

19-8578
1 No.

IN THE SUPREME COURT OF THE UNITED STATES

Khavree Smith-El -PETITIONER

VS

UNITED STATES SUPREME COURT-respondent
UNITED STATES- respondent

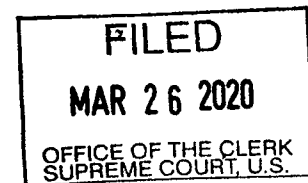
A writ of national habeas corpus

In propria persona sui juris

JURISDICTIONAL CHALLENGE

FERGUSON UNIT
12120 savage dr
midway,tx 75852

ORIGINAL



QUESTIONS PRESENTED

- A) What branch of law authorized States to assume jurisdiction over any person prior to adjudication?
- B) What branch of law authorized states to violate constitutional law and disregard the proper procedure of right order in establishing on record proper status and jurisdiction prior to adjudication?
- C) What branch of law authorized States to denationalize any person of African descent prior to adjudication?
- D) Is 'Black' a proper status according to U.S. constitution (article 1, section 2, clause 3) or a lawful slave labeled under the institution of slavery prior to the ratification of the 13th Amendment?
- E) What branch of law authorized States to Apply abolished slave labels such as 'black' to any person of african descent after 1865, 13th Amendment?
- F) Does applying such slave labels to any person reinstate such person as chattel property and reopens the institution of slavery under colorable constitutional amendments?
- G) Are 'blacks' classed as slaves or otherwise 'persons' as used in the 14th amendment and how can they be made 1st class citizens without their inalienable Free National descendant name of their forefathers?
- H) As for 'blacks' (property) with criminal records, what crimes can property commit which its owner, the slave master is not accountable for in a court of law?
- I) If the States are authorized to label any person a slave (black), can the same also produce a slave owner?
- J) Can this court justify holding me as a 'black hostage' under the guise of incarceration?
- K) Does this court have any jurisdiction in written personam over my proper status: Moorish American, in propria persona sui juris?

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:

TABLE OF CONTENTS

PROCLAMATION & CORRECTION OF PROPER STATUS
HABEAS CORPUS
CASES CITED
REASON FOR GRANTING PETITION
REASON FOR NOT APPLYING TO DISTRICT COURT.
CONCLUSION

PROCLAMATION & CORRECTION OF PROPER STATUS

The supreme laws of the U.S. judicially uphold there can be no legal proceeding without the right order establishment of PROPER STATUS and apposite JURISDICTION. These two pillars must be in place and have precedence before adjudication of all formal and alleged offenses can be addressed.

In light of the unlawful actions of THE STATE of TEXAS my proper status must be corrected, as all documents related to my arrest, conviction and sentencing reflect an unlawful status of 'black'.


CORRECTION OF STATUS

Let the record reflect that I, the petitioner, proclaims that I am Khayree Smith-El, Moorish American, in propria persona sui juris AND NOT PRO SE.

Let the record reflect that I, Khayree Smith-El proclaim that I AM NOT NEGRO, BLACK, COLORED OR AFRICAN AMERICAN.

Let the record reflect that My PROPER STATUS HAS NOW BEEN CORRECTED.

Khayree Smith-El
Moorish American
In propria persona
Sui juris



DATE 5-5-20

NATIONAL HABEAS CORPUS

Now comes the Petitioner, Khayree Smith-El, Moorish American, in propria persona sui juris, in writ of national habeas corpus to hereby challenge the jurisdiction of the united states of america, united states congress and the supreme court of the united states of america for the avernment thereof. The supreme laws of the U.S. judically uphold there can be no legal procedure without the establishment of proper status and apposite jurisdiction. These pillars must be in place and have precedence before adjudication of all formal and alleged offenses can be addressed.

Fact: The state of texas failed to follow the above legal procedure, in which they have merely assumed jurisdiction while denationalizing me prior to adjudication with an abolished slave name: Black.

Fact: all slave names, slave owners and slaves were leagally abolished in 1865. The slave identifying marks (blacks) which were given to those enslaved were also voided with their institution because these names that were applied to captured and imported African Moors were 'demurable' and an act of denationalization, which placed them out of their 'proper person' to be treated unfairly and unjustly.

Fact: All misdemeanors and felony cases proceeding from identification records with the petitioner described or indicated as negro, black, colored African American, etc, is Ex Post Facto to the U.S. constitution. thereby, the arrests, prosecutions, convictions and all sentencing of 'persons'/'property'/'slaves' without the presence of their slave owners are tainted laws of colorable slavery.

Fact: Whereas the courts are hereby demanded to prove that 'black' is a lawful status with a descendant nature within the scope of nationality or national origin of forefathers equal to all other people. Further, prove this status existed before the establishment of the continental congress and after its congressional death in 1865.

Fact: The claim of the 13th Amendment to abolish all entities of slavery (slave owners, slaves and slave names) now becomes Ex post facto in the 14th Amendment which then declares the same 'black' slaves as citizens, disguised under the word person (commercial property) and made subject to the jurisdiction. This claim gives rise to a legal conflict between slavery and freedom. And is itself a constitutional matter.

Hear how the greatest bounds of jurisdiction, empowered to the wisdom, the supreme court of the united states is now challenged, to render in written personam, it's constitutional jurisdiction to govern this petitioner: Khayree Smith-El, Moorish American, in propria perona, sui juris.

Now, the highest court in the united states, being in want of said jurisdiction and therefore without the power to issue an in personam judgement, this petitioner do hereby declares his inalienable right is to be free and immediately released in his proper person.

G

RELIEF SOUGHT

To over turn and commute this sentence due to lack of jurisdiction and denationalization. To Immediately release this petitioner in his proper person, in his own right and true freedom. The relief sought is what is required by law from this court.

VERIFICATION

That I affirm under penalty of perjury under the common law of america, without 'united states'; under the laws of the united states of america that the foregoing is true and correct to the best of my current information, knowledge and belief, per 28 USC 1746(1).



Moorish American
In propria persona
sui juris

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing national habeas corpus has been furnished by U.S. Mail to :Clerk of U.S. supreme court;One 1st street NE, Washington, DC 20543. The Solicitor general, room #5616, Dept of justice, 950 Pennsylvania Ave NW, Washington, DC 20530.

DATE 5-5-20



Moorish American
In propria persona
sui juris

cases cited

Federal rule title 18,section 241-242

U.S. constitution article 1, section 9(clause3) and 10

Dred scott v sandford. 60 US (19Howard) 393,15 :.ed 691

U.S. constitution Article 1,section 2(clause3)

Boswell v otis,9 How.366,348

Hagans v Lavine. 415 U.S. 528,94 s,ct 1372, 39 L.ed 2d 577

28 USC §1343(3)

U.S. constitution 13th and 14th amendment

Pennoyer V Neff, 95 US 714 214 L.ed 565

REASON FOR NOT APPLYING TO DISTRICT COURT

Prior to adjudication I was denationalized through unlawful procedures and given the slave label of 'black'. Per U.S. constitution article 1, section 2 (clause 3), all 'blacks' are 3/5 of a person (slave). And per U.S. supreme court decision of Dred Scott v. Sandford, "The Black man has no rights that true U.S. citizens are bound to respect". Thus, 'black' is not proper status and only the proper status can be heard in the proper jurisdiction. Being 'black' is not a district court or superior court issue. In fact, the 'black' label would leave any court in want of jurisdiction except the U.S. Supreme court. Under the Supreme court ruling of Hagans V. Lavine, jurisdiction cannot be sustained by a lower court or entertain and decide any claim of conflict between federal and state laws. This ruling also expresses that the conflict itself is a constitutional matter regarding 'proper jurisdiction'. The claim of the 13th amendment to abolish all entities of slavery (slaves, slave owners, slave names e.g. negro, black and colored) now becomes Ex post facto in the 14th amendment which then declares the same negro, black and colored slaves as citizens, disguised under the word person and 'made subject to the jurisdiction'. This claim gives rise to the conflict between slavery and freedom and is itself a constitutional matter. District courts do not have the authority to decide constitutional matters, nor can they overrule U.S. supreme court decisions. Thus, for the matters raised in this habeas corpus, only the U.S. supreme court can correct the matter. Any application to the district court, per article 3, section 1 and 2 of the US constitution, regarding jurisdictional challenges and proper status, would be unconstitutional, as district courts are only delegated limited authority and cannot lawfully act on or even respond to jurisdictional challenges regarding personam jurisdiction, proper status and or constitutional matters. For any district court to claim personam jurisdiction over any nationality is an act of fraud. The State, via its district courts, are operating under "assumable jurisdiction", denationalizing and reopening the "Institution of slavery"

REASON FOR GRANTING PETITION

The State has knowingly and intentionally committed the federal crime of denationalization by applying the abolished slave label of 'black' against me. All people who are free nationals are born with the inalienable rights to inherent the nationality of their forefathers i.e. Mexican, Moorish, etc. Any act, lawful or disguised, which deprives a person or people of this birthright given to them by their Creator is an act of denationalization and genocide because it places them outside of the constitutional protection of the law. These are first degree criminal violations for any government to enact upon a people under colorable amendments to its constitutional laws. This confirmation is in dire violation of the U.S. constitution article 1, section 9 (clause 3) and 10, which are Ex post facto and the courts that enforce these laws are criminally liable. FACT: all slaves names, slave owners and slaves were legally abolished in 1865 via the 13th amendment. The slave identifying marks of negro, black and colored, etc. which were given to those enslaved, were also voided with their institution because these names that were applied to captured and imported African Moors were 'demurable' and an act of denationalization, which placed them out of their proper person to be treated unfairly and unjustly. Hence, all 'blacks' are lawfully 3/5 of a person (slave). The supreme laws of the U.S. judicially uphold there can be no legal proceeding without the establishment of 1) proper status and 2) correct jurisdiction. Jurisdiction cannot be sustained by a lower court. The claim of the 13th amendment to abolish all entities of slavery (slaves, slave owners and slave names e.g. negro, black and colored) now becomes Ex post facto in the 14th amendment where it then declares the same negro, black and colored slaves as citizens disguised under the word person and made subject to the jurisdiction. This claim gives rise to the legal conflict between slavery and freedom which is a constitutional issue. The supreme court, empowered by the U.S. constitution is the only court that can address this matter of proper jurisdiction, denationalization and slavery. To not grant this petition would express that the States have been lawfully authorized by this U.S. supreme court (per the constitution) and congress to reinstate the Institution of slavery.

CONCLUSION

THE PETITION FOR WRIT OF NATIONAL HABEAS CORPUS SHOULD BE GRANTED

RESPECTFULLY SUBMITTED

Khayree Smith

Moorish american

In propria persona sui juris

date 5-3-20

IN THE SUPREME COURT OF THE UNITED STATES

KHAYREE Smith-El - Petitioner

vs

united states- petitioner

united states supreme court - petitioner

PROOF OF SERVICE

I, Khayree Smith-El, do hereby declare that on this date: 5-5-20, as required by supreme court rule 29 I have served the enclosed motion for leave to proceed In forma pauperis and petition for writ of national habeas corpus on each party to the above proceeding or the party's counsel and on every other person required to be served by depositing an envelope containing the above documents in the U.S. Mail properly addressed to each of them with first-class postage prepaid or by delivery to a third party commercial carrier for delivery within 3 calender days.

The names and addresses of those served are as follows: The clerk of the supreme court ;One 1st street, NE, washington dc, 20543. The Solicitor general; Room #5616 department of justice, 950 Pennsylvania Ave NW, washington, Dc 20530.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5-5-20



Moorish American
In propria persona
Sui juris