

Docket No: 20- 698

Supreme Court, U.S.
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OFFICE OF THE CLERK

SUPREME COURT OF THE UNITED STATES

Alan Headman,

Petitioner,

vs.

Royal I. Hansen, et al.

Respondents

On Petition for a Writ of Certiorari to the United States Supreme Court

PETITION FOR WRIT OF CERTIORARI

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SUPREME COURT, U.S.**

Docket No: 20-_____

SUPREME COURT OF THE UNITED STATES

Alan Headman,

Petitioner,

vs.

Royal I. Hansen, JoAnna Sagers, Matthew B. Durrant, Thomas
Rex Lee, Constandinos Himonas, John A. Pearce, Paige Petersen,

Respondents

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QUESTIONS PRESENTED FOR REVIEW

- I. Regarding the application of 13th Amendment protection, whether the lack of “specific” terms within a written agreement should prevent state court officers from imposing terms of servitude and whether the imposition of any measure of servitude, except as punishment for a crime, absent a “specific” written agreement constitutes “Involuntary Servitude”.
- II. Whether any state court forum which imposes servitude upon one Citizen for the benefit of another without “specific” written concessions renders that state’s forum Constitutionally “Inadequate” in protecting Citizen’s Rights within the related body of law in which the state court forum is attempting to impose servitude.
- III. Whether the Constitutional Right to Equal Protection of Law requires the Federal Supreme Court to equally protect all Citizens of this Nation through the establishment of a precedent ruling to close loopholes which have allowed inconsistent enforcements of Involuntary Servitude from one state to another.
- IV. Whether the imposition of any “Servitude” by any state officer, which is not supported by “specific” written terms except as punishment for a crime, should be deemed outside Constitutional Jurisdiction and should “Disqualify” that officer of judicial immunity in connection with being held responsible for the deprivation of a Citizen’s Constitutional Right to Life, Liberty and Property.

LIST OF PARTIES TO PROCEEDING

The Parties to this proceeding are duly listed within the captions of this Petition for Writ of Certiorari the following represents the listing of the counsel associated with the Respondents and related Utah Attorney General parties:

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RELATED DISTRICT COURT PROCEEDINGS

Headman v. Hansen United States District Court, District of Utah 2:19-CV-00592-DB

This case, consolidating two cases below, was initiated under claims Judge Royal I. Hansen refused to allow questioning of witnesses, argument and evidence presentation, and subpoenaed witness testimony and ruled a 50% decline in income was not material in an attempt to prevent the Petitioner from obtaining declaratory judgements over issues which are the subject matter of this Petition for Writ of Certiorari.

Headman v. Sagers United States District Court, District of Utah (Consolidated)

This case (originally 2:19-CV-00961) was initiated on claims that Commissioner JoAnna Sagers, having direct knowledge of the 50% income, chose to ignore her Judicial Oath to uphold the Constitution and join Judge Royal I. Hansen in preventing the Petitioner from obtaining declaratory judgements over the subject matter of this Petition for Writ of Certiorari.

Headman v. Matthew B. Durrant, Thomas Rex Lee, Constandinos Himonas, John A. Pearce, Paige Petersen (Five Utah Supreme Court Judges) United States District Court, District of Utah

This case (originally 2:19-CV-00016) was initiated under claims that Utah Supreme Court Justices had oversight and authority to remedy the denial of due process yet, upon being duly notified, has failed to issue a remediating writ and stop improper incarceration. These Defendants are included in this action as they have chosen to preserve the practice of Utah Courts of imposing involuntary servitude upon Utah Citizens improperly relying upon the shield of judicial immunity to protect them from the consequences of denying Constitutional protections to citizens.

RELATED FEDERAL APPEAL COURT PROCEEDINGS

Headman v. Hansen Et Al. United States Court of Appeals for the Tenth Circuit 20-4035

This consolidated case in appeal was initiated under claims that the Dismissal of the case was issued based upon false claims that the Petitioner was requesting a remediation of a state-court matter rather than a restoration of his Constitutional Right to due process of law through the intervention of the Federal Courts when an “Inadequate Forum” over a specific body of law is not being administered by State Courts.

Note: Even the opposing party in the state case conceded that the matters in Federal Court were not attempting to resolve state court matters and therefore chose not to be a party to the above actions (see Appendix G).

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RELATED OPINIONS AND ORDERS

DISTRICT COURT OPINIONS AND ORDERS

Headman v. Hansen United States District Court, District of Utah 2:19-CV-00592-DB;

Headman v. Sagers United States District Court, District of Utah (Consolidated); and

Headman v. Matthew B. Durrant, Thomas Rex Lee, Constandinos Himonas, John A. Pearce,

Paige Petersen (Five Utah Supreme Court Judges) United States District Court, District of Utah.

The three consolidated cases above were dismissed by a Federal order issued March 9, 2020 under the premises that Federal Courts lack jurisdiction in state matters, the parties enjoy judicial immunity, abstention bars relief, and no claim upon which relief could be granted existed.

APPEAL COURT OPINIONS AND ORDERS

Headman v. Hansen Et Al. United States Court of Appeals for the Tenth Circuit 20-4035

The Appeal was dismissed without being granted due process by a Federal order issued August 10, 2020 stating the premises which were stated for the dismissal of the matters in Federal District Court.

SUPREME COURT JURISDICTION

On September 1, 2020, the United States Court of Appeals for the Tenth Circuit issued a mandate confirming that the August 10, 2020 Order and Judgement dismissing the appeal, for the reasons stated above, took effect on this date. Considering the nature of the Petitioners case and the fact that it addresses the topic of judicial immunity which would be sensitive to obtain impartiality, the Petitioner did not request a rehearing upon the matters within the appeal court.

However, the existence of Involuntary Servitude much like the historical existence of black slavery within the United States qualifies the case as having "imperative public importance" which should eliminate any defense the Respondents may have regarding this Court's Fed. Rule Civ. Proc. 11 urgency should they claim the matter is not final within the Appeal Court.

The issues which are the subject matter of this Petition for Writ of Certiorari concern the "Systemic" enforcement of Involuntary Servitude which has been allowed to plague this nation. This Court's Fed. Rule Civ. Proc. 10 states that specific guidelines listed within that rule, "neither [control] nor fully [measure] the Court's discretion". This statement should serve to discredit any defenses which may arise as to jurisdiction of these matters without full due process.

Notwithstanding the topic of Involuntary Servitude on it's own, within this Court's Fed. Rule Civ. Proc. 10(a) this case qualifies for Jurisdiction as the District and Appeal Courts have by direct action, or failure of action, once again "decided an important federal question in a way that

conflicts with relevant decisions of this Court". Just as in *Dred Scott v. Sandford*, 60 U.S. 393 (1856), a history of bad Court decisions failing to definitively solve a problem such as Slavery should not disqualify the need for this Court's intervention in resolving Constitutional injustice.

The Constitution is the Supreme Law of the Land and the Supreme Court is charged in ensuring the Constitutional Rights of United States Citizens are protected. Whether it is formally being enforced or constructively being forced by a systemic pattern adopted by state courts, Involuntary Servitude exists within the United States of America and stopping it is within this Court's Jurisdiction.

Although the constitutionality of a state statute is not being drawn into question, the constitutional "adequacy" of the Utah forum administered by the Respondents is being challenged, notification of this action is being provided to the Utah Attorney General and Utah Assistant Attorney General and 28 U.S.C Sec. 2403(b) may apply.

CONSTITUTIONAL PROVISIONS AND STATUTES

The Fourteenth Amendment to the United States Constitution

"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".

The Thirteenth Amendment to the United States Constitution

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

18 U.S. Code § 1584.Sale into involuntary servitude

"(a) Whoever knowingly and willfully holds to involuntary servitude or sells into any condition of involuntary servitude, any other person for any term, or brings within the United States any person so held, shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both. (b) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (a)"

CONCISE STATEMENT OF THE CASE

At its core, this case concerns the standards upon which servitude is deemed voluntary or involuntary and the degree to which protection from involuntary servitude is being preserved by this, the Supreme Court of the Land. There exists no governing, consistent or equal standard preventing Utah, and any other state choosing to ignore the rights of U.S. Citizens, from systemically enforcing involuntary servitude to meet a conflicting agenda. The lack of such a standard has resulted in a pervasive denial of Constitutional protection easily swayed by economic interests, judicial bias or other conflicting state interests.

The aforementioned lack of standards does not excuse any court Officers from their oath to uphold the Constitution, including their obligation to protect Citizens from Involuntary Servitude, neither should it grant judicial immunity to any who have stepped outside of their Constitutional Jurisdiction by exploiting the loophole left by the lack of protective standards.

In this age where the laws have come so far in ensuring equality, it is imperative that the Constitutional Supreme Court of this land takes the necessary measures to ensure Constitutional protection is no longer discarded at the will of violating states, by the lack of standards which would close the Involuntary Servitude loophole.

This Writ of Certiorari seeks a ruling stating no servitude obligations are to be enforced absent specific written concessions and to establish that related violations shall disqualify any State or Federal Court Officers from judicial immunity for the violation of Constitutional Rights.

AMPLIFYING ARGUMENT

The Respondents, who are all Officers of Utah courts, along with Officers of other like-minded state courts, are well aware of the denial of Constitutional protection they have been allowed to systemically exploit without any accountability. Under the protection of unchecked judicial immunity they have been allowed to systemically impose long-term sentences of Involuntary Servitude (including lifetime alimony servitude in some states) as they have ignored the voluntary component within the language of the Constitution.

Whether, under Title 18, U.S.C., Sec. 1584 Sale into involuntary servitude, participating in a state forum collectively or acting contrary to the Constitution individually, any State Officers “knowingly and willfully” holding citizens in “involuntary servitude” for “any term” has committed a criminal act which subjects Court Officers (as “any person”) to being “fined under this title or imprisoned not more than 20 years, or both”. Further “Whoever” obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of Sec. 1584, shall be subject to the penalties described applicable.

The recent rulings within Trump v. Vance, 140 S. Ct. 2412 require this Court to find that “no one is above the law” and any Officer of a State Court individually or through participation within a “Systemic” holding of citizens in “involuntary servitude”, is as guilty as any other citizen in participating in a criminal act. A criminal act must disqualify the Court Officer of Judicial Immunity protection. Court officers are not exempt from being held responsible for Sec. 1584 violations as they indeed qualify as “Whoever” or “Any Person” and it is the responsibility of this Court, regardless of its desire to extend judicial immunity to law abiding Court Officers, to ensure justice is served and to protect the citizens.

In addition to guarantees of certain rights, our System of Government was designed to operate with checks and balances at every level. Yet concerning the imposition of Involuntary Servitude and Alimony, among protections the Defendants have been ignoring are:

- Statute of Fraud provisions requiring that marital agreements be in writing
- Laws that prevent enforcement of marital agreements not in writing
- Laws designed to protect victims of acts of marital fault
- Basic legal remedies such as breach of marital contract
- Accountability of Court Officers who impose Involuntary Servitude
- The right to not be coerced by Court Officers into terms of servitude
- Impartiality of higher courts in correcting lower court decisions
- Constitutional “demand” for trial by Jury as a matter of right
- The speedy and unbiased application of protection of law
- Deeming of Life, Liberty and Property to be God-given (or inalienable) not subject to being taken based upon who has the ability and who has a need.
- Focus on Protecting rights not redistributing wealth

The Petitioner’s rights to due process have been systemically denied from the onset of the proceedings in the court of first instance (see Appendix F). The subject matter of this Petition for Writ of Certiorari concerns the correction of the “Inadequacy” of state forums imposing involuntary servitude and to establish accountability of State Court Officers individually for violating Involuntary Servitude provisions not to otherwise invoke Federal intervention in the

resolution of state matters (see Appendix G) which has been a false defense of the Respondents throughout Federal proceedings in the District and Appeal Courts.

Every single instance in which a United States Citizen is subject to Human Trafficking, Involuntary Servitude, Incarceration without Criminal Conviction, or any other unlawful restraint of Liberty is a matter of an "imperative" nature regardless of when it is discovered or when it is finally properly defined and brought before this Court.

The denial of Constitutional rights, which occurs through a broad systemic process, is often hard to diagnose and identify despite the fact that evidence of a violation of rights is present. And though the remedy may not be easy to identify, the correction of any single identified breakdowns contributing to the denial of rights must be resolved and accountability of all found to have exploited the breakdown must occur.

In this case a known breakdown leading to Systemic Involuntary Servitude has been identified and some of the state actors, who have exploited the breakdown and denied Constitutional Protections to a Citizen(s) of the United States, have been identified. It is now imperative this Court correct the breakdown, hold the perpetrators who have exploited the breakdown accountable and establish the standards upon which protections of future instances of Involuntary Servitude will exist.

GOVERNING REVIEW CONSIDERATIONS

As the Supreme Court of this Land administering the Supreme Law of this land, this court can preserve the protections guaranteed by the 13th Amendment of the United States Constitution by implementing protective and equality-preserving actions which (1) Prevent the imposition of Involuntary Servitude through ruling that any imposition of servitude, absent specific written stipulations of such, constitutes "Involuntary Servitude", (2) Affirm that any forum which imposes servitude without specific written stipulations is imposing "Involuntary Servitude" and is not an "Adequate Forum" eligible for Judicial Immunity, (3) Affirm that any officer imposing servitude without specific written stipulations is operating outside of Constitutional Jurisdiction and is not subject to Judicial Immunity.

The shield of judicial immunity has prevented due process and allowed State Officers to act without regard for consequences or accountability. In no other instance would the perpetrator of a crime be responsible for determining whether protection of law was granted or if the victim's rights would be enforced. The existing State-controlled (and potentially Federally-controlled) barriers to justice are systemically designed from the Court or forum of first instance forward, to deny protection of law, exhaust efforts to obtain protection of law, make inappropriate rulings on crimes of clear Involuntary Servitude violations and hide behind Judicial Immunity if misdeeds are revealed.

Just as with other civil right violations such as discrimination based on race, color, national origin, disability, age, sex, or religion, due to the fact that State Courts are imposing Involuntary Servitude yet have the power and opportunity to tie up these issues in court for years, this Court should order the implementation of an Alimony Involuntary Servitude Complaint Portal in basic form as provided in

Appendix E. The access to timely and constitutionally administered protection of law is being controlled by the parties who are imposing the criminal acts and the need for direct access to Federal intervention is imperative.

CONCLUSION

In order to preserve the protections of the 13th Amendment of the United States Constitution, this Petition for Writ of Certiorari should be granted.

Respectfully Submitted,


/s/ Alan Headman

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