

No. 19-6038

ORIGINAL

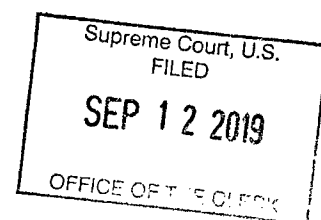
IN THE
SUPREME COURT OF THE UNITED STATES

CLAYTON PAUL BATEMAN ————— PETITIONER

V.S.

STATE OF MISSISSIPPI ————— RESPONDENTS

ON PETITION FOR A
WRIT OF CERTIORARI TO
THE COURT OF APPEALS OF THE
STATE OF MISSISSIPPI



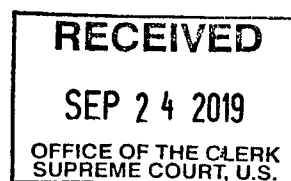
PETITION FOR WRIT OF CERTIORARI

CLAYTON PAUL BATEMAN #175035

S.M.C.I. -2, D-2, #8

P.O. Box 1419

LEAKESVILLE, MS 39451-1419



Questions for Review

1). What standing does a person have before a forum of a non-sovereign State, with no act of the United States Congress delineating jurisdictional authority; and would such persons, so situated be bound to the forums' procedures, processes or judgments?

2.) Does the lack of State boundaries remove the transmission of authority from the States' constitution to the government created by it, over the abandoned territory and the people there-in, absent an act of the United State Congress ordaining it?

3.) What procedure exists whereby a person brought before an invalid forum operating under the color of State authority may contest and examine that colorable authority of the forum whereby the forum must answer the challenge with such proof as to dispose of the challenges' contention and to openly establish its' authority and jurisdiction, or cease and desist in its' proceedings and relieve the person of its' processes and judgments.?

4.] Provided that a court proceeded to judgment, after failing to establish the forum's jurisdiction in the face of a credible challenge, can the forum later produce evidence, that would have established jurisdiction in the court had it been presented before proceeding to judgment, that would make the judgment valid?

LIST OF INTERESTED PARTIES

Supreme Court and Court of Appeals
for the State of Mississippi
P.O. Box 249 Jackson, MS 39205-0249

Attorney General for the State of Mississippi
Jim Hood, Gia Nicole McLeod, Jason L Davis,
Alicia Marie Ainsworth
P.O. Box 220 Jackson, MS 39205-0220

Lawrence P. Bourgeois Jr., Judge
Harrison County Circuit Court
P.O. Box 1461 Gulfport, MS 39502

Harrison County District Attorney
P.O. Box 1180 Gulfport, MS 39502

Gia Nicole McLeod Director I.L.A.P.
Inmate Legal Assistance Program, M.D.O.C.
633 N. State St. Jackson, MS 39202-3306

Note: This party is also part of the A.G.'s office above.

No Party Association
Darrell Clayton Baughn, Office of Attorney General
633 N. State St. Jackson, MS 39202-3306
Anthony Louis Schmidt Jr., MS Dept of Pub. Safety
P.O. Box 958 Jackson MS 39205-0958

Note: Both of these parties had been attorneys for
MS Dept. of Corrections.

SEE: Appendix D ; Docket for 2016-CT-01353-COA.

Table of Contents

Coversheet

Questions for Review

List of Interested Parties

Table of Contents

Table of Authorities

Statement of Jurisdiction

Constitutional Provisions, Treaties,
Ordinances and Regulations Involved

Statement of the Case

Direct Argument

Appendix

Index on following pages

APPENDIX

BOOK I

- A) Miss. Court of Appeals' decision in 2016-CP-01353-COA dated 25th Sept. 2018.
- B) Miss. Supreme Courts' order denying Certiorari in 2016-CP-01353-COA dated 18th April 2019 'filed'
- C) Miss. Court of Appeals' denial of rehearing in 2016-CP-01353-COA dated 29th January 2019.
- D) Docket Sheet in 2016-CP-01353-COA
- E) Miss. Court of Appeals' Mandate in 2016-CP-01353-COA dated 9th May 2019.
- F) Letter from Warden at Harrison County Adult Detention Center (Jail) dated 21st December 2010.
- G) Docket Sheet in 2401:11-cv-00048, Harrison County Circuit Court, and it governing rule LCCCR 2.07
- H) 'Habeas Corpus in PreConviction'; A 2401-2011-48 in Harrison County Circuit Court 9th February 2011.

BOOK II

- I) Petitioner filed 'Order Releasing Petitioner' dated 23rd June 2011.
- J) Harrison County Circuit Court Transcripts from criminal pretrial hearing in B2401-2010-21 where Court opens A2401-2011-48 at page 211 line 15+. dated 7th February 2012
- K) 'Motion for Relief from Judgment' Rule 60(b)(4)(6) Harrison County Circuit Court file into A2401-2011-48 dated 16th February 2016.
- L) 'Petition for Writ of Mandamus' Miss. Supreme Court dated 5th Dec 2016.
- M) Miss. ~~Circuit~~ Courts' 'Answer to Petition for Writ of Mandamus' dated 14th December 2016.
Letter from Circuit Court Judge dated 14th December 2016.
Miss Supreme Courts' order on Mandamus dated 19th December 2016.
- N) 'Motion for De Novo Review' in Miss. Supreme Court dated 27th December 2016.

BOOK III

- O) Batemans' 'Reply to Circuit Courts Answer to Petition for Writ of Mandamus' in Miss Supreme Court- dated December 2016
Batemans' 'Motion to Supplement the Record'
- P) Batemans' 'Notice of Appeal'; 'Designation of Record'; and 'Certificate of Compliance'- Filed in the Harrison County Circuit Court: A2401-2011-48.
dated 29th December 2016.
- Q) Batemans' 'Petition for Interlocutory Appeal' in the Miss Court of Appeals dated 12th July 2017
- R) Batemans' 'Brief of the Appellant' in 2016-TS-01353-
COA. dated 1st September 2017.
- S) Miss Court of Appeals denying Batemans' motion for reconsideration to supplement the Record dated 27th September 2017.
- T) Brief of the Appellee in 2016-CP-01353-COA dated 28th November 2017.
- U) Reply of the Appellant in 2016-CP-01353-COA dated 12th January 2018.

BOOK IV

- V) Motion for Rehearing in 2016-CP-01353-COA dated October 2018
Miss. Court of Appeals denial of rehearing dated 29th January 2019.
- W) Letters to Miss Supreme Court Clerk dated 18th October 2018 and 7th February 2019
Letter from Miss Supreme Court Clerk. dated 14th February 2019.
- X) Batemans' 'Petition for Writ of Certiorari' to the Miss Supreme Court. dated February 2019
- Y) Miss. Code Ann. (1972) § 3-3-1, Boundaries as published from before 1990 until 1st July 2013.
Miss Code Ann (1972) § 3-3-1, Boundaries as amended on 1st July 2013.
- Z) Miss. General Law of 1990; Chapter 692, Senate Concurrent Resolution No# 520
- AA) Bateman v State, 267 So 3d 793 (2018)
Cortez v State, 9 So 3d 445 (2009)
Doss v State, 757 So 2d 1016 (2000)

B/A) Transcripts of arraignment in criminal trial
2401-10-021 in Harrison County Circuit Court
dated 8th February 2010

C/C) Letters between Bateman and State Public Defender
various dates

BOOK V

D/D) Letters to Conaresman Steven Palazzo
dated 9th August 2017

Letter in response from M.D.C.'s office of
Constituent Services.

E/E) Batemans' Motion for Rehearing to Miss Supreme
Court in criminal proceedings 12th October 2013
Miss. Supreme Courts' Mandate in Batemans'
criminal trial dated 2nd December 2013.
Miss. Supreme Courts' denial of Rehearing.
dated 21st November 2013.

F/F) Various Letters

G/G) Various Letters to Miss Supreme Court Clerk and
Clerks' responses

H/H) Letter to Conares dated 8th March 2013 and
response from Congress.

II) Various filings into States' criminal process
B2401-2010-21 dated 18th February 2012

J/J) Extension of time to file petition for writ of
Habeas Corpus to 15th September 2013 inclusive.

K/K) Mississippi Rules of Civil Procedure (M.S.R.C.P.)
Rule 60(b)

LL) Case Quotes:

Hoyden + Allison Cov Evertt, 324 U.S. 652.

Leitenenderfer v Webb, 61 U.S. 176.

Grupo Dataflux v Atlas Global Group L.P.,

Rose 541 U.S. 567, 391

Rose v Himley, 8 U.S. 241.

Worries v Jackson, 35 U.S. 449.

Cohen v Virginia, 19 U.S. 264.

Ex parte McCordle, 74 U.S. 506.

Steel Co v. Citizens for a Better Environment,
523 U.S. 83.

Pennoyer v. Neff, 95 U.S. 714.

Luther v. Borden, 48 U.S. 1.

State Cases:

Miss. Div. of the Sons of Confederate
Veterans v. Miss State Conf. of
the N.A.A.C.P. et. al., 774 So.2d 388.

Table of Authorities

Bateman v. State, 267 So.3d 793 (2018)

Central R. Co of New Jersey v. Jersey City, 209 U.S. 473.

Cohen v. Virginia, 19 U.S. 264.

Cortez v. State, 9 So.3d 445 (2009).

Doss v. State, 757 So.2d 1016 (2000).

Ex-parte McCordle, 74 U.S. 506.

First National Bank v. Yankton County, 101 U.S. 129.

Grupo Dataflux v. Atlas Global Group L.P., 541 U.S. 567.

Haines v. Kerner, 404 U.S. 519.

Hooven and Allison Co. v. Evatt, 324 U.S. 652.

Leitenderfer v. Webb, 61 U.S. 176.

Luther v. Borden, 48 U.S. 1.

Mississippi Division of the Sons of Confederate Veterans
v. Mississippi State Conference of the N.A.A.C.P.,
774 So.2d 388.

Pennover v. Neff, 95 U.S. 714.

Rose v. Himlev, 8 U.S. 241.

Steel Co. v. Citizens for a Better Environment, 523 U.S. 83.

United States v. Flores, 135 F.3d 1000.

Voorhees v. Jackson, 35 U.S. 449.

Statement of Jurisdiction

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

This Petition seeks review of an order from the Court of Appeals for the State of Mississippi issued on the 25th of September 2018. See appendix A.

That Court denied rehearing on the 29th of January 2019. See appendix C.

The States' Supreme Court denied certiorari on the 10th of April 2019. Petitioner received that order on the 18th of April 2019, the same day it was filed. See appendix B.

Petitioner did file for and received an extension of time in which to file this petition. Justice Alito extended the time in which to file to, and including, the 15th of September 2019. See appendix JJ.

Constitutional Provisions, Treaties, Ordinances, and Regulations Involved

United States Constitution (U.S. Const.):

Article I:

Section 8, clause 9: Congress shall have the power...
... To constitute tribunals inferior to the Supreme Court.

Section 9, clause 2: The privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion the public safety may require it.

Section 10, clause 1: No state shall enter into any treaty, alliance, or confederation, grant letters of marque and reprisal, coin money, emit bill of credit, make any thing but gold or silver coin tender in payment of debts, pass any bill of attainder or ex post fact law, or law impairing the obligation of contracts, or grant any title of nobility.

Article IV:

Section 1: Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records, and proceeding shall be proved and the effect thereof.

Section 3 clause 2: The Congress shall have the power to dispose of and make all needful rules and regulation respecting the territory or other property belonging to the United States: and nothing in this Constitution shall be so construed as to prejudice any claim of the United States or any particular state.

Section 4: The United States shall guarantee to every state in this union a republic form of government. ...

U S Const. Continued:

Amendment V: No person shall ... be deprived of life, liberty, or property, without due process of law,

Amendment VI: In all criminal prosecutions the accused shall enjoy the right to ... be informed of the nature and cause of the accusation, ...

Amendment VII: Excessive bail shall not be require, nor excessive fines imposed, ...

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

Amendment X: The powers not deleagated to the United States by the Constitution, nor prohibited by it to the states are reserved to the states, respectively, or to the people.

Amendment XIV: ... No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law, nor to deny to any person within its jurisdiction the equal protection of its laws.

State of Mississippi Constitution:

Article 2:

Section 3: Repealed. See appendix Z

Note: Former Section 3 stated the limits and boundaries of the state of Mississippi.

The repeal of Section 3 of Article 2 of the Mississippi Constitution of 1890 was proposed by Laws, 1990, ch. 692 (Senate Concurrent Resolution No. 520), and upon ratification by the electorate on November 6, 1990 was deleted from the Constitution by proclamation of the Secretary of State on December 19, 1990.

Article 3:

Section 5: All political power is vested in, and derived from, the people, is founded upon their will only and is instituted solely for the good of the whole.

Section 21: The privilege of the writ of habeas corpus shall not be suspended, unless when in the case of rebellion or invasion, the public safety may require, nor ever without the authority of the legislature.

Article 6:

Section 155: The judges of the several courts of this state shall, before they proceed to execute the duties of their respective office, take the following oath or affirmation to wit....

Article 14:

Section 268: All officers elected or appointed to any office in this State, except judges and members of Legislature, shall, before entering upon the discharge of the duties thereof take and subscribe the following oath....

Statement of the Case

Petitioner, Clayton Paul Bateman (Bateman), did leave the State of Mississippi in 1987 as he had enlisted in the United States Army. He was honorably discharged in 1991.

In Bateman's absence the State did amend its constitution by repealing its article 2, section 3, 'Boundaries'. See appendix Z. This required both houses of legislature, and the electorate (the people) to pass the measure in open votes, and then for the Secretary of State to review its conformity, and proclaim it into accomplished fact. The latter done on the 19th of December 1990.

During that process Bateman deployed to Saudi Arabia on the 5th of August 1990, not to return to the United States until the 3rd of April 1991. Bateman did not return to the territory that had been the State of Mississippi until March of 1994.

Bateman was bodily take and detained by the Harrison County (H.C.) Sheriff's Department (S.D.) on the 19th of March 2009 under the color of a warrant from the H.C. Justice Court.

At the following initial appearance the Court

read off 5 (five) state statutory felonies against Bateman, 3 (three) sexual batteries, and 2 (two) lustful touching, all allegedly against 2 (two) his minor daughters. Bateman did not make any plea before that forum (court?), but rather made an attempt to validate the forum, and inform it that he did not understand the nature and the cause of the accusation against him (U.S. Const., amend VI), inasmuch as to how that forum, allegedly of the State, or subdivision thereof, but possibly constructed otherwise, could be exerting jurisdiction after the abrogation of the States' boundaries, (Miss. const. art. 2, sec. 3; see appendix Z), which fundamentally alters, and changes the transmission of authority to, and the operation of, the various forums that construe themselves as courts, operating within the States' former territory. This questionable and questioned court set Batemans' ransom (bond) at \$700,000. See appendix J pg. 232, lns 5-10; U.S. Const., amend VII. Two weeks later a different 'judge' allowed Bateman to request a Public Defender.

It is important and relevant to point out that the 'States' Department of Human Services

(D.H.S) did engage Bateman in early summer 2009, using up his limit resources, culminating in the termination of his parental rights to his 4 (Four) minor children in the H.C. Youth Court, another forum alledgedly of the State claiming some form of jurisdiction, but unable to prove it or to establish it. Batemans' parental rights were terminated on the 13th of January 2010. less than one week before. Bateman was indicted in the H.C. Circuit Court.

At the following arraignment Bateman again did not plea to the constructed forum, but did challenge the forums' transmitted authority, and informed the forum of its due process violations. See appendix BB pg. 6, lns. 14-27; and U.S. Const. amends. V, VI, XIV.

It is relevant to note that Bateman had previously written to both the Justice 'Court' and the Circuit 'Court' requesting the oaths of office for each of the Clerks and the various Judges, in a due diligents attempt to validate and establish that various actors are actually agents of the State, and as such are bound to the United States. Constitution and to the Constitution of the State of Mississippi and it amendments.

See Miss. Const art. 6 sec 155, and art. 14 sec 268.

Bateman had even directed his Public Defender, who had only been actually assigned after indictment, to provide these public records. At this time no one had responded. The Court, however it was constructed, entered not guilty pleas for Bateman.

Over the following year Bateman made every effort to educate himself, with extremely limited resources that were threatened to be denied (See appendix F), and to reach some understanding as to how the State, in the absence of its' boundaries, and therefore its sovereignty flowing from its' Constitution, could construct the various forums and transmit authority to it. Further, how could the States' legislature, or its' executive, or any of its various sub-departments and sub-components exert any authority after this fundamental shift in governmental sovereignty? Also, Bateman had to educate himself, without any counsel, as to procedure and process, and that usually, and generally, only as those procedures and processes became imminent. Therefore....

On the 9th February 2011, Bateman filed into the H.C. Circuit Court his 'Petition for Habeas Corpus in Pre-conviction'. (See appendix H),

under Mississippi's Uniform County and Circuit Court Practice (U.C.C.C.P.) Rule 2.07. See appendix G. On the 23rd of June 2011, after not receiving a response from the Court, opposing council, or his own council, Bateman filed his 'Order Releasing Petitioner' in a very poor attempt at Summary Judgment. See appendix I.

Batemans' next appearance in Court is the 7th of February 2012 for several matters to be heard at a pre-trial hearing in the States' criminal proceedings against Bateman. However, relevant to this for later argument, is that Bateman had been continuing to request the various actors oaths of office and/or bar oaths to be provided by respectively the Courts Clerk, the State District Attorney and his own council. The only response that Bateman did receive was from the Courts' Clerk, who twice said that they do not have the jurisdiction to provide the judges, or their own, oath of office, and they did not inform of whom the proper custodian of such documents would be. Also, relevant is that Bateman did also file into the States' criminal process various things to secure his rights in

that process as it is distinct from his civil Habeus Corpus that has its' own cause number. See appendix II. At this hearing on the 7th of February 2012, Bateman did demand and recieved an opportunity to present his jurisdictional challenge to the forum, however constructed, that was contained in his Habeus Corpus in Pre-Conviction. See appendix J. Note in transcripts that as of this hearing, that the Court denied the habeus and everything else without any showing of evidence to the contrary to Batemans' assertions. However, a denial is a ruling on the merits.

On the 9th of February 2012 the States' criminal trial begins and in the course of a few days it ends in Batemans' conviction on 4 (four) of the 5 (five) counts the 'State', who has yet to validate itself, has against him. Bateman Appealed.

Batemans' detention, which has yet to be established as lawful, was transferred to the States Department of Corrections (M.D.C.) in short order, and Batemans' county Public Defender transferred his appeal to the States' Office of Indigent Affair Public Defender. Bateman did repeatedly request and direct this Defender to reassert his jurisdictional

challenge in his appeal. This attorney refused. See appendix CC 17 May 2013. In a letter dated 17th May 2013 his attorney informed Bateman that his conviction had been affirmed by the States' Supreme Court, and that he will no longer be representing Bateman.

Of note at this point is the fact this decision of the State Supreme Court did not get put out until the 15th of August 2013. This is not in conformity with Rule 41 of the Mississippi Rules of Appellate Procedure (MRAP). See appendix EE. In the interim, between this May affirmation and its August publishing the State legislature did attempt to reestablish the States' boundaries in statute at Miss. Code Annotated (1972) 3-3-1. However, it appears to be an admiralty jurisdiction by its wording, and the replaced wording had said only that the States' boundaries were layed in the Miss. Constitution at art. 2, sec. 3. See appendix Y. It is questionable whether the legislature had the authority to replace what the people had taken from them.

In any case Bateman did file for rehearing himself. In this filing Batemans' sole argument was the construction of the lower Court. See appendix EE. The rehearing was denied, however,

one Justice would grant. At this point Bateman have no idea what to do procedurally and the legal services at M.D.C. do not include any counsel or advice. If you do not already know the answer it may take years to find it here.

The current petition finds its core question at point where Bateman files his 'Motion for Relief from Judgment' into the H.C. Circuit Court pursuant to Miss. Rules of Civil Procedure (M.R.C.P) Rule 60(b)(4). See appendix K.

This was filed into Batemans' Habeus Corpus in Pre-conviction as that had not as yet entered its determination into the record, leaving Bateman no order to appeal from. Bateman had asked the Courts clerk to see if any order had been entered. See appendix EE. This filing was filed on the 16th of February 2016 as a true 60(b) attacking strictly the lower Courts handling of the civil habeus corpus, and nothing in the States' criminal conviction. The intent was to get the Court to enter its ruling on the merits into record as the habeus corpus was not procedurally dead, according the rule that governs the habeus. See appendix G.

Bateman had to file a mandamus in the

State Supreme Court to motivate the Circuit Court to answer his 60(b). It is relevant to note that the same circuit Court judge handled Batemans' criminal trial, habeas corpus, and the following 60(b). The circuit Court misconstrued Batemans' 60(b) as a Post-Conviction Collateral Relief motion, and dismissed it for lack of jurisdiction, since Bateman had not asked the State Supreme for leave to return to the trial court. The matters contained in the 60(b) procedurally had not been to the Supreme Court and required no leave according to the text M.R.C.P 60(b).

Interesting to note at this point is in the Circuit Courts' answer to the mandamus the judge claims that Batemans' 'Post-Conviction' was filed on 9th of February 2011. See appendix M. That was a complete year before trial. Then the judge claims to have known nothing of it until the mandamus brought it to his attention. This after he conducted an ore-tenus hearing on the 9th of February 2011 filing. The Court appeared to be deeply confused. Bateman appeals. Due to the lower courts construction as a Post-conviction, Bateman was unable to have the relevant transcripts

transmitted to the appellate court, and therefore Bateman was unable to properly brief the court. See appendix Q. The States Court of Appeals dismissed Batemans' appeal for lack of jurisdiction. See appendix A. In its order dismissing the Court of Appeals does show inside of its statement of the case that Bateman had presented both a substantive, and a procedural claim in his brief to the Court. See appendix R. The court disposes of Batemans' substantive claim in a footnote in its statement of the case. It is relevant to later argument that in this footnote they claim that the 2013 enactment of legislature invalidates Batemans' jurisdictional challenge that he had raised originally in 2009, and has maintained continually ever since. See U.S. Const. Art I, sec. 10, cl. 1: ex post facto. Also note that the court claims lack of jurisdiction, yet enters upon the merits of the case.

Bateman files for rehearing. He is denied on the 29th of January 2019. See appendix V.

Bateman files his Petition for certiorari to the State Supreme Court and is denied on 18th April 2019. See appendix X. Now, this Petition.

Direct Argument

Petitioner, Clayton Paul Bateman, (Bateman) is not an attorney, nor skilled in law or procedure, and reminds this Court that "the Court is required to construe the pleading of a pro-se (pro-per) inmate plaintiff liberally. The United States Supreme Court holds allegations of a pro-se complaint to less stringent standards than formal pleadings drafted by lawyers," Haines v. Kerner, 404 U.S. 519, 521, and that "pro-se pleadings are to be construed generally," United States v. Flores, 135 F.3d. 1000 (5th Cir. 1998). The Court will find that Bateman relies heavily upon its' past rulings.

Bateman asserts now, at the outset, that ultimately he has not been convicted by any valid court, as the State is incapable of establishing one. That, or at a minimum the State is just refusing to do so. Bateman has not begun to attack the States' conviction, but has only attacked the validity of the various forums' jurisdiction.

Bateman will show gross abuses of his basic rights, that affect an entire class of people, resulting from the State, its actors, or private

persons acting under the color of State authority, failing to apply this Courts decisions. In this case, Bateman has challenged the construction of the courts themselves, and has articulated that to the courts directly from the beginning and repeatedly. Bateman has used such processes as were available, and has been abused continually by the States failure to examine his issues in any meaningful way. There are questions of law, and issues of justice, herein that are vital to the fundamental construction of our Republic, and if unchecked could most assuredly unravel our Union. The above reasons are of themselves compelling cause for this Court to grant Certiorari to examine further the matter hereunder presented.

This petition is requested on the Court of Appeals for the State of Mississippi's order dated 25th September 2018. See appendix A. In that courts decision it shows that it is aware, in fair understanding, of Batemans' contentions. However, the primary issue at hand is more systemic than 'the Court of Appeals got something wrong.' What Bateman is pointing at here is that at each step of the way through these processes,

each creature of the State, such as, but not limited to, judges, clerks, and attorneys, have worked individually and collectively to occlude the fact that the State of Mississippi is without sovereignty, and operate to maintain and conceal the fraud of its' authority. That is a serious claim, the weight of which is not lost upon Bateman. In the circumstance that Bateman currently finds himself, his very life is possibly at risk before things of the scope pointed at here can be resolved.

The Court of Appeals ruling that this petition seeks to have reviewed is not the whole of Batemans' complaint here, but merely the result of cumulative symptoms of the ongoing collective work to conceal whatever may be transmitting its authority, or to conceal the fact that it has no authority.

Batemans' substantive complaint rests upon the repeal of State boundaries. This was done to accomplish some end. Bateman asserts and believes this was a cession of sovereignty to the United States as no other construction or operation is possible. "We repeat that boundary means sovereignty, since in modern times, sovereignty is mainly territorial, unless a different meaning clearly appears,"

Central R. Co of New Jersey v Jersey City, 209 U.S.

473, 479 (1908). "A cession of territory is a cession of jurisdiction," Rhode Island Plantations v. Massachusetts 37 U.S. 657, 733 (1838). "All territory within the jurisdiction of the United States not included in any state must necessarily be governed by or under the authority of Congress," First National Bank v. Yankton County, 101 U.S. 129, 133 (1879). Finally, after reading in Hooven and Allison Co v Evatt, 324 U.S. 652, 673-4, and Leitenderfer v Webb, 61 U.S. 176 177 (1857), it becomes clear that once sovereignty dissolves, that congress must take some direct action to establish a new mode of operation of the government of the territory. Whatever act Congress may pass ordaining the administration of the territory may or may not extent to its constitutional guaranties such as the 14th amendment and thereby the Constitution generally. That is serious and extremely scary. Because of this possible operation and the possibility^{of} many other constructions, each would effect Batemans' standing in whatever court he found himself in. It is no little thing, that Bateman does not understand the nature, and the cause of the accusation against him.

Bateman has raised this issue from his first time in court trying to get some clarity on this one issue. Bateman has presented his contentions, possibly imperfect, but well enough to have the issue examined by any of the various courts below. If the construction is fatally flawed it should be a simple matter to dispose of, and then Bateman would understand his standing and could defend himself properly.

This jurisdictional challenge is meritorious and greatly supported by case law from this Court. Bateman refuses the general presumption that the court is valid. The States' constitution is no longer the document transmitting authority, and Bateman can not find, or have provided to him, whatever act of Congress may be the source of authority in this territory. Bateman has asked the current congressman for such acts of Congress as may transmit such authority. See appendix DD, HH.

Bateman asserts that he has the right to ask the courts, and/or its officers, to validate the jurisdiction they operate under and they each have the duty to answer. Bateman could not even find any officers of the various courts.

See appendix W.G.G.II (demand for production).

Lastly on the substantive issue several points to consider. A man being bodily dragged before some forum (barrel-head) by a group of people that sternly refuse to present the authority under which they operate at the first instance of a meritorious challenge is highly reminiscent of the 1870's, and what gave rise to a whole set of new civil rights. Possibly, it brings to mind the 1760's and early 1770's where similar things caused a new nation to be born. Such courts are the tools of tyranny without exception.

Bateman takes these things seriously as he has personally fought in a war (Desert Shield - Desert Storm) as an infantryman where the underlying was, where was a line on the ground, what document said where it was, whose document was it, and who is to exert authority over that ground. Bateman was in harms' way to bring resolution to those issues. Even now, the U.S. is spending hundreds of millions of dollars in the Ukraine and South China Sea over those same things. Batemans' questions are not frivolous.

Butemans' procedural complaint, in the main, is, his original pre-conviction habeas corpus, where he had presented the circuit court an opportunity to address his jurisdictional challenge, that court did not follow the governing rule. See appendix G, H, J. The rule required everything to be on the record, and that the petition would be examined in short order with the court dismissing if frivolous, or directing the opposition to brief the court. That did not happen. Instead the court waited an entire year, until the day before trial, before having a hearing on a meritorious claim. The hearing that was conducted was spontaneous, and ad hoc. The court has no intension of hearing the threshold matter. The court denied the petition when there was no evidence to the contrary to Batemans' assertion. However, that court never entered the order into the record as the governing rule requires. That left the habeas predurably alive. Bateman files his 'Petition for Relief from Judgment' 60(b)(4)(6) (See appendix K) according to the rule (See appendix LL). The habeas had not been to the state Supreme Court so the jurisdiction had never been transferred to it, therefore

no leave was required from the higher court, any statute to the contrary notwithstanding. In Batemans' habeas and his 60(b) he does not attack anything other than the construction of the court and the fraud perpetrated upon it, or by it. Batemans' 60(b) was a true 60(b). The State at no time established its jurisdiction in the presence of Batemans' challenge. The State has repeatedly disregarded its own rules and demonstrated an extreme bias. The State believes it may create jurisdiction by fiat. The State contends that Bateman must file a Post-Conviction Relief motion. In such a filing it is required for the writ to bring up and argue every issue to ever be raise with few exceptions. The Petitioner has only 3 (three) years to file this all-inclusive petition. Bateman has generally ^{been} researching one issue for 10 (ten) years and still may not be prepared enough. Even so Bateman has continually challenged the State and can not get an answer to his simple threshold matter. Bateman contends that he owes no duty to the State to follow their rules when they themselves do not. He has done enough to get an answer.

The people of the State of Mississippi did, by their vote of the 6th of November 1990, repeal the exterior boundaries of the State, and thereby the States sovereignty. It is well established that a State is a body politic with a defined territory. Who is to define it? Originally, the United States Congress circumscribed the territory, and enabled the people therein to organize a sovereign state and a constitution to govern it through.

So, the people of the territory themselves decide. See: Miss. Const. Art. 3 sec 5. Now you can not find where Mississippi is. It exists as a legal construct, and as a corporation, but where is it geographically? If its' sovereignty is dissolved, then its' constitution has no authority to transmit, and the government acting under is infirm and invalid. The United States Congress has the inheirant authority to control and govern the territory no longer in the State. See: U. S. Const. Art. IV sec. 3 cl. 2.

This Court has repeatedly held that each of Batemans' assertions of Consturction is valid, and would have to reverse itself to disallow Batemans construction.

Even the States' highest court says that

if there is no existing law establishing or promulgating it for the state that it is therefore only usage and custom, and the Supreme Court does not have jurisdiction over it. See: Miss. Div. of the Sons of the Confederate Veterans v. Nat. Asso. for the Adv. of Colored People, 774 So. 2d. 388, 391-92, appendix LL.

Whatever Congress may have enacted, if anything, could have a wide variety of possible situations result. It is possible that everything is in order, that there is no fraud and the courts of this territory are in fact authorized to act as they do. In that case Bateman should have been shown how such authority was transmitted. However, it is more likely that such had such an act of Congress existed it would have been presented as evidence to establish jurisdiction, therefore Bateman contends that such an act does not in fact exist. For the State to present itself as sovereign is a fraud, and is supported by every act committed in its name.

Do United States citizens have to be lawyers just to ensure that the court that they find themselves in is at least a valid court? If resistance is impossible, compliance is compulsory.

Ultimately this issue is one that should be ruled on by this Court, as any inferior court ruling would in its' turn be brought before this Court to remove confusion and possible ambiguity. The conduct complained of here is of serious import to the nation at large. What would its' state of affairs be if half or more of the States, for whatever reason, dissolved their boundaries? Then if Congress did not act to govern, or, as bad, if acted upon each differently. There is a highly disturbing example here if you but look.

Therefore, Bateman prays this Honorable Court grant this petition and examine into the matters and issues herein raised and presented.

11th day of September 2019.

Respectfully Submitted,

Clayton Paul Bateman

Clayton Paul Bateman