

Supreme Court, U.S.

FILED

AUG 29 2022

OFFICE OF THE CLERK

No. 22-386

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IN THE  
**Supreme Court of the United States**

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ANDY WEIMER,  
Petitioner,  
v.  
STATE OF WASHINGTON,  
Respondent.

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On Petition For A Wit Of Certiorari To  
The Supreme Court Of Washington State

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**PETITION FOR A WIT OF CERTIORARI**

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## QUESTIONS PRESENTED

1. If we are a Constitutional Republic, and the Constitution is the Supreme Law of the land, every person, every State, and every Federal agent, has to obey it. How can State and County government get away with violating Constitutional Rights, Article 6 paragraph 2, because of admiralty/maritime law. So why am I not given a Jury trial under Amendment 7?
2. Why was the Sheriff Deputy able to assault me with a deadly weapon? Amendment 8.

## LIST OF PARTIES

All parties appear in the caption of the case on cover page.

## RELATED CASES

William Marbury vs. James Madison, 5 U.S. 137, Justia Supreme Court Center, Judgement entered February 1803.

Roberson vs. Department of Public Works. 180 Wash 133,147, (1934)

Miranda vs. Arizona 384 U.S. 436,491, (1966)

Miller vs. United States 230 V. 486, 489, (1956)

Sherar vs. Cullen,481 F. 2d 946, (1973)

Chicago Motor Coach vs. Chicago, 169 N. E. 22 (1929)

Ligare vs. Chicago, 28 N. E. 934 (1891)

Boon vs. Clark, 214 S. W. 607 (1919)

Thompson vs. Smith, 154 S.E. 579 (1930)

Teche Lines vs. Danforth., 12 So. 2d 784 (1943)

Parks vs. State, 64 N.E. 682, (1902)

RELATED CASES Cont.....

Connolly vs. Union sewer Pipe Co., 184 U.S. 540 (1902)

Lafarier vs. Grand Trunk R.y. Co., 24 A. 848 (1892)

Buchanan Vs. Warley, 245 U.S. 60 (1917)

Tighe vs. Osborne, 131 A. 60 (1925)

Mehlos vs. City of Milwaukee, 146 N. W. 882 (1914)

Barbier vs. Connolly, 113 U.S. 27, 31 (1885)

Riely vs. Lawson, 143 So. 619 (1932)

Hoke vs. Henderson, 15 NC 15 (1834)

Simons vs. Unites States, 390 U.S. 389 (1968)

Hurtado vs. California, 110 U.S. 515 (1883)

Boyd vs. United States, 116 U.S. 616 (1889)

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## PETITION FOR WRIT OF CERTIORARI

Petitioner Andy Weimer respectfully petitions the Court for a writ of certiorari to review the judgement of the Supreme Court of the State of Washington.

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## OPINIONS BELOW

The opinion of the Court of Appeals of the State of Washington. Division III. As far as I know it is an unpublished draft, but is included in the Appendix at page 6.

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## JURISDICTION

On November 1, 2021 the Court of Appeals of the State of Washington Division III, ruled to deny my discretionary review. Not by a Judge but by a Commissioner, Erin Geske. App. 6

On March 21, 2020 the Supreme Court of Washington State denied my motion for

discretionary review. By a commissioner not a Judge. App. 3.

On June 8, 2022, it was Ordered that my Motion to Modify the Commissioner's ruling is denied. By the Supreme Court of Washington State. App. 1.

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

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Constitution Article VI

Amendment VII, U.S. Constitution

Amendment VIII, U.S. Constitution

Amendment IX, U.S. Constitution

Amendment X, U.S. Constitution

Amendment XIV, U.S. Constitution

UCC 1-207

UCC 1-308

The relevant text can be found in the appendix.

## STATEMENT OF THE CASE

1. Violation/Statute Code 46.61.190.2 fail to stop at stop sign.

I cannot prove that I did stop at the stop sign. His police report App. 21, clearly shows he used the stop sign for a reason to pull me over because of the snowmobile. He has 18 complaints filed against him for excessive force and police misconduct from May 2018 to Feb 2020. He wrote my ticket February 19, 2020.

2. Violations/ Statute Code 46.61.655.2 load cover not securely fastened.

My snowmobile was secure in the bed of my truck. The proper way to secure snowmobiles is by the skis, the skis were secure and also the track was 'locked' on the tailgate top. I didn't violate the code. See two photos. App. 30 & 31.

RCW 46.61.655.2 says; No person may operate on any public highway any vehicle with any load unless the load and such coverings as required by subsection 3 of this section is securely fastened to prevent the covering or load from becoming loose,

detached, or in any manner a hazard to other users of the highway.

3. Violation/Statute Code 46.37.050 defective tail lamp

My Truck is registered in Idaho. Idaho code 49-906 Says nothing about license plate light.

2011 Idaho Code. Title 49. Motor Vehicles, Chapter 9, Vehicle Equipment 49-906 Tail Lamps.

49-906. tail lamps. (1) Every motor vehicle, trailer, semitrailer, and pole trailer, and any other vehicle which is being drawn at the end of a train of vehicles, shall be equipped with at least one (1) tail lamp mounted on the rear, which when lighted as required, shall emit a red light plainly visible from a distance of five hundred (500) feet to the rear. In the case of a train of vehicles only the tail lamp on the rearmost vehicle need actually be seen from the distance specified. Every mentioned vehicle, other than a truck tractor, registered in this state and manufactured or assembled after December 31, 1955, shall be equipped with at least two (2) tail lamps mounted on the rear, which when lighted as

required, shall comply with the provisions of this section.

(2) Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two (72) inches.

(3) Any tail lamp shall be wired so to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

(4) Nothing herein shall prohibit the display on any vehicle thirty (30) years or older of tail lamps containing a blue or purple insert lens not to exceed one (1) inch in diameter, providing the tail lamp or lamps otherwise comply with the requirements of this section.

## REASONS FOR GRANTING THE PETITION

I am innocent of the 3 violations.

I have not been given my Constitutional right for a jury trial.

UCC 1-207 & 308, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup> and 14th Amendment. So, Admiralty/Maritime Jurisdiction is unconstitutional. It is my unalienable right to travel on a public roadway, in my personal vehicle, what we the American public pay for. I understand Commercial Interstate Commerce is a privilege.

From traffic court to present, they will not consider what I wrote, Appendix B, (App.18) what happened at the traffic stop. Washington Supreme Court said it wasn't sworn so they would not consider it. That is another reason I want a jury trial, so both parties can be, sworn in, crossed examined and I can be judged by my peers.

I wish for a jury trial also, so State and local governments cannot make accusations against a citizen for revenue.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

/s/ ANDY WEIMER

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Date: October 3, 2022