IN THE SUPREME COURT OF THE UNITED STATES

Jasper Crook,
Petitioner,
v.
Ricardo Aguilar, et al.,
Respondent.

Case No. 21-5698

MOTION FOR RECONSIDERATION

Petitioner, Jasper Crook, here and now, humbly submits this motion for reconsideration in recognition of the order entered on November 15, 2021 denying the petition for a writ of certiorari and states,

1. Petitioner was denied the ability to serve Defendant/Respondent the summons and complaint in district court.
2. Petitioner was denied the ability to move forward with this case and serve the summons and complaint in appeals court.
3. Petitioner has been denied his inalienable right to defend his person and property. **SEE Exhibit A - 16A Am Jur 2d - Guaranty of free justice and open courts** "justice shall be administered to all without delay or denial **(emphasis added)**", "These guaranties cannot be destroyed, denied, abridged, or impaired by legislative enactments."
4. Petitioner has suffered physical injuries as a result of Defendant/Respondent's negligence and crashing into the rear of Petitioner's vehicle.
5. Diversity jurisdiction applies in this case.

Petitioner as of yet still has not received his day in court nor any justice for injuries that are legal claims and enforceable under **42 U.S.C. 1981** and **16A Am Jur Constitutional Law § 613. Guaranty of free justice and open courts,** "justice shall be administered to all without delay or **denial**"**(SEE Exhibit A).**

In light of Petitioner's motion, he is thankful and grateful for the preservation of his rights and the protection of this court to remand this case back to the district court with instructions to grant the service of the summons and complaint on Respondent as well as to oversee a trial by jury which is Petitioner's constitutional right, including but not limited too, the guaranty of free justice and open courts.

Dated: November 29, 2021

Respectfully submitted,

UCC 1-308 without prejudice
Jasper Crook, Beneficiary and
Administrator of the United States
of America, and Pro Se litigant

IN THE SUPREME COURT OF THE UNITED STATES

Jasper Crook,
Petitioner,

v.

Ricardo Aguilar, et al.,
Respondent.

Case No. 21-5698

DECLARATION OF JASPER CROOK

I, Jasper Crook, declare as follows:

I am the beneficiary of the United States Constitution and California Constitution by birth right and the executive administrator of my 9th and 10th Amendment rights. I have a right to a remedy for my physical injuries do to the Defendant/Respondent's negligence causing my physical disabilities. No fees are required for the beneficiary, appearing Pro Se, to conduct judicial business or in defense of his constitutional rights.

16A Am Jur 2d, Constitutional Law, § 613. Guaranty of free justice and open courts

"In most of the state constitutions there are provisions, varying slightly in terms, which stipulate that justice shall be administered to all without delay or denial, without sale or prejudice, and that the courts shall always be open to all alike.[44] These provisions are based largely upon the Magna Charta, Chapter 40, which provides: 'We will sell to no man, we will not deny to any man, either justice or right.'" **[emphasis added]**

"The California Constitution contains no such provision, but, nevertheless, by the enumeration therein of fundamental rights, guarantees the right to appear personally in court in pursuit or defense of a constitutional right, whether of person or property. O'Connell v Judnich, 71 Cal App 386, 235 P664,

holding that the right to acquire and protect property must of necessity include the right to use all proper and legal means to accomplish those ends, that a person having the lawful right to acquire property has under the constitution the equal right to the perfect enjoyment of that property and that, as a necessary incident to that right, the full power accorded to all appearing in person to prosecute or defend actions for its protection or preservation **[emphasis added]." (SEE Exhibit A - 16A Am Jur 2d, Constitutional Law - § 613. "Guaranty of free justice and open courts")**

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

Executed on November 29, 2021, in Hesperia, California.

UCC 1-308 without prejudice
Jasper Crook, Beneficiary and
Administrator of the United States
of America, and Pro Se litigant

EXHIBIT A

"16A Am Jur 2d, Constitutional Law
§ 613. Guaranty of free justice and open courts"

AMERICAN JURISPRUDENCE 2d

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prerequisite for a divorce in the state has been sustained,[36] as have rules or regulations requiring local residence for continued public employment,[37] or for unemployment insurance benefits.[38] And "parietal" regulations or policies of colleges or universities requiring unmarried full-time undergraduate students to reside in campus dormitories or residence halls have been upheld against the challenge that they unconstitutionally violated the right of travel of students.[39] Also, a village zoning ordinance prohibiting occupancy of one-family dwellings by more than two unrelated persons, but allowing occupancy by any number of persons related by blood, adoption, or marriage, was not aimed at transients and thus did not violate a person's right of interstate travel.[40]

§ 612. Protection of right from interference by private parties.

The constitutional right of interstate travel is a right which is secured not only against governmental interference,[41] but also against interference by private parties.[42] Thus, the constitutional right of travel of Negro citizens will be protected against interference by private parties through intimidation, threats, or assaults.[43]

7. Free Justice and Open Courts; Remedy for All Injuries

§ 613. Guaranty of free justice and open courts; generally.

In most of the state constitutions there are provisions, varying slightly in

teenth Amendment; (3) that whatever might be the sources of this right of free movement—the right to go to any state or stay home as one chooses—it was an incident of national citizenship and occupied a high place in our constitutional values; (4) that although a state could impose narrow and limited qualifications to this right of free ingress and egress, a state had no power to pick a citizen up and forcibly remove him from its boundaries where there was no basis of extradition; and (5) that whether the right of ingress and egress was bottomed on the privileges and immunities clause of the Fourteenth Amendment, the commerce clause, or a basic liberty inherent in national citizenship, a state could not take it from a citizen.

Annotation: 27 L Ed 2d 862 § 7.

36. Sosna v Iowa, 419 US 393, 42 L Ed 2d 532, 95 S Ct 553.

37. McCarthy v Philadelphia Civil Service Com., 424 US 645, 47 L Ed 2d 366, 96 S Ct 1154 (municipality's requirement that firemen reside within the municipality); Wardwell v Board of Education (CA6 Ohio) 529 F2d 625 (board of education rule requiring teachers to establish residence within the city's school district).

But a 1-year durational residency requirement of a state law limiting petroleum and pipeline jobs to residents of the state was unconstitutional since it violated the right of interstate migration. Hicklin v Orbeck (Alaska) 565 P2d 159, revd on other grounds 437 US 518, 57 L Ed 2d 397, 98 S Ct 2482.

38. Where claimants of unemployment insurance, after losing their jobs in New York City, moved to their native communities in Puerto Rico, which was an area of high persistent unemployment, the denial of compensation on the ground that they were unavailable for work did not deny their constitutional right to travel, the right to equal protection of the laws, or their due process rights. Patino v Catherwood, 29 NY2d 331, 327 NYS2d 638, 277 NE2d 658.

39. Poynter v Drevdahl (WD Mich) 359 F Supp 1137; Pratz v Louisiana Polytechnic Institute (WD La) 316 F Supp 872, affd 401 US 1004, 28 L Ed 2d 541, 91 S Ct 1252.

Annotation: 31 ALR Fed 813 § 5[c].

40. Belle Terre v Boraas, 416 US 1, 39 L Ed 2d 797, 94 S Ct 1536.

41. § 611, supra.

42. Griffin v Breckenridge, 403 US 88, 29 L Ed 2d 338, 91 S Ct 1790; United States v Guest, 383 US 745, 16 L Ed 2d 239, 86 S Ct 1170.

Annotation: 27 L Ed 2d 862 § 9.

43. Griffin v Breckenridge, 403 US 88, 29 L Ed 2d 338, 91 S Ct 1790; United States v Guest, 383 US 745, 16 L Ed 2d 239, 86 S Ct 1170.

terms, which stipulate that justice shall be administered to all without denial, without sale or prejudice, and that the courts shall always [illegible] all alike.[44] These provisions are based largely upon the Magna Charta, 40, which provides: "We will sell to no man, we will not deny to either justice or right."[45] The chief purpose of the Magna Charta pro

44. Brotherhood of R. Trainmen v Barnhill, 214 **Ala** 565, 108 So 456, 47 ALR 270; Davidson v Jennings, 27 **Colo** 187, 60 P 354; Day v Day, 12 **Idaho** 556, 86 P 531; Henderson v State, 137 **Ind** 552, 36 NE 257; Hanson v Krehbiel, 68 **Kan** 670, 75 P 1041; Universal Adjustment Corp. v Midland Bank, Ltd., 281 **Mass** 303, 184 NE 152, 87 ALR 1407; Ahmed's Case, 278 **Mass** 180, 179 NE 684, 79 ALR 669; Re Peters, 119 **Minn** 96, 137 NW 390; State ex rel. Davidson v Gorman, 40 **Minn** 232, 41 NW 948; Coffman v Bank of Kentucky, 40 **Miss** 29; Re Chambers's Estate, 322 **Mo** 1086, 18 SW2d 30, 67 ALR 41; Ex parte French, 315 **Mo** 75, 285 SW 513, 47 ALR 688; Randolph v Springfield, 302 **Mo** 33, 257 SW 449, 31 ALR 612, later app (Mo App) 275 SW 567; British-American Portland Cement Co. v Citizens' Gas Co., 255 **Mo** 1, 164 SW 468; Malin v La Moure County, 27 **ND** 140, 145 NW 582; Re Lee, 64 **Okla** 310, 168 P 53; Ex parte Ellis, 3 **Okla** Crim 220, 105 P 184; Marquardt v Fisher, 135 **Or** 256, 295 P 499, 77 ALR 265; Narragansett Electric Lighting Co. v Sabre, 50 **RI** 288, 146 A 777, 66 ALR 1553, reh den (RI) 147 A 668, 66 ALR 1567 and later app 51 RI 37, 150 A 756, 70 ALR 46, reh den (RI) 151 A 363, 70 ALR 52; McCoy v Handlin, 35 **SD** 487, 153 NW 361; Harrison, Pepper & Co. v Willis, 54 **Tenn** 35; Townsend v Townsend, 7 **Tenn** 1; Clem v Evans (**Tex**) 291 SW 871, 51 ALR 1135; Russell v Industrial Transp. Co., 113 **Tex** 441, 251 SW 1034, 51 ALR 1, adhered to 113 Tex 449, 258 SW 462, 51 ALR 8; McCoy v Kenosha County, 195 **Wis** 273, 218 NW 348, 57 ALR 412; Re Keenan's Will, 188 **Wis** 163, 205 NW 1001, 42 ALR 836.

Article 2, § 6, of the Oklahoma Constitution, provides: "Right and justice shall be administered without sale, denial, delay, or prejudice." Maryland's Constitution (Declaration of Rights, Art 19) provides that every man ought to have remedy "speedily without delay, according to law of the land." Idaho's Constitution, Art 1, § 18, is substantially the same as that of Oklahoma. In the constitutional provisions of practically all of the states denial and delay of justice are prohibited. Arkansas (1874) Art 2, § 13; Colorado (1876) Art 2, § 6; Connecticut (1818) Art 1, § 12; Delaware (1897) Art 1, § 9; Florida (1885) Declaration of Rights, § 4 (now contained in Article I, § 21); Illinois (1870) Art 2, § 19; Indiana (1851) Art 1, § 12; Kentucky (1890) § 14; Massachusetts (1780) Art 1, § 11; Maryland (1867) Declaration of Rights, § 19; Maine (1819) Art 1, § 19; Minnesota (1857) Art 1, § 8; North Carolina (1876) Art 1, § 35; North Dakota (1889) § 22; New Hampshire (1902) Art 1, § 14; Oregon (185[illegible]; Pennsylvania (1873) Art 1, § 11; (1842) Art 1, § 5; South Carolina [illegible] § 15; Tennessee (1870) Art 1, [illegible] (1793) Art 1, § 4; West Virginia [illegible] § 17; Wisconsin (1848) Art 1, [illegible] (1901) Art 1, § 13; Mississippi [illegible] Montana (1889) Art 3, § 6; Wyo[illegible] Art 1, § 8. State ex rel. Short v. [illegible] **Okla** 66, 256 P 704, 52 ALR 1270.

The Constitution of Ohio expr[illegible] (Ohio Const Art 1, § 16) that all co[illegible] open, and every person, for an inju[illegible] in his land, goods, person, or re[illegible] have remedy by due course of l[illegible] have justice administered without delay. Cincinnati Gazette Co. v Ti[illegible] **Ohio** St 548.

The California Constitution con[illegible] provision, but, nevertheless, [illegible] tion therein of fundamental [illegible] the right to appear personally [illegible] suit or defense of a co[illegible] whether of person or property. Judnich, 71 **Cal** App 386, [illegible] that the right to acquire and [illegible] must of necessity include the [illegible] proper and legal means to [illegible] ends, that a person having the [illegible] acquire property has under the [illegible] equal right to the perfect enjoy[illegible] property and that, as a neces[illegible] that right, the full power and [illegible] pearing in person to prosecute [illegible] tions for its protection or pre[illegible]

45. Henderson v State, 137 [illegible] 257; Knee v Baltimore C. [illegible] 623, 40 A 890; State ex rel. [illegible] man, 40 **Minn** 232, 41 NW [illegible] bers's Estate, 322 **Mo** 1086, [illegible] ALR 41; State ex rel. Short [illegible] 66, 256 P 704, 52 ALR 1270; [illegible] 310, 168 P 53; Narragansett [illegible] Co. v Sabre, 50 **RI** 288, 14[illegible] 1553, reh den (RI) 147 A [illegible] and later app 51 RI 37, 150 [illegible] reh den (RI) 151 A 363, 70 [illegible] Pepper & Co. v Willis, 54 T[illegible]

In Ohio, the "open court [illegible] from two basic sources, nam[illegible] tution (Ohio Const, Art 1, [illegible] nized principles of the [illegible] of the constitutional [illegible] court" is to be found [illegible] common law, and is [illegible] people, without constitu[illegible]

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to prohibit the [illegible] from selling justice by imposing fees on litigants through his courts[46] and to deal a death blow to the attendant venal and disgraceful practices of a corrupt judiciary in demanding oppressive gratuities for giving or withholding decisions in pending causes.[47] It has been appropriately said that in a free government the doors of litigation are already wide open and must constantly remain so.[48] The extent of the constitutional provision has been regarded as broader than the original confines of Magna Charta, and such constitutional provision has been held to prohibit the selling of justice not merely by magistrates but by the state itself.[49] The right of access to the courts has been recognized with respect to prisoners.[50]

A constitutional provision that right and justice shall be administered according to such guaranties is mandatory upon the departments of government. Hence, it requires that there shall be no unreasonable and unjustifiable delays in the administration of justice,[51] and that a cause shall not be heard before a prejudiced court,[52] although the word "prejudice," in the constitutional provision that justice shall be administered without prejudice, cannot be said to apply to contempts committed by a litigant after he has accepted the forum.[53] These guaranties cannot be destroyed, denied, abridged, or impaired by legislative enactments.[54] But in some instances, because of the nature of the power which would be involved in litigation or because of agreements between parties concerning extraordinary subject matter, such constitutional provisions do not prevent an abridgment of the right of individuals to seek court redress.[55] Thus, such provisions were not intended to change the law with respect to certain rights which are vested in the state—which alone can exercise sovereign powers—such as the exclusive right of the sovereign state to dissolve a corporation or wind up its affairs.[56]

Scripps Co. v Fulton, 100 Ohio App 157, 60 Ohio Ops 147, 72 Ohio L Abs 430, 125 NE2d 896, app dismd 164 Ohio St 261, 58 Ohio Ops 9, 130 NE2d 701.

46. Re Lee, 64 **Okla** 310, 168 P 53; Narragansett Electric Lighting Co. v Sabre, 50 **RI** 288, 146 A 777, 66 ALR 1553, reh den (RI) 147 A 668, 66 ALR 1567 and later app 51 RI 37, 150 A 756, 70 ALR 46, reh den (RI) 151 A 363, 70 ALR 52.

47. Henderson v State, 137 **Ind** 552, 36 NE 257; Lommen v Minneapolis Gaslight Co., 65 **Minn** 196, 68 NW 53; Malin v La Moure County, 27 **ND** 140, 145 NW 582; Re Lee, 64 **Okla** 310, 168 P 53.

48. Greenwood Cemetery Land Co. v Routt, 17 **Colo** 156, 28 P 1125

49. Malin v La Moure County, 27 **ND** 140, 145 NW 582.

50. See 60 Am Jur 2d, PENAL AND CORRECTIONAL INSTITUTIONS § 49.

51. Unreasonable and unjustifiable delays in the administration of justice are condemned by the Florida Constitution. Blount v **State Road** Dept. (**Fla**) 87 So 2d 507.

Justice without delay, 2 Fla L Rev 1.

52. Day v Day, 12 **Idaho** 556, 86 P 531; Ex parte Ellis, 3 **Okla** Crim 220, 105 P 184.

53. State ex rel. Short v Owens, 125 **Okla** 66, 256 P 704, 52 ALR 1270.

54. Ex parte Ellis, 3 **Okla** Crim 220, 105 P 184; Townsend v Townsend, 7 **Tenn** L; Union Sav. & Invest. Co. v District Court, 44 **Utah** 397, 140 P 221.

55. The constitutional guaranty "to obtain justice and right freely" is not impaired by requiring a successful candidate for office to go to another county to answer an election contest. Ashley v Wait, 228 **Mass** 63, 116 NE 961, 8 ALR 1463, error dismd 250 US 652, 63 L Ed 1190, 40 S Ct 58.

56. Union Sav. & Invest. Co. v District Court, 44 **Utah** 397, 140 P 221.

A constitutional provision that every person ought to find a certain remedy by having recourse to the laws, for all injuries which he may receive in his person, property, or character, and ought to obtain right and justice freely and without purchase, has no application to a statutory provision for the appraisal and acquisition by the corporation of the shares of stockholders not consenting to a sale or lease of the corporation's assets and franchises. Narragan-