

supreme Court No. 20-8277
NINTH CIR. No. 20-35884
USDC No. 4:20-cv-05016-SAB

In The
(Art.III, §1)-[supreme Court]-sic-(d.b.a.)

("THE SUPREME COURT OF THE 'UNITED STATES'")
See, 28 U.S.C. §§ 451 and 3002(15)

Richard Wesley Bryan--Appellant/Aggrieved Party
making a special appearance as a
[sovereign-man-in his sui juris capacity]
In This equitable/honorable "supreme Court," sic

v.

JEFFREY A. UTTECHT--Respondent--et al..

"Petition For Rehearing En Banc"

Pursuant To The "SUPREME COURT," Rule 44-respectively

via

Affidavit--Averment

Richard Wesley Bryan-[sui juris sovereign]
all-[natural]-rights reserved--(D.B.A.)--

BRYAN, RICHARD W.--
DOC# 893416--H-Unit A-03
Coyote Ridge Corrections Center
P.O. Box 769
Connell, WA. 99326

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Pet. For Rehearing En Banc Cover Page

Comes Now, Richard Wesley Bryan, an aggrieved party (AP), Timely Filing this "Petition For Rehearing En Banc, in good faith, by Affidavit-averment; and swears under the penalty of perjury (within) the Supreme Laws of the United States of America, that the following is true, correct and complete, and not meant to delay justice, but to promote justice.

This sovereign individual has First-Hand Knowledge of the instant case; is competent to testify on the Constitutionally Shielded "matter's" at hand; and this sovereign individual hereby swears to, Tell The Truth, The Whole Truth, and Nothing But The Truth, So Help-[me]-"God."

Therefore, this honorable "supreme Court," sic-(Article III. §1)-of the paramount "Constitution-[for]-the United States of America," sic; (as opposed to the "SUPREME COURT OF THE 'UNITED STATES,'" sic, 28 U.S.C. §§3002(15) and §451-respectively); is obligated by Law to accept this sovereigns justiciable-(Article III.)-claims, grounds, and meritorious allegations as the Truth, and draw all reasonable inferences in favor of this sovereign individual because his pleading's contain sufficient factual matter that plainly shows that he is entitled to relief. ("...to state a claim to relief that is plausible on its face.") See, Ashcroft v. Iqbal, 556 U.S. 662, @ 672, 129 S.Ct. 1937, 173 U.Ed.2d 868 (2009)(citing, Bell Atlantic v. Twombly, 550 U.S. 544, @ 570, 127 S.Ct. 1955, 167 U.Ed.2d ... (2007)). A claim has facial plausibility when the plaintiff pleads factual content that allows the Court to draw the reasonable inference that the defendant is liable for the misconduct alleged. Ashcroft, @ 678.

See, Petition For Writ of Certiorari; the "SUPREME COURT OF THE UNITED STATES," sic, plainly made an arbitrary and capricious decision by completely omitting the Shielded "issue's" which are Constitutional protections which must be adjudicated on the merits. See also, Erickson v. Pardus, ("Nevertheless, <2015 U.S. Dist.LEXIS> a pro se complaint must be liberally construed "however inartfully pleaded[.]"), Id. 551 U.S. 89, @ 94, 127 S.Ct. 2197, 167 L.Ed.2d 1081 (2001)(citation omitted).

As the Court is well aware, the "Courts may rely upon uncontroverted factual allegations that are supported by affidavits," Rimkus v. Islamic Republic of Iran, 750 F.Supp.2d 163, @ 171 (D.D.C. 2010).

The Federal Rule of Evidence 201(b) allows a court to "judically notice a fact that is not subject to reasonable dispute because it...can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned."

This Court knows that the Respondent/AG Ferguson DID NOT file a "brief in opposition," even though "admonished by the Court." So how, exactly, did the Respondent win?; corrupt power.

Everyone knows that there is "long standing judicial precedent," on a prisoner's State judgments and sentences in violation of the Constitution or its laws or treaties of the United States of America. Yet the §451 "SUPREME COURT," has chosen, via, willfulness, malice, subterfuge and willful misconduct, to omit this sovereign individuals justiciable-(Article III.)-claims, grounds and meritorious allegations; all of which are uncontroverted, and a matter of record, and supported by affidavits.

The issue's have been plainly articulated in perspicuous and definitive legalism, yet this sovereign individual has been intentionally deprived of his fundamental First Amendment Right To Redress them, by both the STATE and FEDERAL COURT'S; leaving this sovereign individual, an aggrieved party, with NO REMEDY!!! How can this be Lawful/Constitutional? Do the STATE and FEDERAL COURT'S, and their judge's/Justice's actually have the power and or authority to deprive this sovereign individual his right to be Heard? What, there is "Justice For All," except for this man, who plainly has a vested Liberty interest; an actual "stake" in the outcome of his legitimate Law Suit(s).

This is a procedure by which this *sui juris* sovereign-[who has Article III. Standing]-ask this honorable-(Article III, §1)-"supreme Court," sic, to use its vested judicial power of the "Union" to vacate the-(28 U.S.C. §451)-"SUPREME COURT OF THE UNITED STATES," sic-(Id. §3002(15))-"*Order*," which is plainly arbitrary and capricious. The "SUPREME COURT" knows that the Respondent/AG Ferguson failed to File a "brief in opposition." There is plainly no Lawful Justification for this absurdity; and the "SUPREME COURT" and its Justice's gave NO Lawful Justification for the denial. See, no-answer default judgment.

This "supreme Court," sic, has the judicial power to review, *de novo*, this extraordinary case, which has extraordinary circumstances, and is truly unprecedented. Meaning, who has ever heard of a person, let alone a sovereign individual, Not Able To Have His Application For His-["Original"]-state, Writ of Habeas Corpus entertained; esp. when it plainly and adequately pleads justiciable claims; which are of Immense Public Interest.

This honorable "supreme Court," sic, and its Justice's know that this sovereign individuals judgment's and sentence's are in fact "void judgment's"; there not only "invalid on their Face," they are not determined by a "court of competent jurisdiction," (RCW 10.73.090). So the Question is, why are [all] the STATE and FEDERAL COURT'S, and their judge's, including the §451 "SUPREME COURT OF THE 'UNITED STATES,'" sic, willfully depriving this sovereign individual of his fundamental-Constitutionally Shield-ed, First Amendment Right To Redress, the undisputed dispositive fact that this sovereign-[an innocent--man]-has been imprisoned in violation of The Constitution; specifically, but not limited to this sovereign individuals Constitutionally Shielded Fifth & Sixth Amendment Rights. There is NO True, "Bill of Indictment," on either, challenged, judgment & sentence, by a Lawfully convened Grand Jury. Everybody involved knows this fact.

How can the §451 "SUPREME COURT," omit these substantial grounds, which this sovereign individual has plainly & adequately pleaded, via, affidavit. It is not only unconscionable, but it is also plainly unconstitutional; Shocks the Conscience.

So the Question is, is this "supreme Court," sic-(Article III.)-an honorable Court of Equity, that is vested with the judicial power of the "Union," going to sanction the arbitrary & capricious denial of this sovereign individuals "Writ"? Is this "supreme Court," sic, a court of law? Or is it a Court that fails to apply controlling law-[like the §451 "SUPREME COURT"]-in making its decision? See, rogue court. Or worse, "A self-appointed tribunal or mock court-[like the §451 SUPREME COURT]-

in which the principles of law and justice are disregarded, perverted, or parodied." "A court or tribunal characterized by unauthorized or irregular procedures, esp. so as to render a fair proceeding impossible." See, Kangaroo court, Blk's Law Dict.

This "supreme Court" and its Justice's have a perpetual duty to protect this sovereign individuals fundamental natural rights which are "God" given, absolute and inalienable.

Therefore this sovereign individual prays that this "supreme Court," sic, will do the moral and right thing, and actually make an appropriate determination on his justiciable-(Art. III)- claims, grounds, and meritorious allegations on his "Writ's," as law and justice require. This sovereign individual is entitled to relief; an equitable remedy, by a Court of Equity.

Note: to this "supreme Court," Justice's, the §451 "SUPREME COURT OF THE 'UNITED STATES'" omitted this sovereigns "Motion To Compel Discovery," and his "Motion For Summary Judgment."

Affidavit--Averment:

I, Richard Wesley Bryan, an aggrieved party, swears upon his honor that he is filing this "Petition For Rehearing En Banc," in good-faith; and under penalty of perjury (within) the Natural Laws of the United States of America. The foregoing is true and accurate, and not meant to delay justice, but to ensure justice, and is based upon this sovereigns First-Hand Knowledge, Understanding and Beliefs.

Further, affiant, Richard Wesley Bryan, Saith Nought.

Done this 28th day of the month of October, 2021, A.D..

Richard Wesley Bryan-[a sui juris sovereign]
all-[natural]-rights reserved--(D.B.A.)--

BRYAN, RICHARD W.--
DOC# 893416 H-Unit A-03
Coyote Ridge Corrections Center
P.O. Box 769
Connell, WA. 99326