

ORIGINAL

No. 19-7704

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FEB 13 2020  
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SUPREME COURT, U.S.

IN THE  
SUPREME COURT OF THE UNITED STATES

KEVIN MASSENGALE — PETITIONER  
(Your Name)

vs.

ALASKA CHILD SUPPORT SERVICE "et al." — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

KEVIN MASSENGALE  
(Your Name)

106 RIDGELINE LOOP UNIT A  
(Address)

ANCHORAGE AK 99501  
(City, State, Zip Code)

661-839-5967  
(Phone Number)

## QUESTION(S) PRESENTED

The U.S. supreme court and every court in the U.S., duties is to uphold the U.S. constitution, title IV-D agency violated my civil rights, inalienable rights, inherited rights, human rights, God given rights as a man etc. These rights are protected by the supreme law of the land, justice shall be served and no one is above the law.

## 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:

LOS ANGELES CHILD SUPPORT SERVICE DIVISION  
ANCHORAGE MUNICIPALITY  
ALASKA CHILD SUPPORT SERVICE DIVISION

## RELATED CASES

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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 A to the petition and is

[] reported at Nov 22 2019; 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[ ] is unpublished.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 B to the petition and is

[] reported at AUG 28 2019; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

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

N/A

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is

[ ] 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[ ] is unpublished.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 **federal courts**:

The date on which the United States Court of Appeals decided my case was SEP 5 2019.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: NOV 22 2019, and a copy of the order denying rehearing appears at Appendix A.

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. § 1254(1).

For cases from **state courts**:

The date on which the highest state court decided my case was AUG 28 2019. A copy of that decision appears at Appendix B.

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

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).

## STATUTES AND RULES

5th 6th 13th 14th Amendments of the United States Constitution supports this case. Civil action for deprivation of Rights is a federal statute that allows people to sue the government of civil rights violations it applies when someone acting under color of law, local state or federal has deprived a person/man of any Rights created/protected by the U.S Constitution or federal statutes. But yet I'm still denied. It clearly states in the federal Manual of Child Support Enforcement page 8-15 and on page 8-16 that before a mother or putative father sign the acknowledgement of paternity each MUST be given notice (both orally and in writing) or through the use of video or audio equipment of the legal consequences and responsibilities arising from the sign acknowledgement. 42 U.S.C 666 (5) (c) (i) clearly states which the state MUST provide that before a mother or punitive father can sign the acknowledgement of paternity the mother and putative father must be giving notice orally or through the use of video or audio equipment and in writing of the Alternatives of the legal consequences and the rights and responsibilities that arises from signing the acknowledgement.

Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. Aug 6, 2015

Section 1983 only allows you to sue for actions taken “under color of state law.” This means that your rights must have been violated by a state or local official. This includes people who work for the state, city, county or other local governments.

## Home Civil Rights Division

### DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

#### SUMMARY:

Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within the their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of this statute include police officers, prisons guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim.

The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

#### TITLE 18, U.S.C., SECTION 242

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnaping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

(3) Depriving persons of rights or privileges

If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

## Fifth Amendment

### Fifth Amendment: An Overview

The Fifth Amendment of the U.S. Constitution provides, "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation

Article VI

Primary tabs

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

## Introduction

The Fourteenth Amendment Guarantees an individual rights. 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 deny to any person within its jurisdiction the equal protection of the laws. This right is crucial to ensuring that no one rights be stripped from them. It protects citizens' Rights to Life, Property, pursuit of happiness, and enjoying the rewards of their own industry.

## STATEMENT OF THE ISSUES

The fifth, thirteenth, fourteenth, amendment protects the rights of citizens, in the amended complaint plaintiff allege plausible facts that defendant have adopted and enforced unconstitutional policies and forceful provisions that interfere with these rights. Did the District Court error when, in deciding an order to dismiss, it ignored plaintiffs allegations and instead relied upon its own facts to conclude that defendants policies are Constitutional and are a state agency. Title IV-D the contractor and its agent's employees and subcontractors will act in performance of the IV-D contract in an independent capacity and not as officers or employees or agents of the state or the CSEA. Title IV-D agency misinterpreted concealed documentation regarding personal and financial responsibility and did not inform me about the legal consequences that arises from signing the document, they never gave me my rights to due process "adequate notice" and did not properly Served me. I have been threatened and forced to comply with their services unwillingly, against my free will, and I did not volunteer.

## STATEMENT OF THE FACTS

I Kevin Massengale has been forced to abide by title IV-D of the Social Security Act provisions, violated my rights to due process created force compel Association, Title IV-D agency services has caused injury, emotional distress, stress and duress, coercion, poverty, and I suffered losses. Title IV-D agency is depriving me of my guarantee rights, stealing my hard earned wages, making it complicated, difficult and preventing me from supporting my children, taking food out of my children's mouth, decreasing birthday gifts, decreasing Christmas gifts, decreasing comfort and security from a household of a single man with two children. FACTS. Title IV-D of the Social Security Act has never been enacted into positive law title IV-D agency is acting under color of law.

## STATEMENT OF THE CASE

Title IV-D isn't a state agency and does not get immunity. Title IV-D never been enacted into positive law, this foreign corporation acting under color of law violated my rights to due process, the district court stated title IV-D is a state agency and is barred from suit and that there's no cause of action under 42 U.S.C. 1983, which clearly states every person who under color of any statute any state or the District of Columbia, subject or to be subjected any citizen of the United States to the deprivation of "any rights", will be liable. The courts shall be open and every man for an injury done him in his reputation person movable or immovable possession shall have Remedy by the due course of Law and Justice administered according to the very right of the cause and the law of the land without sale denial or unreasonable delay or expense. This is serious and not frivolous, that these two persons depriving me of my guaranteed rights that is protected by the supreme law of the land.

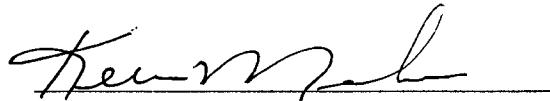
## REASONS FOR GRANTING THE PETITION

As a man you were born with the inherent rights of equal free and independent, and indefeasible rights of enjoying and Defending Your Life, and Liberty acquiring, possess, and protect your property and reputation, pursuing your own safety, happiness, and privacy. you cannot be deprived of any of these rights unless by due process of law. The District court overlooked the facts that my rights to freedom has been excluded without my consent. Dismissing my complaint is allowing me to remain in the unconstitutional Hands of a foreign and private entity for the sake of profit. As a man and a United States citizen it is my duty to go against such unlawful unconstitutional and fraudulent situations and for the U.S. Judicial system as well.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ken M. L." The signature is fluid and cursive, with a distinct "K" and "M".

Date: 2-14-20