

No. 21-7422

ORIGINAL

Supreme Court, U.S.
FILED

MAR 17 2022

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

____ PETITIONER

Edward Shane West-El

Vs.

Internal Revenue Service/ Department of the Treasury et. al

United States District Court Southern District of Florida/ United
States Court of Appeals For the Eleventh Circuit

Petition for Writ of Certiorari

Edward Shane West-El

c/o P O Box 172453

Florida Territory

Hialeah Territory, Florida Territory [zip exempt]

Non Domestic

(786) 487-8050

Questions Presented

1. Where does Charles P. Rettig and his employee's that are on his staff get the Delegated Authority to question the Plaintiff Edward Shane West-El regarding anything.
2. My second question is, Did the United States District Court's Employee Beth Bloom take an oath to Uphold the Constitution of the United States Republic of North America? And if so, why is Beth Bloom hindering my exercise of a Constitutional Right? And that Right is access to the United State's Courts. I filed an Affidavit of Financial Statement in the Lower tribunals; and the Affidavit says plaintiff does^{not} have or possess "any gold or silver coins."
3. Also, why is Beth Bloom still requesting that I pay the filing fee for the pending appeal, and Beth Bloom also stated in her Order that "Furthermore, the Court directs Plaintiff to Federal Rule of Appellate Procedure 24 (a) (5), which states that, upon a district court's denial of an in

forma pauperis motion, “a party may file a motion to proceed on appeal in forma pauperis in the court of Appeals within 30 days after service of the notice prescribed in Rule 24 (a) (4),”

4. Why did the United States Court of Appeals for the Eleventh Circuit deny the Plaintiff’s Affidavit of Financial Statement.

5. Where is Beth’s Bloom proof of her Delegation of Authority Order?

6. Where is Kevin C. Newsom’s proof of his Delegation of Authority Order?

LIST OF PARTIES

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 judgement is the subject of this petition is as follows:

Beth Bloom, and Angela E. Noble of the United States District Southern District of Florida

Kevin C. Newsom of the United States Court of Appeals for the Eleventh Circuit

TABLE OF CONTENTS

| | |
|--|-----|
| OPINIONS BELOW..... | 1 |
| JURISDICTION..... | 2 |
| CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED..... | 3 |
| STATEMENT OF THE CASE..... | 4,5 |
| REASONS FOR GRANTING THE WRIT..... | 6-8 |
| CONCLUSION..... | 9 |

INDEX TO APPENDICES

APPENDIX A-

United States District Court Southern District of Florida's Order's

APPENDIX B-

Writ of Error to United States District Court Southern District of Florida for Beth Bloom

APPENDIX C-

United States Court of Appeals for the Eleventh Circuit

APPENDIX D- Affidavit of Fact from the Plaintiff Edward Shane West-El

TABLE OF AUTHORITIES CITED

| CASES | PAGE NUMBER |
|--|-------------|
| Pollack v. Farmers loan and trust company 157 US..... | 6 |
| 429 158 US 601 | |
| Stanton v Baltic Mining Company., Co., U.S. 103 (1916)..... | 6 |
| Eisner v. Macomber 252 U.S. 189, 205 (1920)..... | 7 |
| U.S. v. Ballard, 400 F2d 404, 1976..... | 7 |
| Nolan Co. vs. Maryland Casualty, 38 F. Supp. 479..... | 7 |
| Fidelity Savings Bank Vs. Grimes, 131 P2d 894..... | 7 |
| | |
| STATUTES AND RULES | |
| Federal Rule of Appellate Procedure 24 (a) (4) & 24 (a) (5)..... | i-ii |
| | |
| OTHER | |
| United States Constitution 16 th Amendment..... | 6-7 |
| Declaration of Human Rights of 1948..... | 6 |
| Articles 3 & 5 | |

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☐ reported at Appendix C; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☐ reported at Appendix B; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at N/A; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**: Beth Bloom of the United States District Southern District denied my appeal to the 11th circuit on 11/9/21.
The date on which the United States Court of Appeals decided my case was N/A 11th circuit of Appeals 5/3/2022

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was N/A.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: N/A, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

STATUTES AND RULES

Federal Rule of Appellate Procedure 24 (a) (4) & 24 (a) (5).....P.i-ii

OTHER

United States Constitution 16th Amendment.....P. 6-7

Declaration of Human Rights of 1948.....P. 6

Articles 3 & 5

Statement of the Case

In support of this Petition I state for the record: On or around September 25, 2021, the Plaintiff received three forms. The forms were 1040 Return delinquency and other threatening letters from the Internal Revenue Service/ department of the Treasury for the years of 2017 thru 2019. The letters did not have signatures. Charles P. Retting is the Commissioner of the Internal Revenue Service, and and that is why I see Charles P. Rettig as responsible for this incident. This is the Second incident with this foreign Internal Revenue Service. The first was with the Internal Revenue Service employee C.K. Oneal; And the case number was 20-7919 in the Supreme Court for the United States On or around September 27, 2021, the Plaintiff spoke to Internal Revenue Service agent/ employee Louis Encarnacion, and his employee I.D. # is 1004150994 and the Plaintiff asked him, " what is going on?" I don't remember his exact words, but I told him, "I plan to obey and exercise my Constitutional rights." He replied " No doubt" or something like that and he put me on hold

for a while and he asked me I believe to send in the form. I said I would send it over night, and it was sent over night and they received the letter on September 29, 2021. In that letter that the Plaintiff sent, I the Plaintiff asked the Employees where did they get their Delegation of Authority from in which they had 21 days to answer. The 21 days went by and the Plaintiff did not receive any information on where they got their Delegation of Authority. On November 9, 2021, Beth Bloom also denied the Plaintiff's Complaint on October 29, 2021. The Affidavit of Financial Statement was entered on October 13, 2021. In Exhibit C is the entry where Kevin C. Newsom denied the Plaintiff's IFP. The United States Constitution says that all debts are to be paid in gold and silver coins in which I do not have, this is in Article 1 Section 10.

Reasons for Granting the Petition

The Universal Declaration of Human Rights 1948: Article 3 says " Everyone has the Right to life, Liberty and security of persons. And Article 5 says No one shall be subjected to torture or to cruel, inhumane or degrading Treatment or punishment. Charles P. Rettig and the Employees at the Internal Revenue Service did not prove that they have Jurisdiction. There was no Delegation of Authority Order shown forth in the time that they were Given by the Plaintiff. Pollack v. Farmers loan and Trust Company 157 US 429 158 US 601 gives clarity on Income and Direct taxes. In Stanton v. Baltic Mining Co., 240 U.S. 103 (1916) the Supreme Court said; "the 16th Amendment conferred no new power of taxation," but simply prohibited the previous complete and plenary power of Income taxation possessed by Congress, from the beginning from being taken out of the category of Indirect Taxation, to which it inherently belonged." In Eisner v. Macomber 252 U. S. 189, 205 (1920) the Supreme Court said: "the Sixteenth Amendment must be

Construed in connection with the taxing clause of the Original Constitution and the Effect attributed to them before the 16th Amendment was adopted.”

Congress of the United States House of Representatives Washington, DC

20515 December 30, 1985 second paragraph from Dennis M. Hertel a

member of Congress, “ On IRS form 668-W Notice of Levy on wages

Section 6331 IRC Entitled “Levy on wages section 6331 IRC Entitled “ Levy

And Distraint” and Section (A) IRC Entitled “Authority to Levy Wages of

private citizens in the Private Sector.”

(U.S. v, Ballard, 400 F 2 d 404, 1976), “the general term income is not defined in the Internal Revenue Code [title 26]

(Nolan Co. vs. Maryland Casualty, 38 F. Supp. 479) “ A debt is not paid by giving a note.”

(fidelity Savings Bank vs. Grimes, 131 P2d 894) “ A note is only a promise

to pay and not payment.”

I, Edward Shane West-El, demand this Supreme Court of the United States stop these abuses of the Colorable Authority by the Defendant as it pertains to the Plaintiff. I Edward Shane West-El demand if any criminal charges be found, Let them be placed upon the Defendants, and be viewed in my Proper Person as a Moorish American. The Plaintiff also does not, under any condition or Circumstance, by threat, duress, or coercion, waive any rights Inalienable or Secured by the Constitution or Treaty. Any Defendant, Corporate or Natural, Party-Claimants; Involvements be found guilty in Violation of the United States Republic Constitution, and in accord with the law is required by law to Immediate recusal of his or her office. Defendant's Charles P. Rettig and Louis Encarnacion are being sued for whatever this Supreme Court of the United States sees suitable in this matter.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Edward Shavelbert-El

Date: 3/17/2022