE SAID TO BE ENTIRELY THE MASTERS OF THEIR OWN FATE. POWER BEING, ALMOST ALWAYS THE RIVAL OF POWER, THE GENERAL GOVERNMENT WILL AT ALL TIMES STAND READY TO CHECK THE USURPATIONS OF THE STATE GOVERNMENTS, AND THESE WILL HAVE THE SAME DISPOSITION TOWARDS THE GENERAL GOVERNMENT. THE PEOPLE, BY THROWING THEMSELVES INTO EITHER SCALE, WILL INFALLIBLY MAKE IT PREPONDERATE. IF THEIR RIGHTS ARE INVADED BY EITHER, THEY CAN MAKE USE OF THE OTHER AS THE INSTRUMENT OF REDRESS. HOW WISE IT WILL BE IN THEM BY CHERISHING THE UNION TO PRESERVE TO THEMSELVES AN ADVANTAGE THAT CAN NEVER BE TOO HIGHLY PRIZED.

" IT IS EASY TO ASCERTAIN HISTORICALLY, THAT IT IS THE SUPREME COURT OF THE UNITED STATES THAT BEGINS THE TIPPING OF THE SCALES THROUGH THE DOCTRINE OF SUBSTANTIVE DUE PROCESS, AND LIBERTY OF CONTRACT COMMON LAW CONSTRUCTIONS. THE PEOPLE WERE AND COULD BE AGAIN, 'THE MASTERS OF THEIR OWN FATE', BUT THE POWER SHIFT BEGAN IN EARNEST AFTER THE CIVIL WAR. LIBERTY OF CONTRACT FORMS A PERSPECTIVE FOREIGN TO THE CONSTITUTION, AND IS CONTRAINDICATED BY THE FORMER PRECEDENT AND DOCTRINES OF THE ANTEBELLUM COURT; YET, THE COUNTERATTACK, ¹⁶ ~~16~~, THE POST-CIVIL WAR

F.O.B

16) THIS ARTIFICIAL BEING, ~~16~~, THE CORPORATION, MARSHALL SAYS: "DOES NOT SHARE IN THE CIVIL GOVERNMENT OF THE COUNTRY."

(SEE *Partmath College V. Woodward*, 4 WHEAT (17 U.S.) 518 (1819). THE PURPOSE OF THE ^{CIVIL} WAR IS TO TRANSFER THE PERSONIFICATION OF THESE CORPORATE ENTITIES, AND STRIP THE STATE GOVERNMENTS FROM THEIR CONTROL OVER THE PROPERTY INTEREST. (SEE *Tetzel V. Taylor*, 9 CRANCH 43 (1815); *Louisville Railroad V. Letson*, 2 HOW (43 U.S.)...

" AGENDA, THAT IS SO EASILY RECOGNIZABLE, HAVING THE INTENT TO FIRST STRIP THE STATE LEGISLATURES FROM THIS CONTROL, RECONSTITUTING CORPORATIONS FROM BEING CITIZENS OF THE INCORPORATING STATE ONLY, TO CITIZENS OF THE UNITED STATES HAVING RIGHTS UNDER THE 14TH AMENDMENT. THIS RESULTS IN A CRY FROM THE PEOPLE FOR RELIEF. AFTER TWO GENERATIONS PASS, THE PROGRESSIVES TURN TO THE SAME SOURCE THAT CAUSES THE DISTRESS, AND DEMANDS THE EXECUTIVE TO PRESS THE ISSUE. AS ACKNOWLEDGED BY JOHN DICKINSON (DELAWARE), JUNE 2ND, 1787, AT THE FEDERAL CONVENTION, HE SAYS:

" A HOUSE OF NOBLES WAS ESSENTIAL TO SUCH A GOVT. COULD THESE BE CREATED BY A BREATH, OR BY A STROKE OF THE PEN? NO. THEY WERE THE GROWTH OF AGES, AND COULD ONLY ARISE OUT OF A COMPLICATION OF CIRCUMSTANCES NONE OF WHICH EXISTED IN THIS COUNTRY.

" THE NEW POST WAR CONGRESS, AND THE U.S. SUP. CT., THROUGH MEANS OF THE 14TH AMENDMENT CREATES A 'COMPLICATION OF CIRCUMSTANCES'. CORPORATIONS ARE DEEMED A 'PERSON' FOR FEDERAL CONSTITUTIONAL PURPOSES, (SEE *Santa Clara Co. V. Southern Pacific Railroad*, 118 U.S. 394 (1886)), VIEWED NOW AS CITIZENS OF THE UNITED STATES; SUBSEQUENTLY, FAVOR IS PLACED UPON ELITE CORPORATIONS WHILE THE COURT IGNORES THE PROMISES MADE TO FORMER SLAVES. THIS EVENTUALLY CAUSES RESISTANCE TO THE SOCIAL INJUST-

F.N. 4

(16) ... 497 (1844); AND *Santa Clara County V. Southern Pacific Railroad*, 118 U.S. 394 (1886)). STORY IN TELLER STATES: "AT THE REVOLUTION, ALL THE PUBLIC PROPERTY... UNDER THE SANCTION OF THE LAWS, BECAME THE PROPERTY OF THE STATE." THE ARTICLES OF CONFEDERATION, THEN, THE U.S. CONSTITUTION, FRAGMENTS THAT FORMER POWER OF THE NOBILITY, INTO REPUBLICAN BODIES OF THE STATE LEGISLATURES, MAKING A CONSOLIDATION OF THAT POWER AND INTEREST, AN IMPOSSIBILITY.

ICE, CLASS WARFARE RESULTS, AND NATIONAL REGULATORY MEASURES FOLLOW. A LITANY OF AGENCIES SUCH AS: THE Federal Trade Commission (1914); AND National Labor Relations Act (1935), BRINGING INTO BEING THE NECESSITY OF PREROGATIVE AND PRIVILEGE IN THE EXECUTIVE AND FEDERAL COURTS. 'THE GROWTH OF AGES' BEING SO 'BADLY CONSTITUTED', BY A DELIBERATE DESIGN, THROUGH CONSTRUCTIVE POWERS, CREATES OUT FROM THAT GROWTH, WITH A SEMBLANCE OF REASON, A PRETENSE FOR THE ENLARGEMENT OF NATIONALIST POWERS, AND A RESTRUCTURING OF THE SYSTEM BY CONSTITUTIONAL AMENDMENT AND CUSTOMARY PRACTICE.

SO, WHEN HAMILTON SAYS: 'THE PEOPLE, BY THROWING THEMSELVES INTO EITHER SCALE, WILL INFALLIBLY MAKE IT PREPONDERATE.' THIS CONSTITUTIONAL MASTER IS GIVING FORM TO CONSTITUTIONAL THOUGHT, AN EXPRESSION FORMULATED BY MADISON BEFORE THE 1ST CONGRESS JUNE 8, 1789 WHICH BECAME THE 10TH AMENDMENT. THE TEXT READS:

'THE POWERS NOT DELEGATED TO THE UNITED STATES BY THE CONSTITUTION, NOR PROHIBITED BY IT TO THE STATES, ARE RESERVED TO THE STATES RESPECTIVELY, OR TO THE people.'

HEREIN LIES BOTH SCALES, I.E., 'THE FACILITIES OF RESISTANCE', THE MEANS TO PRODUCE THE OBSTACLES TO USURPATION, THAT ARE CONSTITUTIONALLY PROVIDED TO THE PEOPLE. HAMILTON NOTES: 'PROVIDED THE CITIZENS UNDERSTAND THEIR RIGHTS AND ARE DISPOSED TO DEFEND THEM.' THIS IS THE PURPOSE FOR THE ADDED TERM 'OR TO THE people.' IN THE EVENT THE SCALES ARE CORRUPTED, AS THEY ARE PRESENTLY, A GROUP OF INDIVIDUALS, OR A SINGLE CITIZEN, OR A STABLE FACTION, HAS THE RIGHT UNDER THE CONSTITUTION TO CALL UPON THEIR FELLOW COMRADES, I.E., THE CITIZEN MILITIAS THAT HAVE NOT BEEN COMPROMISED BY THE

" NATIONALIST CONTAMINATE, TO DEFEND THEIR RIGHTS, TO PRESERVE AND DEFEND THE CONSTITUTION BY ALTERING OR IF NEEDED BE ' TO THROW OFF SUCH GOVERNMENT ' DISPLAYING A DESIGN TO REDUCE THEM UNDER ABSOLUTE DESPOTISM, AS THIS PRESENT GOVERNMENT HAS DEMONSTRATED.

THIS GOVERNMENT HAS DESTROYED THE ' FACILITIES OF RESISTANCE ' THE CONSTITUTION OF THE UNITED STATES PROVIDES, AND PRESERVES THROUGH MEANS OF STRUCTURE, I.E., THE COUNTERACTING AMBITION ANCHORED IN THE POSSESSIVE CONTROL OVER THE PROPERTY INTEREST. IT IS DUE TO THIS DECEPTIVE SUBSUMING OF STATE SOVEREIGNTY BY THE COURTS OF THE UNITED STATES, THROUGH SUBSTANTIVE DUE PROCESS, AND IN THIS INSTANT CASE, THE REDPA CIRCUMSCRIBES THE AUTONOMY OF STATE COURTS THROUGH 28 USC § 2254(A); THE RESULT BEING, THE DENONIZATION OF A PATRIOTIC CITIZEN OR GROUP OF CITIZENS, AS THOMAS JEFFERSON DECLARES:

' THAT THE GENERAL GOVERNMENT MAY PLACE ANY ACT THEY THINK PROPER ON THE LIST OF CRIMES, & PUNISH IT THEMSELVES, WHETHER ENUMERATED OR NOT ENUMERATED TO THEM BY THE CONSTITUTION AS COGNIZABLE BY THEM '.

" THIS PRESENT DAY GOVERNMENT OF THE UNITED STATES HAS GONE FAR BEYOND THIS POINT OF USURPATION. THE ANTITERRORISM AND EFFECTIVE DEATH PENALTY ACT (AEDPA), THE COURTS OF THE UNITED STATES, BY MEANS OF AN AMELIORATING STATUTE BY CONGRESS, HAS PENETRATED EVEN THAT LIST OF CRIMES COGNIZABLE UNDER STATE LAW, CONTROLLING ' THE OBJECTS OF APPEAL ' THROUGH VARIOUS MEANS.

THIS IS A SOVEREIGN POWER RESERVED TO THE STATES BY THE CONSTITUTION, DECLARED TO BE SO

BY THE 9TH AND 10TH AMENDMENTS, PURSUANT TO ARTICLE VI, CLAUSE 2 OF THE CONSTITUTION. THEREFORE BY AND THROUGH THIS SOPHISTICATION, THIS GOVERNMENT HAS ACHIEVED THE ANIMADVERT STATUS DESCRIBED BY HAMILTON, IN FEDERALIST # 84. HE WARNS OF A MANIPULATION BY THE CENTRAL AUTHORITY OVER THE WRIT OF HABEAS CORPUS, AND THE 'BILL OF RIGHTS OF THE UNION.' SPEAKING ANALYTICALLY OF THIS SAME TYPE OF 'PLAUSIBLE PRETENSE', HAMILTON SAYS: IT IS 'A LESS PUBLIC, A LESS STRIKING, AND THEREFORE A MORE DANGEROUS ENGINE OF ARBITRARY GOVERNMENT.'

AND TO THE REMEDY HAMILTON SAYS:

'HOW MUST THESE MEN OBTAIN THEIR INFORMATION?' [(i.e., TO ADMIT OF A PROPER KNOWLEDGE ON THE PART OF THE CONSTITUENT, OF THE CONDUCT OF THE REPRESENTATIVE BODY.)]...

'THE PUBLIC PAPERS [HE CLAIMS] WILL BE EXPEDITIOUS MESSENGERS OF INTELLIGENCE TO THE MOST REMOTE INHABITANTS OF THE UNION.'

HAMILTON ELABORATES FURTHER SAYING:

'EVIDENTLY [(i.e., ARTICLE IV, SECTIONS 1 & 2) FROM THE COMPLEXION OF PUBLIC MEASURES, FROM THE PUBLIC PRINTS, FROM CORRESPONDENCES WITH THEIR REPRESENTATIVES, AND WITH OTHER PERSONS WHO RESIDE AT THE PLACE OF THEIR DELIBERATIONS. IT IS EQUALLY EVIDENT THAT THE SOURCES OF INFORMATION WILL BE OPEN TO THE PEOPLE IN RELATION TO THE CONDUCT OF THEIR REPRESENTATIVES IN THE GENERAL GOVERNMENT, AND THE IMPEDIMENTS TO A PRO-
MPT COMMUNICATION WHICH DISTANCE MAY BE SUPPOSED TO CREATE, WILL BE OVERBALANCED BY THE EFFECTS OF THE VIGILANCE OF THE STATE GOVERNMENTS.'

IN THIS MODERN ERA, THIS STATEMENT MUST, AND CAN BE Juxtaposed, THE PRINCIPLES
AND INTENT APPLIED, WHEREBY: "CONGRESS MAY BY GENERAL LAWS PRESCRIBE THE MANNER
IN WHICH SUCH ACTS, RECORDS AND (JUDICIAL) PROCEEDINGS SHALL BE PROVED, *and the*
effect thereof." THIS COMMON LAW POOL OF REASONING NEGATES THE PROPOSED
PURPOSE OF THE 14TH AMENDMENT; IT IS ADDITIONALLY, THE ONLY OFFICIAL AND RELI-
ABLE MEANS OF COMMUNICATING THE PUBLIC PAPERS, VOID OF ALL INFLUENCE OF CENSOR-
SHIP SPONSORED BY THE SUBTERFUGE DISPLAYED IN THIS CASE.
THE CONGRESSIONAL DUTY IS PHILOSOPHICALLY ATTACHED TO THE PRINCIPLES OF THE
FIRST AMENDMENT, SERVING THE PROHIBITIVE CLAUSE AS A PROACTIVE COUNTERPOISE.
THE CONSTITUTIONAL INCENTIVE, *i.e.*, "CONGRESS MAY BY GENERAL LAWS PRESCRIBE
THE MANNER *and the*" IS RENDERED ESSENTIAL BY THE IMPERATIVE; "IN WHICH SUCH
ACTS, RECORD AND PROCEEDINGS SHALL BE PROVED, *and the effect thereof.*" (EMPHASIS ADDED)

JEFFERSON SETS THE TONE FOR THIS PERSPECTIVE, THAT THE GOVERNMENT OF THE UNITED STATES SHOULD NOT ONLY BE RESTRAINED AND LIMITED IN THE EXERCISE OF ITS POWERS, BUT CERTAIN MANDATES SHOULD BE LAID UPON THEM AS OBLIGATORY, AS A CONSTITUTIONAL DUTY TO PRESERVE, SUCH AS THE CITIZEN MILITIA FORCE.

THE *federalist principle* IS AN INHERENT PART OF THE PEREMPTORY WHOLE, THIS CONSTRUCT, WOVEN WITHIN THE MAIN BODY ACTS AS A CONSTITUTIONAL FOREBODING, DECLARING IN THE UNAMENDED CONSTITUTION, "THE GENERAL PURPOSE AND INTENT"¹⁷ OF THE BILL OF RIGHTS. THE PROHIBITIONS DIRECTED TOWARDS THE CENTRAL AUTHORITY ACT AS A COUNTERBALANCE WITHIN A COMPLEX SYSTEM OF GOVERNMENT, THE JUDICIAL DOCTRINES OF SUBSTANTIVE DUE PROCESS AND INCORPORATION OF THE BILL OF RIGHTS HAVE SABOTAGED THE MECHANICS OF THAT SYSTEM; THIS IS WHAT MADISON REFERRED

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17) SEE *BURTON V. BALTIMORE*, 7 PET. (32 U.S.) 243 (1833), AT 249.

TO IN HIS PREFACE TO HIS "NOTES OF DEBATES IN THE FEDERAL CONVENTION

OF 1787". FIRST, AS A SUBTITLE HE WRITES: "A Sketch Never Finished nor Applied",

ADDITIONALLY SAYING:

"ANCIENT HISTORY FURNISHES EXAMPLES OF THESE CONFEDERAL ASSOCIATIONS, THO' WITH A VERY IMPERFECT ACCOUNT, OF THEIR STRUCTURE, AND OF THE ATTRIBUTES AND FUNCTIONS OF THE PRESIDING AUTHORITY. THERE ARE EXAMPLES OF MODERN DATE ALSO, SOME OF THEM STILL EXISTING, THE MODIFICATIONS AND TRANSACTIONS OF WHICH ARE SUFFICIENTLY KNOWN.

"IT REMAINED FOR THE BRITISH COLONIES, NOW UNITED STATES, OF NORTH AMERICA, TO ADD TO THOSE EXAMPLES, ONE OF A MORE INTERESTING CHARACTER THAN ANY OF THEM: WHICH LED TO A SYSTEM WITHOUT A EXAMPLE ANCIENT OR MODERN, A SYSTEM FOUNDED ON POPULAR RIGHTS, AND SO COMBINING A FEDERAL FORM WITH THE FORMS OF INDIVIDUAL REPUBLICS, *as may enable each to supply the defects of the other AND OBTAIN THE ADVANTAGE OF BOTH*" (EMPHASIS ADDED).

CHIEF JUSTICE JOHN MARSHALL, IN *BURTON V. BULLIMORE* SOLIDIFIES THE SUPERIORITY OF THE *federalist*

principle, IN ALL ITS FEDERAL ATTRIBUTES, OVERRULING THE SUBSEQUENT REASONING OF THE DOCTRINE

OF SUBSTANTIVE DUE PROCESS, MARSHALL DECLARES:

" BUT IT IS UNIVERSALLY UNDERSTOOD, IT IS A PART OF THE HISTORY OF THE DAY, THAT THE GREAT REVOLUTION WHICH ESTABLISHED THE CONSTITUTION OF THE UNITED STATES WAS NOT EFFECTED WITHOUT IMMENSE OPPOSITION. SERIOUS FEARS WERE EXTENSIVELY ENTERTAINED THAT THOSE POWERS WHICH THE PATRIOT STATESMEN WHO THEN WATCHED OVER THE INTEREST OF OUR COUNTRY DEEMED ESSENTIAL TO UNION, *and to the attainment of those invaluable objects for which union was sought,* MIGHT BE EXERCISED IN A MANNER DANGEROUS TO LIBERTY. IN ALMOST EVERY CONVENTION BY WHICH THE CONSTITUTION WAS ADOPTED, AMENDMENTS TO GUARD AGAINST THE ABUSE OF POWER WERE RECOMMENDED. *These amendments demanded security against the apprehended encroachments of the General Government-- not against those of the local governments.* "

THIS SEPERATION, A PRECONCEIVED POLITICAL SCHISM, THE CONCEPT OF "COUNTER-
ACTING] AMBITION", AS THAT DESCRIBED BY MADISON, *ie.* " THE PATRIOT STATESMEN WHO THEN WATCHED OVER THE INTEREST OF OUR COUNTRY", IS THE ESSENTIAL "*invaluable object*]", FOR WHICH THE REVOLUTION WAS FOUGHT. ANOTHER ONE OF THESE

PATRIOT STATESMEN, ALEXANDER HAMILTON MAKES IT CLEAR, HE SAYS:

"BUT IT MAY BE AGAIN ASKED, WHO IS TO JUDGE OF THE NECESSITY AND PROPRIETY OF THE LAWS TO BE PASSED FOR EXECUTING THE POWERS OF THE UNION? I ANSWER, FIRST THAT THIS QUESTION ARISES AS WELL AND AS FULLY UPON THE SIMPLE GRANT OF THOSE POWERS AS UPON THE DECLATORY CLAUSE;.... THE PROPRIETY OF A LAW IN A CONSTITUTIONAL LIGHT, MUST ALWAYS BE DETERMINED BY THE NATURE OF THE POWERS UPON WHICH IT IS FOUNDED." (SEE ART. I, SECT. 8, CL. 18 - THE NECESSARY AND PROPER CLAUSE).

HAMILTON THEN ARTICULATES AN ANALYTICAL EXAMPLE THAT IS HYPOTHETICAL, *i.e.*, AN IMPOSITION ON A "CONCURRENT JURISDICTION... WHICH THE CONSTITUTION PLAINLY SUPPOSES TO EXIST IN THE STATE GOVERNMENTS"; HE DECLARES WITH A RHETORICAL QUESTION: "WOULD IT NOT BE EQUALLY EVIDENT THAT THIS WAS AN INVASION OF THAT CONCURRENT JURISDICTION," AND THEREFORE VOID. HAMILTON CONTINUES SAYING:

"BUT IT IS SAID THAT THE LAWS OF THE UNION ARE TO BE THE SUPREME (LAW) OF THE LAND; WHAT INFERENCE CAN BE DRAWN FROM THIS, OR WHAT WOULD THEY AMOUNT

"TO, IF THEY WERE NOT TO BE SUPREMACY, IT IS EVIDENT THEY WOULD AMOUNT TO NOTHING. A LAW BY THE VERY MEANING OF THE TERM, INCLUDES SUPREMACY. IT IS A ROLE WHICH THOSE TO WHOM IT IS PRESCRIBED ARE BOUND TO OBEY. THIS RESULTS FROM EVERY POLITICAL ASSOCIATION... BUT IT WILL NOT FOLLOW FROM THIS DOCTRINE THAT ACTS OF THE LARGER SOCIETY WHICH ARE NOT PURSUANT TO ITS CONSTITUTIONAL POWERS, BUT WHICH ARE INVASIONS OF THE RESIDUARY AUTHORITIES OF THE SMALLER SOCIETIES, WILL BECOME THE SUPREME LAW OF THE LAND. THESE WILL BE MERELY ACTS OF USURPATION, AND WILL DESERVE TO BE TREATED AS SUCH. HENCE WE PERCEIVE THAT THE CLAUSE WHICH DECLARES THE SUPREMACY OF THE UNION, LIKE THE ONE WE HAVE JUST BEFORE CONSIDERED, [I.E., THE NECESSARY AND PROPER CLAUSE, ART. I, SECT. 8, CLAUSE 18], ONLY DECLARES A TRUTH, WHICH FLOWS IMMEDIATELY AND NECESSARILY FROM THE INSTITUTION OF A FEDERAL GOVERNMENT. IT WILL NOT, I PRESUME, HAVE ESCAPED OBSERVATION, THAT IT EXPRESSLY CONFINES THIS SUPREMACY TO LAWS MADE PURSUANT TO THE CONSTITUTION". (ART VI, CLAUSE 2).

WITHIN THE ELIPSIS OF THE FORMER CITATION, (SUPRA AT 32), HAMILTON ANSWERS:

"IN THE SECOND PLACE, THAT THE NATIONAL GOVERNMENT, LIKE EVERY OTHER, MUST JUDGE, IN THE FIRST INSTANCE, OF THE PROPER EXERCISE OF ITS POWERS, AND ITS CONSTITUENTS IN THE LAST. IF THE FEDERAL GOVERNMENT SHOULD OVERPASS THE JUST BOUNDS OF ITS AUTHORITY AND MAKE A TYRANNICAL USE OF ITS POWERS, THE PEOPLE, WHOSE CREATURE IT IS, MUST APPEAL TO THE STANDARD THEY HAVE FORMED,

" AND TAKE SUCH MEASURES TO REDRESS THE INJURY DONE TO THE CONSTITUTION AS THE EXIGENCY MAY SUGGEST AND PRUDENCE JUSTIFY. "

THEREFORE, THE STATEMENT EMERGES OUT OF BOTH REALMS, ¹⁷ THE LEGISLATIVE

IN ART. I, SECT. 8, CL. 18; AND THE JUDICIAL IN ART. VI, CLAUSE 2, IN THE FOLLOWING

MANNER: " THE PROPRIETY OF A LAW, IN A CONSTITUTIONAL LIGHT, MUST ALWAYS BE DETER-

MINED BY THE NATURE OF THE POWERS UPON WHICH IT IS FOUND. " FOR THAT REASON,

BASED ON THE PRINCIPLES STATED ABOVE BY THE " PATRIOTIC STATESMEN, WHO THEN

WATCHED OVER THE INTEREST OF OUR COUNTRY, " THE REDPA, A DERIVATION OF THE

DOCTRINE OF SUBSTANTIVE DUE PROCESS, ¹⁸ IS IMPROPER, AND UNCONSTITUTIONAL.

MOREOVER, THE POWER SHIFT, PRIMARILY THE TRANSFER OF THE PROPERTY INTEREST,

SINCE THE ESTABLISHMENT OF 42 USC § 1983, HAS RECONSTITUTED OUR POLITICAL SYSTEM

TO BE PRECISELY WHAT JAMES MADISON PROGNOSTICATED; THAT " BY DEGREES, [IT HAS]

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18) THERE IS NO WAY ^{THE} CONGRESS OF THE U.S. CAN CLAIM A POWER OVER STATE JUDGES' OBJECT OF DISCRETION, PULLING THEIR ATTENTION AWAY FROM THE CONSTITUTION, TO THE OPINIONS OF THIS COURT AS AN ART VI, CL. 2 INTERFACE PLANE TO ... →

"CONSOLIDATE[D] THE STATES INTO ONE SOVEREIGNTY", AND THAT THE "RESULT OF THIS

"CONSOLIDATION" HAS BEEN, IN FORM, TO RECONSTRUCT "THE REPUBLICAN SYSTEM

OF THE UNITED STATES INTO A MONARCHY", WHOSE CROWN IS IMPERCEPTIBLE, LYING

DORMANT AS A COMPOSITE PART OF THE GLOBAL MOBILITY.

THIS GLOBAL FINANCIAL FORCE, AS RECOGNIZED OFFICIALLY BY PRESIDENT BARRACK OBAMA

IN HIS LAST "STATE OF THE UNION" ADDRESS, COMMENTING ON *Citizens United v.*

Federal Election Commission, 558 U.S. ____ (2010), FIRST SHOWED ITSELF TO THE WORLD

UNDER THE TITLE "TOO BIG TO FAIL" IN 2008. HOWEVER, ITS PRACTICAL APPLICATION

IS SEEN AT A LEVEL "LESS PUBLIC, A LESS STRIKING, AND THEREFORE "more dangerous

engine OF ARBITRARY GOVERNMENT"; WHEREBY, FEDERAL JUDGES USE THEIR EXPANDED

INFLUENCE OVER BOTH STATE AND FEDERAL ACTORS, SUCH AS C.S.P., AND THE

(B) ... DETERMINE THE SUPREMACY OF "LAWS OF THE UNITED STATES", OR "TO THE CONTRARY NOTWITHSTAND-
ING", IF THE INTERACTION BETWEEN THESE TWO SYSTEMS ARE CONSTITUTIONALLY PROPER.

CLERKS OF THIS U.S. SUPREME COURT. (LISA NIESBITT; MARRA SILVER; AND REDMOND BARNES).

PETITIONER KNOWS, THAT ONCE POLITICAL RULERS ATTAIN THIS LEVEL OF ABSOLUTE POWER, THEY DO NOT SURRENDER SUCH POWERS; BUT THAT IS THE REASON FOR LIFE TENOR, FOR THE INDEPENDENT POSITION THIS SUPREME JUDICIAL BODY ENJOYS. AND DUE TO THE FACT EVERY FORM OF GOVERNMENT IS SUSCEPTIBLE TO CORRUPTION, AND PRONE TO DEGENERACY, THE FOUNDING GENERATION ESTABLISHED A SYSTEM HAVING AN ORDERED PUBLIC INTERCHANGE OF INFORMATION, A COMMUNIQUE DESIGNED TO FUNCTION AS A SENTRY OUTPOST, COMBINED WITH AUTONOMOUS STATE COURTS, WITH A PROHIBITIVE CLAUSE DIRECTED TO THAT CENTRAL POWER FORBIDDING THAT FORCE FROM INTERVIEWING THOSE ADJUDICATIONS, DENYING THEM THE ABILITY TO CENSOR —

"THE PEOPLE," FROM "APPEALING TO THE STANDARD THEY HAVE FORMED, AND TAKE SUCH MEASURES TO REDRESS THE INJURY DONE TO THE CONSTITUTION."

THIS IS HAMILTON'S MEANING WHEN HE CITES BLACKSTONE SAYING:

"TO DEPRIVE A MAN OF LIFE, WITHOUT... [THE BENEFITS OF] TRIAL, WOULD BE SO GROSS AND NOTORIOUS ACT OF DESPOTISM, AS MUST AT ONCE CONVEY THE ALARM OF TYRANNY THROUGHOUT THE WHOLE NATION; BUT CONFINEMENT OF THE PERSON, ... WHERE HIS SUFFERINGS ARE UNKNOWN OR FORGOTTEN, IS A LESS PUBLIC, A LESS STRIKING, AND THEREFORE *a more dangerous engine* OF ARBITRARY GOVERNMENT."

PETITIONER HAS CITED THIS QUOTATION OF BLACKSTONE BY HAMILTON OUT OF FEDERALIST # 84, PAR. 5 SEVERAL TIMES, BECAUSE, THIS IS PRECISELY THE PREMIUM EFFECT PAID TO OKLA STATE PENITENTIARY, AND THE CLERKS OF THIS SUPREME COURT, BY THE SUBORDINATE FEDERAL JUDGES. THIS IS WHY PATTI GHEZZI, SUSAN OTTO, AND SARAH JERNICAN, IN COLLABORATION WITH THE U.S.D.C. W.D./O.K. WILL NOT ALLOW

WADE LAM TO HAVE A COPY OF THE ORIGINAL COMPLAINT IN THE CASE: Richard

Glossip V. Kevin T. Gross, (CIN-14-065-F). D.S.P. HAS ALSO JOINED IN THIS CON-

SPIRACY, SIMILAR TO THE COLLUSION MENTIONED EARLIER, (SUPRA AT 7).

SUBSTANTIVE DUE PROCESS HAS PRODUCED WHAT JOHN DICKINSON OF DELAWARE

FEARED, AS EXPRESSED JUNE 7, 1787 AT CONVENTION, HE SAYS:

" IF THE STATE GOVERNMENTS WERE EXCLUDED FROM ALL AGENCY IN THE NA-
TIONAL ONE, AND ALL POWER DRAWN FROM THE PEOPLE AT LARGE, THE CONS-
SEQUENCE WOULD BE THAT THE NATIONAL GOVT WOULD MOVE IN THE SAME DIR-
ECTION AS THE STATE GOVTS NOW DO, AND WOULD RUN INTO ALL THE SAME
MISCHIEFS. THE REFORM WOULD UNITE THE 13 SMALL STREAMS INTO ONE
GREAT CURRENT PURSUING THE SAME COURSE WITHOUT ANY OPPOSITION WHAT-
EVER."

DICKINSON WAS RIGHT. ! TOO BIG TO FAIL, THE BAILOUT OF 2008, IS IN ESSENCE A

VIOLATION OF THE CONTRACT CLAUSE OF ART. I, SECTION 10, CLAUSE 1; AND FEDERAL

JUDGES HAVE PURSUED THE SAME COURSE AS STATE ACTORS EMPLOYED IN
THE SOUTHERN STATES IN THE 1860^s THAT IMPOSED 42 USC § 1983. THESE
FEDERAL JUDGES IN THE UNITED STATES DISTRICT COURTS IN THE STATE OF OKLAHOMA;
AND THE TENTH CIRCUIT COURT OF APPEALS, LIKE THE LORDS, PRINCES, AND
NOBLES OF 18TH CENTURY EUROPE, HAVE UTILIZED THE STATE AND FEDERAL
BUREAUCRACY WITHIN THEIR PRINCIPALITIES, TO DEPRIVE WADE LAY OF HIS
RIGHTS UNDER THE CONSTITUTION AND LAWS OF THE UNITED STATES, AND THE
LAWS AND CONSTITUTION OF THE STATE OF OKLAHOMA.
WADE LAY SHOULD BE AWARDED SUMMARY JUDGMENT AGAINST THE DEFENDANTS,
AND SUBSTANTIVE DUE PROCESS RECONSIDERED BY THIS COURT, TO PROVIDE A
PERPETUAL REMEDY AGAINST THE ABOVE STATED EVILS. THE DEFENDANTS/RESPONDENTS ARE
*
WILLING PARTICIPANTS IN THIS ILICIT CONSPIRACY AND COLPAIBLE FOR COST. (SEE DKT # 1, 17-1224-D).

END

* " THE PLAINTIFF IS SEEKING \$ 300,000.00 IN PUNITIVE DAMAGES.

CONCLUSION

THIS COURT SHOULD GRANT CERTIORARI TO DETERMINE IF THE MERIT-
ORIOUS CLAIMS SURROUNDING 42 USC § 1983; 28 USC § 2254; AND
THE MULTIFARIOUS CONSTITUTIONAL PRINCIPLES AND VARIOUS PROVISIONS
MAY BE HEARD AND ADJUDICATED BY THE FEDERAL COURTS FOR EITHER OR
ALL OF THE REASONS OUTLINED ABOVE.



Sherry Day 1-23-19

DATE: 01/23/19

RESPECTFULLY SUBMITTED,

WADE GREEN LAY # 516263 AT

OKLAHOMA STATE PENITENTIARY

P.O. BOX 97

MCALISTER, OKLAHOMA 74502