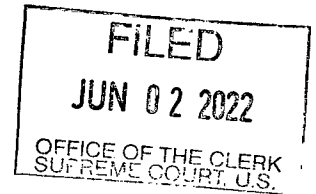


21-8193
No. _____

ORIGINAL



IN THE
SURPREME COURT OF THE UNITED STATES

ROBERT D. KEITH

Vs.

WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT

PETITION FOR WRIT OF CERTIIORARI TO 'et al'

Case No. 21-2398

Case No. 21-CV-446

THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

PETITION FOR WRIT OF CERTIIORARI

ROBERT D. KEITH

1851 N. 28TH ST MILWAUKEE, WI 53208

(414)-335-0568

QUESTIONS PRESENTED

1.Does a State Judges have authority to preside over a case when He/She has a conflict of interest Does absolute immunity apply when a judge has acted criminally under color of law and without jurisdiction, as well as actions taken in an administrative capacity to influence cases?

2.Does Eleventh Amendment immunity apply when officers of the court have violated 31 U.S. Code § 3729 and the state has refused to provide any type of declaratory relief?

3.Does Title IV-D, Section 458 of the Social Security Act violate the United States Constitution due to the incentives it creates for the court to willfully violate civil rights of parties in child custody and support cases?

5.Can a state force a bill of attainder on a natural person in force you into slavery

6.Can a judge have Immunity for their non judicial activities who knowingly violate civil rights

Can child support take your stimulus check?

Federal law Title 1V-D of the Social Security Act pub L. No 93-647, 88 Stat 2351(1975),42 USC 651 (8/22/1996), as amended. Created Keith cause of action

42 USC 658 (a) and (f) provides profit for practice of the above;

By contrast, Title 42, The Public Health and Welfare, is a non-positive law title. Title 42 is comprised of many individually enacted Federal statutes- such as the Public Health Service Act and the Social Security Act- that have been editorially compiled and organized into the title, but the title itself has not been enacted

42 USC 1983 Deprivation of rights under color of law itself provides Keith relief

(b) Non positive federal creates Keith cause of action, and federal law itself provides Therefore the federal district court has subject matter jurisdiction under federal question jurisdiction

8.Can a natural person be forced into a contract

The statutory "substantial compliance" requirement, see, e.g., 42 U. S. C. A. §609(a)(8) (Nov. 1996 Supp.), does not give rise to individual rights; it was not intended to benefit individual children and custodial parents, but is simply a yardstick for the Secretary to measure the system wide performance of a State's Title IV-D program, BLESSING, DIRECTOR, WISCONSIN DEPARTMENT OF WORKFORCE v. FREESTONE et al. certiorari to the united states court of appeals for the seventh circuit

See. Alexander v. Bothsworth, 1915. "Party cannot be bound by contract that he has not made or authorized. Free consent is an indispensable element in making valid contracts."

See. *Montgomery v state* 55 Fla. 97-45S0.879 a. "Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. can concern itself with anything other than corporate, artificial persons and the contracts between them."

LIST OF PARTIES

Petitioner Robert D. Keith is the Plaintiff in case No. 21-CV-446 in the United States Eastern District of Wisconsin, The United States Court Of Appeals For The Seventh Circuit Cas No. 21-2398

Respondents: MILWAUKEE COUNTY, MILWAUKEE COUNT DISTRICT ATTORNEY'S OFFICE, DEPARTMENT OF WORCKFORCE, WISCONSIN DEPARTMENT OF CHILDREN AND FAMILIES, WISCONSIN DEPARTMENT OF REVANUE, WISCONSIN DEPARTMENT OF TRANSPORTATION, STATE OF WISCONSIN

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App. A July 16, 2021, The United States District Court denied for lack of jurisdiction

App. A October 22, 2021, The United States Court of Appeals for the seventh circuit dismissed the case because of lack of presenting the argument for the appeal to support this outcome

App. B State of Wisconsin Circus Court

TABLE OF ATHORITIES CITED

Haines v. Kerner, 404 U.S. 519 (1972) page 13

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Bell v. City of Milwaukee, 746 F 2d 1205; US Ct App 7th Cir WI, (1984) page.....13

CONSTITUTIONAL PROVISIONS INVOLVED

This case involves the Fifth, Eleventh and Fourteenth Amendments to the United States Constitution Amendment V No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

The Fifth Amendment creates a number of rights relevant to both criminal and civil legal proceedings. In criminal cases, the Fifth Amendment guarantees the right to a grand jury, forbids "double jeopardy," and protects against self-incrimination. It also requires that "due process of law" be part of any proceeding that denies a citizen "life, liberty or property" and requires the government to compensate citizens when it takes private property for public use.

Amendment XI The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

The Eleventh Amendment was the first Constitutional amendment adopted after the Bill of Rights. The amendment was adopted following the Supreme Court's ruling in Chisholm v. Georgia, 2 U.S. 419 (1793). In Chisholm, the Court ruled that federal courts had the authority to hear cases in law and equity brought by private citizens against states and that states did not enjoy sovereign immunity from suits made by citizens of other states in federal court. Thus, the amendment clarified Article III, Section 2 of the Constitution, which gives diversity jurisdiction to the judiciary to hear cases "between a state and citizens of another state." Page 4

Amendment XIV Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. 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. Section 2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for

participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state. Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability. Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave;

but all such debts, obligations and claims shall be held illegal and void. Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

The Fourteenth Amendment addresses many aspects of citizenship, the rights of citizens and the equal protections of the laws. Civil Rights, Due Process Clause and Equal Protection Clause are important integral rights that apply to this case.

Civil Rights A civil right is an enforceable right or privilege, which if interfered with by another gives rise to an action for injury. Discrimination occurs when the civil rights of an individual are denied or interfered with because of the individual's membership in a particular group or class. Various jurisdictions have enacted statutes to prevent discrimination based on a person's race, sex, religion, age, previous condition of servitude, physical limitation, national origin, political affiliation and in some instances sexual orientation. Page 5

Due Process The Fifth Amendment says to the federal government that no one shall be "deprived of life, liberty or property without due process of law." The Fourteenth Amendment, ratified in 1868, uses the same eleven words, called the Due Process Clause, to describe a legal obligation of all states. These words have as their central promise an assurance that all levels of American government must operate within the law ("legality") and provide fair procedures. Substantive Due Process Substantive due process has been interpreted to include the right to work in an ordinary kind of job, marry, and to raise one's children as a parent

Equal Protection The Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution prohibits states from denying any person within its territory the equal protection of the laws. This means that a state must treat an individual in the same manner

as others in similar conditions and circumstances. The Federal Government must do the same, but this is required by the Fifth Amendment Due Process

STATUTORY PROVISIONS INVOLVED

18 U.S. Code 4 241 - Conspiracy against rights If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same.

18 U.S. Code 4 242 - Deprivation of rights under color of law Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both. **18 U.S. Code § 286, Conspiracy to defraud the U.S. Government** Whoever enters into any agreement, combination, or conspiracy to defraud the United States, or any department or agency thereof, by obtaining or aiding to obtain the payment or allowance of any false, fictitious or fraudulent claim, shall be fined under this title or imprisoned not more than ten years, or both.

18 U.S. Code 4 287, False, fictitious or fraudulent claims Whoever makes or presents to any person or officer in the civil, military, or naval service of the United States, or to any department or agency thereof, any claim upon or against the United States, or any department or agency thereof, knowing such claim to be false, fictitious, or fraudulent, shall be imprisoned not more than five years and shall be subject to a fine in the amount provided in this title. Page 6

18 U.S. Code 4 287, False, fictitious or fraudulent claims Whoever makes or presents to any person or officer in the civil, military, or naval service of the United States, or to any department or agency thereof, any claim upon or against the United States, or any department or agency thereof, knowing such claim to be false, fictitious, or fraudulent, shall be imprisoned not more than five years and shall be subject to a fine in the amount provided in this title.

18 U.S. Code 4 1031, Major fraud against the United States (a) Whoever knowingly executes, or attempts to execute, any scheme or artifice with the intent— to defraud the United States;

or to obtain money or property by means of false or fraudulent pretenses, representations, or promises, in any grant, contract, subcontract, subsidy, loan, guarantee, insurance, or other form of Federal assistance, including through the Troubled Asset Relief Program, an economic stimulus, recovery or rescue plan provided by the Government, or the Government's purchase of any troubled asset as defined in the Emergency Economic Stabilization Act of 2008, or in any procurement of property or services as a prime contractor with the United States or as a subcontractor or supplier on a contract in which there is a prime contract with the United States, if the value of such grant, contract, subcontract, subsidy, loan, guarantee, insurance, or other form of Federal assistance, or any constituent part thereof, is \$1,000,000 or more shall, subject to the applicability of subsection (c) of this section, be fined not more than \$1,000,000, or imprisoned not more than 10 years, or both. (b) The fine imposed for an offense under this section may exceed the maximum otherwise provided by law, if such fine does not exceed \$5,000,000 and the gross loss to the Government or the gross gain to a defendant is \$500,000 or greater; or the offense involves a conscious - or reckless risk of serious personal injury. (c) The maximum fine imposed upon a defendant for a prosecution including a prosecution with multiple counts under this section shall not exceed \$10,000,000. (d) Nothing in this section shall preclude a court from imposing any other sentences available under this title, including without limitation a fine up to twice the amount of the gross loss or gross gain involved in the offense pursuant to 18 U.S.C. section 3571(d). (e) In determining the amount of the fine, the court shall consider the factors set forth in 18 U.S.C. sections 3553 and 3572, and the factors set forth in the guidelines and policy statements of the United States Sentencing Commission, including—

the need to reflect the seriousness of the offense, including the harm or loss to the victim and the gain to the defendant; whether the defendant previously has been fined for a similar offense; and any other pertinent equitable considerations. (f) A prosecution of an offense under this section may be commenced any time not later than 7 years after the offense is committed, plus any additional time otherwise allowed by law. (g)(1) In special circumstances and in his or her sole discretion, the Attorney General is authorized to make payments from funds appropriated to the Department of Justice to persons who furnish information relating to a possible prosecution under this section. The amount of such payment shall not exceed \$250,000. Upon application by the Attorney General, the court may order that the Department shall be reimbursed for a payment from a criminal fine imposed under this section. (2) An individual is not eligible for such payment if— that individual is an officer or employee of a Government agency who furnishes information or renders service in the performance of official duties; that individual failed to furnish the information to the individual's employer prior to furnishing it to law enforcement authorities, unless the court determines the individual has justifiable reasons for that failure; Page 7

the furnished information is based upon public disclosure of allegations or transactions in a criminal, civil, or administrative hearing, in a congressional, administrative, or GAO report, hearing, audit or investigation, or from the news media unless the person is the original source of the information. For the purposes of this subsection, "original source" means an individual who has

direct and independent knowledge of the information on which the allegations are based and has voluntarily provided the information to the Government; or that individual participated in the violation of this section with respect to which such payment would be made. (3) The failure of the Attorney General to authorize a payment shall not be subject to judicial review. (h) Any individual who— (1) is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment by an employer because of lawful acts done by the employee on behalf of the employee or others in furtherance of a prosecution under this section (including investigation for, initiation of, testimony for, or assistance in such prosecution), and (2) was not a participant in the unlawful activity that is the subject of said prosecution, may, in a civil action, obtain all relief necessary to make such individual whole. Such relief shall include reinstatement with the same seniority status such individual would have had but for the discrimination, 2 times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorney's fee's.

18 U.S. Code 1951(a)(b)(2), Interference with comm. by threats or violence Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both. As used in this section— (1) The term "robbery" means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or of anyone in his company at the time of the taking or obtaining. The term "extortion" means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right. The term "commerce" means commerce within the District of Columbia, or any Territory or Possession of the United States; all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all commerce between points within the same State through any place outside such State; and all other commerce over which the United States has jurisdiction. Page 8

18 U.S. Code 4 1961(1)(A)(B)(2)(3)(4)(5), Racketeering activity (1) "racketeering activity" means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), which is chargeable under State law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United States Code: Section 201 (relating to bribery), section 224 (relating to sports bribery), sections 471, 472, and 473 (relating to counterfeiting), section 659 (relating to theft from interstate shipment) if the act -indictable under section 659 is

felonious, section 664 (relating to embezzlement from pension and welfare funds), sections 891-894 (relating to extortionate credit ransactions), section 1028 (relating to fraud and related activity in connection with identification documents), section 1029 (relating to fraud and related activity in connection with access devices), section 1084 (relating to the transmission of gambling information), section 1341 (relating to mail fraud), section 1343 (relating to wire fraud), section 1344 (relating to financial institution fraud), section 1351 (relating to fraud in foreign labor contracting), section 1425 (relating to the procurement of citizenship or nationalization unlawfully), section 1426 (relating to the reproduction of naturalization or citizenship papers), section 1427 (relating to the sale -of naturalization or citizenship papers), sections 1461-1465 (relating to obscene matter), section 1503 (relating to obstruction of justice), section 1510 (relating to obstruction of criminal investigations), section 1511 (relating to the obstruction of State or local law enforcement), section 1512 (relating to tampering with a witness, victim, or an informant), section 1513 (relating to retaliating against a witness, victim, or an informant), section 1542 (relating to false statement in application and use, of passport), section 1543 (relating to forgery or false use of passport), section 1544 (relating to misuse of passport), -section 1546 (relating to fraud and misuse of visas, permits, and other documents), sections 1581-1592 (relating to peonage, slavery, and trafficking in persons)., [l] sections 1831 and 1832 (relating to economic espionage and theft of trade secrets), section 1951 (relating to interference with commerce, robbery, or extortion), section 1952 (relating to racketeering), section 1953 (relating to interstate transportation of wagering paraphernalia), section 1954 (relating to unlawful welfare fund payments), section 1955 (relating to the prohibition of illegal gambling businesses), section 1956 (relating to the laundering of monetary instruments), section 1957 (relating to engaging in monetary transactions in property derived from specified unlawful activity), section 1958 (relating to use of interstate commerce facilities in the commission of murder-for-hire), section 1960 (relating to illegal money transmitters), sections 2251, 2251A, 2252, and 2260 (relating to sexual exploitation of children), sections 2312 and 2313 (relating to interstate transportation of stolen motor vehicles), sections 2314 and 2315 (relating to interstate transportation of stolen property), section 2318 (relating to trafficking in counterfeit labels for -phonorecords, computer programs or computer program documentation or packaging and copies of motion pictures or other audiovisual works), section 2319 (relating to criminal infringement of a copyright), section 2319A (relating to unauthorized fixation of and trafficking in sound recordings and music videos of live musical performances), section 2320 Page 9

(relating to trafficking in goods or services bearing counterfeit marks), section 2321 (relating to trafficking in certain motor vehicles or motor vehicle parts), sections 2341-2346 (relating to trafficking in contraband cigarettes), sections 2421-24 (relating to white slave traffic), sections 175-178 (relating to biological weapons), sections 229-229F (relating to chemical weapons), section 831 (relating to nuclear materials), (2) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, any political subdivision, or any department, agency, or instrumentality thereof; 'person' includes any individual or entity capable of holding a legal

or beneficial interest in property; "enterprise" includes any individual, partnership, corporation, association, or other legal entity, and any union

or group of individuals associated in fact although not a legal entity; "pattern of racketeering activity" requires at least two acts of racketeering activity, one of which occurred after the effective date of this chapter and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity;

18 U.S. Code 4 2382, Misprision of Treason Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both.

28 U.S. Code 455, Disqualification of justice, judge or magistrate judge Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned. He shall also disqualify himself in the following circumstances: (1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding; Where in private practice he served as

lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it; Where he has served in governmental employment and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy; He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the -proceeding; He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person: Is a party to the proceeding, or an officer, director, or trustee of a party; Is acting as a lawyer in the proceeding; Is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding; Is to the judge's knowledge likely to be a material witness in the proceeding. (c) A judge should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household. (d) For the purposes of this section the following words or phrases shall have the meaning indicated:

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" includes pretrial, trial, appellate review, or other stages of litigation; the degree of relationship is calculated according to the civil law system; "fiduciary" includes such relationships as executor, administrator, trustee, and guardian; "financial interest" means ownership of a legal or equitable

interest, however small, or a relationship as director, adviser, or other active participant in the affairs of a party, except that: Ownership in a mutual or common investment fund that holds securities is not a "financial interest" in such securities unless the judge participates in the management of the fund; An office in an educational, religious, (Page 20)

charitable, fraternal, or civic organization is not a "financial interest" in securities held by the organization; The proprietary interest of a policyholder in a mutual insurance company, of

a depositor in a mutual savings association, or a similar proprietary interest, is a "financial interest" in the organization only if the outcome of the proceeding could substantially affect the value of the interest; Ownership of government securities is a "financial interest" in the issuer only if the outcome of the proceeding could substantially affect the value of the securities. (e) No justice, judge, or magistrate judge shall accept from the parties to the proceeding a waiver of any ground for disqualification enumerated in subsection (b). Where the ground for disqualification arises only under subsection (a), waiver may be accepted provided it is preceded by a full disclosure on the record of the basis for disqualification. (1) Notwithstanding the preceding provisions of this section,, if any justice, judge, magistrate judge, or bankruptcy judge to whom a matter has been assigned would be disqualified, after substantial judicial time has been devoted to the matter, because of the appearance or discovery, after the matter was assigned to him or her, that he or she individually or as a fiduciary, or his or her spouse or minor child residing in his or her household, has a financial interest in a party (other than an interest that could be substantially affected by the outcome), disqualification is not required if the justice, judge, magistrate judge, bankruptcy judge, spouse or minor child, as the case may be, divests himself or herself of the interest that provides the grounds for the disqualification.

31 U.S. Code 4 3729(a)(1)(A)(B)(E), False claims (a) Liability for Certain Acts.— (1)in general.— Subject to paragraph (2), any person who— knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval; knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim; conspires to commit a violation of subparagraph (A), (B), (D), (E), (F), or (G); has possession, custody, or control of property or money used, or to be used, by the Government and knowingly delivers, or causes to be delivered, less than all of that money or property; (E) is authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;

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42 U.S.C. 658, Title 1V-D, Section 458, Social Security. Act, INCENTIVE PAYMENTS TO STATES Title IV-D law is being challenged as unconstitutional due to the financial incentives it creates which have allowed for corrupt actors to proliferate and abuse the law to willfully deprive citizens of their constitutional right under color of law for financial gain.

STATEMENT OF THE CASE

I Robert D Keith, enclosing using my initial statement

REASONS FOR GRANTING PETITION

Keith asks the Court to take judicial notice of the fact that he is without counsel, is not schooled in the law and legal procedures, and is not licensed to protect law. Therefore, his pleadings must be read and construed liberally. See *Haines v. Kerner*, 404 US at 520 (1980); *Birl v. Estelle*, 660 F.2d 592 (1981). Further Keith believes that this court has a responsibility and legal duty to protect any and all of Keith's constitutional and statutory rights. See *United States v. Lee*, 106 US 196,220 [1882].

Robert D Keith, on behalf of himself, hereby petitions for a writ of certiorari to review the judgements of the United States District Court for the Eastern District of Wisconsin, and the United States Court of Appeals. Both courts made an error dismissing because they never answered the facts of Keith's case. I would like the courts to look at my burden of proof. First here is a copy of my motion to amend the names. I would like the courts to see Exhibit A-1, A-2, A-3. These courts record show all the same filing dates that are from the Wisconsin Department of Children and Families and the state of Wisconsin, Circuit Court, and Milwaukee County. These records show three out of four of my kid's mothers took me off as the record show here. However, Wisconsin Department of Children and Families continues to bill me after the fact (See Exhibit B-1 to B-6 for those records to show after the fact) This is 18 U.S. Code 4 1031, Major Fraud against the United States. This causes me to go to Wisconsin Department of Children and Families to get my records for all four cases. On February 2, 2021, they gave me Exhibit B-1 to B-6 after waiting two weeks for these records. And when I got them, these were not all of the records from the beginning. I want the records to show Wisconsin Department of Workforce Development and Wisconsin Department of Children and Families both 18 U.S. §241 Conspiracy against rights my taking money from my unemployment check and income withholding, payer paid/other. These action is without my due process and 31 U.S. Code 3729 (a)(1)(A)(B)(E), False claims (a) Liability for Certain Acts.— (l)in general.— Subject to paragraph (2), any person who— knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval; knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim; conspires to commit a violation of subparagraph (A), (B), (D), (E), (F), or (G); has possession, custody, or control of property or money used, or to be used, by the Government and knowingly delivers, or causes to be delivered, less than all of that money or property;

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These records show where the Wisconsin Department of Children and Families took my 2019 stimulus check. They kept this out of there records, they skipped the whole year of 2019. See Exhibit B-1 to B-6 and Exhibit C-1 to C-6 also shows false payments and claims. The Wisconsin Department of Children and Families finally gave me my full records for all four cases. See Exhibit D. These record show INCENTIVE PAYMENTS TO STATES Title IV-D law is being challenged as unconstitutional due to the financial incentives it creates which

have allowed for corrupt actors to proliferate and abuse the law to willfully deprive citizens of their constitutional right under color of law for financial gain. These records show that taxes were taken, it also shows all the money takes from all the work spaces that I have worked. These records go far back as 1991 to 2021. Also Exhibit B and Exhibit D the numbers don't match with the same dates and records as each other. 18 U.S. Code 4 287, False, fictitious or fraudulent claims Whoever makes or presents to any person or officer in the civil, military, or naval service of the United States, or to any department or agency thereof, any claim upon or against the United States, or any department or agency thereof, knowing such claim to be false, fictitious, or fraudulent, shall be imprisoned not more than five years and shall be subject to a fine in the amount provided in this title.

These records have thirty-three pages, I have a total of four only using one for the burden of proof. If the courts want to see the other three, I have them at their disposal. Exhibit E-1 to E-5 shows 18 U.S. Code 4 241 - Conspiracy against rights If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same. My attorney Ms. Valeria Lenise Taylor set me up with a job with her friend, Anthony Fikes, who owned a packaging plant. She said, "it would look good when I go back to court with these four cases". But when it was time to pay me, they didn't pay me, so it made it look like I didn't want to take care of my kids. Now, here comes my attorney Valeria Taylor, saying oh this isn't good, and not District Attorney Carot Crowley wants me to take the plead deal for nine in the HOC and the County Jail. See Exhibit E-1 to E-5 . If I didn't take the nine months, the District Attorney would give me 4 years for each case which would be a total of 16 years. My Attorney Valeria Taylor, she threatened me, that's interference with comm by threats or violence. This is 18 U.S. Code 1951(a)(b)(2), Interference with comm. by threats or violence Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both. As used in this section— (1) The term "robbery" means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or of anyone in his company at the time of the taking or obtaining.

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The term "extortion" means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right. The term "commerce" means commerce within the District of Columbia, or any Territory or Possession of the United States; all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all

commerce between points within the same State through any place outside such State; and all other commerce over which the United States has jurisdiction.

So, under duress, I signed papers for these four cases, thinking I'm only getting nine months. Mind you, I didn't know that I had this much time for these cases because my Attorney did this while I was fighting another case. I didn't know that it was a crime to not have a job and that I had to pay the Wisconsin Department of Children and Families. In my Initial Statement, I was trying to show fraud, not Challenge Jurisdiction on these four cases. I would like to see Exhibit F shows where the Wisconsin Department of Children and Families and Wisconsin Division of Motor Vehicles subunit of the Wisconsin Department of Transportation put a lien on my car which I still have in order to get the lien off, I would have to pay to the Wisconsin Department of Children and Families to remove the lien. 18 U.S. Code 1951(a)(b)(2), Interference with comm. by threats or violence Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both. Here is one more act of Discrimination. See Exhibit G. I tried to open a bank account, but the bank would not let me because Wisconsin Department of Children and Families was on my credit report. I Robert Keith wanted to show the courts the Wisconsin Department of Children and Families use these agencies to discriminate me systematically while using 18 U.S. Code 4 1961(1)(A)(B)(2)(3)(4)(5), Racketeering activity through all the agencies that I mentioned.

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SUMMARY

Lack of jurisdiction. The Right of due process has been well protected throughout history.

"No person shall be held to answer for a capital or otherwise infamous crime unless on presentment or indictment of a Grand jury...; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property without due process of the law; nor shall private property be taken for public use without just compensation." United State Constitution Amendment V.

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. 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." United State Constitution Amendment XIV.

"The Constitution and Laws of the United States which shall be made in Pursuance thereof; and all Treaties made; or which shall be made, under the Authority of the United States,

shall be the Supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of Any State to the Contrary notwithstanding." United States Constitution Article VI Clause 2.

"All political power is inherent in the people, and governments derive their just powers from the consent of the governed and are established to protect and maintain individual rights."

"The Constitution of the United States is the supreme law of the land."

"No person shall be deprived of life, liberty, or property, without due process of law."

"By due process; by a law that gives a man an opportunity to be heard before depriving him of his life, liberty, or property; by law which hears before it condemns; which proceeds upon inquiry, and renders judgment only after trial." Law of the Land, Ballentine's Law Dictionary 3rd Ed.

In accordance with the United States Constitution, and Constitution of the state of Wisconsin a man may not be deprived of life, liberty or property without due process of law, of which many Judges are ignoring, despite the law being clear they cannot ignore it, but are in fact bound thereby.

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HALE v. HENKEL 201 U.S. 43 at 89 (1906) Hale v. Henkel was decided by the United States Supreme Court in 1906. The opinion of the court states: "The "individual" may stand upon "his Constitutional Rights" as a CITIZEN. He is entitled to carry on his "private" business in his own way. "His power to contract is unlimited." He owes no duty to the State or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to incriminate him. He owes no duty to the State, since he receives nothing there from, beyond the protection of his life and property. "His rights" are such as "existed" by the Law of the Land (Common Law) "long antecedent" to the organization of the State" and can only be taken from him by "due process of law", and "in accordance with the Constitution." "He owes nothing" to the public so long as he does not trespass upon their rights." HALE V. HENKEL 201 U.S. 43 at 89 (1906). Hale v. Henkel is binding on all the courts of the United States of America until another Supreme Court case says it isn't. No other Supreme Court case has ever overturned Hale v. Henkel. None of the various issues of Hale v. Henkel has ever been overruled since 1906, Hale v. Henkel has been cited by the Federal and State Appellate Court systems over 1,600 times! In nearly every instance when a case is cited, it has an impact on precedent authority of the cited case. Compared with other previously decided Supreme Court cases, no other case has surpassed Hale v. Henkel in the number of times it has been cited by the courts. "The rights of the individuals are restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government."

"Any judge [or officer of the government] who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in

violation of the supreme law of the land. The judge is engaged in acts of treason." *Cooper v. Aaron*, 358 U.S. 1, 78 S. Ct. 1401 (1958)

"Jurisdiction over the person of the defendant which can be acquired only by service of process on the defendant in the state to which the court belongs or by his voluntary submission to jurisdiction. "Jurisdiction in Personam, *Ballentine's Law Dictionary* 3rd Ed.

CONCLUSION

Title IV-D does not give rise to individual rights; it was not intended to benefit individual children and custodial parents but is simply a yardstick for the Secretary to measure the systemwide performance of a State's Title IV-D program *Blessing, supra*, 520 U.S. at 343, 117 S. Ct. at 1361, 17 L. Ed. 2d at 584.

U.S. v. Throckmorton, 98 US 61 WHEREAS, officials and even judges have no immunity *See, Owen vs. City of Independence*, 100 S Ct. 1398; *Maine vs. Thiboutot*, 100 S. Ct. 2502; and *Hafer vs. Melo*, 502 U.S. 21; officials and judges are deemed to know the law and sworn to uphold the law; officials and judges cannot claim to act in good faith in willful deprivation of law, they certainly cannot plead ignorance of the law, even the Citizen cannot plead ignorance of the law, the courts have ruled there is no such thing as ignorance of the law *Cooper v. Aaron*, 358 U.S. 1, 78 S.Ct. 1401 (1958). "No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it.

The petition for a writ of certiorari should be granted.

Respectfully Submitted

Robert D Keith

1851 N 28th St Milwaukee, Wisconsin 53208

PROOF OF SERVICE

Robert D Keith do swear or declare on this date May 28, 2022, I have served enclosed and PETITION FOR A WRIT OF CERTIORARI PART 2 on each party to the above proceeding or that party's council, and on every person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed.

Ronald S. Standler

Thomas C. Bellavia (counsel of record)

Johnathan E Sacks

Joshua L. Kaul

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Division of Motor Vehicles subunit of the Wisconsin Department of Transportation

KOPKA PINKUS DOLIN PC

Wisconsin Department of Justice

Attorneys for defendant-Appellee

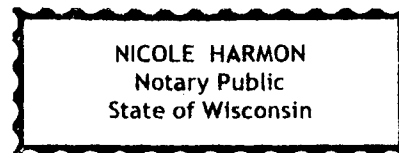
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I declare under penalty to perjury that the forgoing is true and correct.

Executed on May 28, 2022

Robert D. Keith Robert Keith



Expires 3/29/2024

Nicole

414.931.0111