

20-5189

IN THE SUPREME COURT OF THE UNITED STATES

Khayree Smith-El -PETITIONER

VS

UNITED STATES SUPREME COURT-respondent  
~~XXXXXXXXXXXXXXXXXXXX~~

A writ of national habeas corpus  
In propria persona sui juris  
Jurisdictional Challenge

FILED

JUN 30 2020

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

FERGUSON UNIT  
12120 savage dr  
midway, tx 75852

**ORIGINAL**

### Questions Presented

- A) Are "Blacks" classified as slaves or otherwise "persons" as used in the 14th Amendment and how can "Blacks" be made 1st class citizens without their inalienable Free National descendant name of their Forefathers?
- B) Does applying such slave Labels to any person reinstate such persons as chattel property and reopens the institution of Slavery under colorable Constitutional amendments?
- C) What branch of law authorized States to apply abolished slave labels such as "Black" to any person of African descent after 1865, 13th Amendment?
- D) As for "Blacks" with Criminal records, what crimes can property commit which it's owner, the slave master is not accountable for in a court of law?
- E) If the states are authorized to label any person a slave (Black), can the same also produce a slave master?
- F) Is slavery lawful prior to being duly convicted as stated in the 13th Amendment?

## 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:

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# National Habeas Corpus

Now comes the petitioner, Khayre Smith, El Moroccan American, in propria persona suis iuris, in writ of National Habeas Corpus to hereby challenge the jurisdiction of the U.S. Supreme Court for the avowment thereof. The Supreme laws of the U.S. judicially uphold there can be no legal proceeding 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.

Hear now the greatest bounds of jurisdiction, empowered to the wisdom, the Supreme Court of the United States is now challenged, to render in written personam, its ~~empowerment~~ constitutional jurisdiction to govern this petitioner.

Now, the highest court in the United States, being in want of said jurisdiction and therefore without the power to issue an in personam judgment, this petitioner do hereby declare his inalienable right is to be free and immediately released. Relief sought

To overturn conviction and commute sentence and release

petitioner.

## Verification

I affirm under penalty of perjury under the common law of America, without United States, under the U.S. of America that the foregoing is true and correct to the best of my current information, knowledge and belief, per 28 USC 174d(5).

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 D.C.

Khayre Smith, El Moroccan American

in propria persona suis iuris

Date 6-29-20

cases cited

Federal Rule Title 18,Section 241-242  
U.S. COnstitution Article 1,section 9(clause 3) and 10  
Dred Scott v Sandford,60 US(19 Howard) 393,15 L.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 14th Amendment  
U.S. COnstitution 13th Amendment  
Pennoyer v Neff, 95 US 714. 214 L.ed 565

### 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 inherit 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.

#### 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 Hagan 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 over rule 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 "assumed jurisdiction", denationalizing and reopening the "Institution of slavery"

CONCLUSION

THE PETITION FOR WRIT OF NATIONAL HABEAS CORPUS SHOULD BE GRANTED

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to read "Moorish American", is written over a horizontal line.

Moorish american

In propria persona sui juris

date 6-24-2020