

No. 19-7915

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Alan De Atley Tribal member
(Your Name) — PETITIONER

vs.

Dean Williams, Colorado et al
— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for The Tenth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Alan De Atley Tribal member
(Your Name)

12750 Hwy 96 Ln 13
(Address)

Ordway, Co. 81034
(City, State, Zip Code)

N/A In prison
(Phone Number)

FILED
FEB 13 2020
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Question(s) Presented

- 1st Can The State of Colorado and The federal Courts discreaminate against The Indian Tribal Court, The Chatgawa Tribal Court and The Tribe and Tribal members as a whole?
- 2nd Can The State of Colorado stipulate, agree, except The Tribal Courts orders, of holding the Jurisdict of the subject matter including The stipulation and agreement's See Ex A-J, Then Later violate these Tribal Courts orders and Stipulation and agreements?
- 3rd Can The state of Colorado and the Federal Court violate state Federal Law and Tribal Law?
- 4th Can The Federal Court's rule corruptly to cover there friend in the Lower court? An insider, whistle Blower is stating this is happening! now (6) whistle Blowers.
- 5th Can The Federal Court rule egsackly opposit to their pryor ruling see: UTE v. UTAH 790 F.3d 1000, Same fact's to "People v. Alan Deathy 10cr10309 but rule opposit.
- 6th Can fact's and proof become earlvent in a Tribal Case with Tribal law? The Tribal Court has ruled "fact's and Proof are the base of all court cases, for any court to rule on any other base clearly show's the courts intent to twist the end result's. The fact's and Proof are all very clear, The State and Federal Court's have intentionally ruled to cover for the Lower courts corrupt act's See App A-I.
- 7th Can the Federal Court correct the corruption in it Lower courts? Will the Federal Court.?
- 8th

QUESTION(S) PRESENTED

- State of Colorado and U.S. federal Courts are failing to follow State, federal and Tribal Law as all have followed in the past, and must follow now.
- The State must follow there own laws (as agreed by Colorado AG)
- The 10th circuit must follow there own case law.
- The State of Colorado, stipulated and Agreed to except
The Latgawa Tribal Court Preliminary Injunction entered on
22nd day of Sept. 2008, allow with, The Tribal Court holding the
jurisdiction of the Subject matter of this Action and retain
jurisdiction over the Stipulation and agreements of the
parties. This includes all documents subpoenaed in the same
Case's, now all 34,000,000 pages ^{now} stolen from the Tribal Land
"Indian Country" all taken by the State of Colorado violating
all Tribal stipulated agreements and Law and Tribal Court
order's. See EX A - EX J (Sept. 22nd, 2008) (started complete jurisdiction)
- The Tribal Court continue with this case, Latgawa (Land Trust)
V. Dean Myers et al case 09 CV 08247-01 to this day which
the State of Colorado is a part of.
- The State of Colorado violates, stipulated, agreed to Tribal
Court order's and injunction by Indicting Alan DeAtley Tribal
member, Tribal sp. counsel, Tribal Judge and Richard Davis chief of
the Tribe on Oct. 6th, 2010 clearly violating The stipulated,
agreed to Tribal Court order's and injunction, never challenged
to a higher Tribal Court after (10) plus years still in the case
as a whole. See EX - V Indictment of Alan DeAtley T.M.
Richard Davis T.M. David Zamzow Case 10 CR 10309, Grand Jury
No 10 CR 26 page 18 clearly showing the same Tribal Conservation
Easements as subpoenaed in the same case, Latgawa Tribal Court
holds jurisdiction and has an injunction, barring these types
of Acts page 18 #31, 32, 33, 34, 35, 36, 37, 38, (The Indictment is 31 pages
Total.
- 1st Question for The Court; The State of Colorado must follow
The Stipulated, Agreed to Tribal Court order's and follow
the injunction as all excepted without challenge to a higher
Tribal Court or Federal Court. All of this is without objection!

Question(s) Presented

- The U.S. District Court of Colorado and The 10th circuit must follow their own case law, See UTE INDIAN Tribe v. State of UTAH 790 F.3d 1000 U.S. Court of Appeals Tenth circuit June 16, 2015
Holdings: The Court of Appeals, Gorsuch, Circuit Judge, held in
(1) County's prosecution of Tribal member constituted irreparable injury to Tribal sovereignty; (Alan DeAtley Tribal member must be released)
- The same ^{case} as People v. Alan DeAtley Tribal member this applies
(2) Anti-Injunction Act did not bar federal court from issuing preliminary injunction;
- The Latgawa Tribal court issued an injunction, Colorado excepted without objection, or challenge to a high Tribal court.
(3) Younger abstention was not warranted;
- (4) mutual assistance agreement between state and Tribe did not waive Tribe's sovereign immunity from suit in state court;
- In fact, State of Colorado stipulated, agrees The Latgawa Tribal Court has all jurisdiction over these matters of conservation easements, owned by the Tribal 501-c3 all under injunction barring any action against Tribal member including Alan DeAtley T.M. and Richard Davis T.M. see Ex-APP A-I

Date and chain of events

- 2004 - Met with C.D.O.R. told them of our plans.
- 2005 - Requested from C.D.O.R. a "Request for Letter Ruling"
- 11 - C.D.O.R. Excepted, reviewed, audited all Tribal Tax Credits.
- 2006 - " " " " " " " "
- 2007 - " " " " " " " "
- 2008 - " " " " " " " "
- 2008 - Tribal Injunction, stipulated Tribal Court Order voided Jurisdiction
- 2008 - C.D.O.R. steals 34,000,000 pgs of Tribal documents. Theft
- 2008 - Tribal Court's Order's finding C.D.O.R., C.D.S.R.A., A.G. contract
- 2009 - Tribal Court rulings of State of Colorado violating Tribal Law.
- 2010 - Tribal Court rulings of State of Colorado violating Tribal Law.
- 2011 - C.D.O.R. steals more 300,000 pgs of Tribal documents. Theft
- 2010 - Illegal Indictment of DeAtley, Davis Tribal members
all without jurisdiction all on Tribal Land Indian Country.
- 2010 - Illegal District Court case "People v. DeAtley" 10CR10309
- 2011 - Civil Case on Tribal owned Conservation Easement tax Credits
- ↓
2020 - Civil Case still underway illegal ^{state} case no jurisdiction
- 2020 - Tribal Case still underway with all Jurisdiction subject matter with the injunction against the State of Colorado

stated to
all ~~states~~, state, federal
and Tribal.

- 1st 2008, State of Colorado, stipulated, Agreed, Excepted The Latgowa Tribal Court Preliminary Injunction, Barring any acts against The Tribe, Tribal members and all of The Tribe's businesses including Tribal Conservation Easements and Tax Credits including all documents, Appraisal and Tribal back up, including notes. Also agreeing Excepting all with out any challenges to a higher Tribal court or federal (10) Plus years ago, now well past appeals time line, the Tribal Court holding all Subject matter Jurisdiction, including stipulation and agreements over these matters including The Tribe and The State of Colorado. See Ex-A-J (State of Colorado violated, State, federal and Tribal Laws)
- State, federal and Tribal: The State of Colorado has No Jurisdiction over Tribal Members Alan DeAtley Tribal member, Tribal Sp. Council Tribal Judge and Richard Davis Tribal member chief.
 - The State of Colorado must dismiss all cases see Ex+App A-I
- 2nd The State of Colorado after appearing in Tribal Court in 2008 have not appeared, replied, responded, answered, not even written a letter to the Tribal Court, letting all 439 mini hearing / motions go with out any argument from the State of Colorado as a whole, excepting all Tribal Court ruling all made absolute all with mandates issued all over (9) months or older, all past the time to challenge in Tribal court and in federal Court all being served on The State now now many times including default Judgements just served for the 3rd time on The Gov. of Colorado Jared Polis and The chief Judge Nancy Rice Colorado Supreme Court, A.G. Phil Wieser, Director Dean Williams, Colorado Department of Revenue Barbara Brosht Colorado Department of Regulatory Agency Director Cernany Colorado Department of Health Services Director
- 3rd The State of Colorado clearly withdrew all letters, Subpoenas to the parties, then Dismiss the Denver District court case and the stipulated, agreed, excepted the Tribal Court orders hold jurisdiction of the Subject matter and excepting the Tribal injunction Barring any acts against the Tribe Tribal member including Alan DeAtley Tribal member and Richard Davis Tribal member.
- 4th The State of Colorado is ~~is~~ still in the Tribal court case to this day

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:

- (Warden Keeps changing) at Arkansas Valley Correction Facility
- Phil Wieser Attorney General, Notice only for release of Alan DeAtley T.M.. To this date The State of Colorado has not responded in any way.

RELATED CASES

- *Latgawa Native American Indian Tribe (Land Trust)*
v.
Dean Myers, Greg Schuler, Brown, Chad Leigh, Schuler, Myers and associates and The Colorado Board of Real Estate Appraisers a public body and political agency and subdivisions of The State of Colorado and the State of Colorado as a whole et al. Cause No. 09 CV 08247-01
5/3/08
- Stipulated Order and agreement and now permit Injunction, were Tribal Court orders and retains jurisdiction over the stipulation and agreement's of the parties including "subject matter jurisdiction" and all Tribal matters and Tribal members. And further agreed to be subject to the continuing jurisdiction of this Court. See EX
- *UTE INDIAN TRIBE*
v.
State of UTAH 790 F.3d 1000 No 14-4028, 14-4031, 14-4034 4/14/15
(1) State and County prosecution of Tribal members constituted irreparable injury to Tribal sovereignty.
(2) Anti Injunction Act did not bar federal court from issuing preliminary injunction
(6) State and County attorneys were not entitled to sovereign immunity.

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APPENDIX A	Decision of U.S. Court of Appeals for The Tenth Circuit - No 19-1322 (D.C. No. 1:19-CV-01326-LTB-GPG) (D. Colo.) - October 28 th 2019 Order Denying Certificate of Appealability
APPENDIX B	^{SEE EX-} Decision of U.S. Court of Appeals for The Tenth Circuit - No 19-1322 (D.C. No. 1:19-CV-01326-LTB-GPG) (D. Colo.) - November 18, 2019 Order Denying rehearing.
APPENDIX C	Decision of Latgawa Indian Tribal Justice Court Ex-A-J - Cause No 09 CV 08247-01 Order agreeing to be subject to The continuing jurisdiction of The Tribal Court. Ex-J
APPENDIX D	Decision of Latgawa Indian Tribal Justice Court Ex-L 2-14pg Order for Colorado to dismiss all cases, for Lack of Jurisdiction
APPENDIX E	Decision of Latgawa Indian Tribal Justice Court Ex-M 1-3pg Granting The Tribal Habeas Corpus all without any objection or challenges, such now without any conflict.
APPENDIX F	The court has ruled as any other court would, were no objections or challenges to a higher Tribal Court. → Motion - 19-CV-01326 LTB-GPG / 19-1322
Appendix G	Motion - 19-CV-01326 LTB-GPG / 19-1322
Appendix H	Illegal Colorado indictment all without Jurisdiction of the Subject matters and with injunction in place Barring these acts against the Tribe and Tribal Members.
Appendix I	Legal mail Log

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

UTE v. UTAH 790 F.3d 1000 U.S. Appeal 10th Cir (1.)

UTE v. Lawrence 875 F.3d 539 U.S. Appeal 10th Cir (1)

Tohono v. Ducey 174 F Supp 3d 1194 p 1201 (1201)

Chelmechevi v. McMahon 2016 U.S. Dist Lewis 189513

UTE v. Myton 832 F.3d 1220, 2016 U.S. App. Lewis 14582

Prairie Band of Potawatomi Indian v. Pierce 253 F.3d 1234
26 Decisions all:

- Tribal Sovereign immunity applies to suits brought by States.
- District Court failed twice to enforce the mandate of the Court of Appeals.
- Interference with Tribal Sovereignty is an irreparable injury to the Tribe and Tribal members
- Affirming preliminary injunction prevented State of Oklahoma from interfering with Tribal matters all on Tribal Lands.

STATUTES AND RULES

- Paramount Federal Policy of ensuring that Indians did not suffer interference with their efforts to develop strong self government
- Imposing a form for States on Tribal forms 2254 that discriminated
- Ordering a Tribal Court and Tribal member to fill out a form that's made only to work for State Courts, that discrimination in intentionally trying to displace Tribal authority, Tribal Courts orders is illegal. This all on "Indian Country".
- Rule 47 local Rules by U.S. Court of Appeals (2) Forms must not be enforced in a manner that cause a party to lose rights because of a non willful, failure to comply with the requirement and or a court order 8/12/19

OTHER

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:** *U.S. District of Colorado DeAtley Tribal member v. C.D.O.R. Dean Williams 19-cv-01326 G.A.G. LTB. / 10th Cir Court of appeal 19-1322*

The opinion of the United States court of appeals appears at Appendix AB to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished. *19-cv-01326 G.A.G. LTB. Paper copy sent by U.S. District court (Rehearing) 19-1322 Matheson, McKay, Bacharach sent 10/28/19 " " " " 11/18/19*

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

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

☒ For cases from ~~state courts:~~ *Tribal Court*

Tribal Court
The opinion of the highest ~~state court~~ to review the merits appears at Appendix C.D.E. to the petition and is F. G. H.

☒ reported at 09CV08247-01 Sec Attached Ex -; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

The Latgawa Indian Tribal Justice Court
The opinion of the Tribal Court 09-CV-08247-01 Ex - court appears at Appendix C.D.E. to the petition and is F. G.

☒ 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 October 28th, 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: 11/18/19, and a copy of the order denying rehearing appears at Appendix See Ex-B, Attached.

[] 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).

Tribal Court

☒ For cases from **state courts:**

The date on which the highest unchallenged Tribal Court ruling and jurisdiction state court decided my case was _____.
A copy of that decision appears at Appendix C.D.E.F.G.H.

[] 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- The State of Colorado and now the Federal Court are violating our constitutional rights
- Unconstitutional search and seizure
- Unconstitutional unlawful arrest.
- Unconstitutional failure of the illegal prosecution "double jeopardy"
- Unconstitutional right to access to the courts.
- Unconstitutional discrimination against Tribal members and the tribe as a whole

This is corruption all against Alan DeAtley T.M. constitutional rights.

STATEMENT OF THE CASE

- This makes the Supreme Court look bad. Please don't let the Facts and proof become 2nd daisy to rules of redicules, redondant Fowells, Judges Clerks make the Law look redickulous, unbelievable.
- God is watching, God is on my side, rule as God wants, not as you think you are God your self.
- Please Grant the cert.
- Please Grant the U.S. 2254 and release
- Alan De Atley T.M. A.S.A.P.

REASONS FOR GRANTING THE PETITION

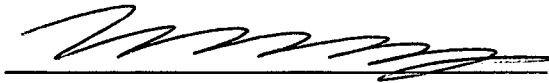
- Correct all these wrongs, do God's will dismiss and release Alan DeAtley Tribal member
- These courts are out of control, you can't have these crazy rulings, The Judges and their clerk's must restore the U.S. public Trust and faith in this system of now corruptions
- This system now only works for a very few most rulings are with outside reason, clearly not looking at the facts and proof. Politics, money for Judgements, inmates to justify the system and all that are employees within the corrupt system.
- Please don't let the corruption enter the highest court in over U.S. of A.
- Stop this with proof to all so people see you are controlling all of our lower courts, with Truth and fact.

CONCLUSION

you must correct this corruption against the Tribal Court and Tribal member Alan DeAtty T.M.

The petition for a writ of certiorari should be granted. and release Alan DeAtty T.M. A.S.A.P.

Respectfully submitted,

A handwritten signature in black ink, consisting of several stylized, overlapping loops and curves, positioned above a horizontal line.

Date: 2/13/20