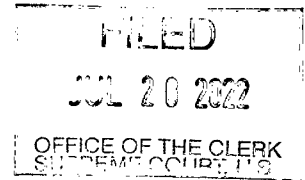


NO. 22-5224

ORIGINAL

IN THE
SUPREME COURT OF THE
UNITED STATES



Alfred Lane - Bey - PETITIONER

VS.

Harold W. Clarke - RESPONDENT

Writ of Habeas corpus TO
no other court Ruled on merit of case

Alfred Lane-Bey

.W.R.S.P

P.O. Box 759

Big Stone Gap, VA (24219)

N/A - Phone number

Question Presented

petitioner (Ex parte) Alfred Lane-Bey" In Propria persona"
Sui Juris is an moonish American sovereign who has been unlawfully imprisoned by the common wealth of Virginia due to the state not having subject matter Jurisdiction, by failing to identify the proper party in propria persona to render any such Judgement in any manner. Absent this court's intervention, the petitioner will continue to be held as a political Hostage unconstitutionally by ex post facto labels and laws that hasn't presented the true identity (Proper status) of this free Moonish American man, This petition invokes the extra-Ordinary Jurisdiction of this court, because all other traditional avenues (state courts and Federal District courts), Lack the necessary means to rectify or decide the herein claims of conflict between Federal and State laws, Human Rights laws, and the U.N. Declaration on Rights of Indigenous people.

The questions presented are:

1. Should this Court use its power to grant writ of Habeas Corpus to a moonish American sovereign man who has no other available forum to raise his compelling claims of ex post facto, An international law violation and lack of subject matter Jurisdiction on behalf of mislabeling and misnaming the petitioner?
2. What branch of law authorized the states to apply abolished slave labels (Black, negro, colored) to any person of African descent after 1865? This reinstates such persons a chattel-property and reopens the institution of slavery under colorable constitutional amendment.
3. Are Blacks "slaves" or otherwise Reason, as used in the 14th Amendment, and how can they be made first class citizens without their inalienable free national descendant name, their fore-fathers

4. How the label "Black" can find no formal place within the nationalities of the Human family and still be made "Citizen" on any free national and Constitutional Government.

5. IF one can produce a BLACK slave - the same one must also produce the BLACK slave owner correct? The Burden of proof lies on the Court! Not on a MOOR

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Parties to the proceeding

Petitioner, by Special visitation, Alfred Lane-Bey a Moorish American sovereign "In propria persons" sui juris held as an Commonwealth prisoner in Virginia, is the movant herein the extraordinary writ of Habeas corpus proceeding before the Supreme court of the United States. MR. Alfred Lane-Bey is in the custody of Harold W. Clarke the Director of the Virginia Department of Correction - Jason S. Miyares is the Attorney General for the state of Virginia.

Contact information:

Office of Attorney General
202 North 9th Street
Richmond, Virginia.

petitioner for writ of Habeas corpus

Alfred Lane-Bey respectfully petitions for a writ of Habeas corpus

Decision Below

This petitioner for writ of Habeas corpus is an original proceeding in this court, but relates to an unlawful imprisonment on the behalf of the Portsmouth city Circuit court by way of the commonwealth of Virginia for failing to properly identify the Petitioner in "propria persona" and for the lack of subject matter jurisdiction. In the allege criminal matter, where the commonwealth of Virginia was the Plaintiff in the matter

Statement of Jurisdiction

This Moorish American Sovereign plaintiff By private Authority invokes this court jurisdiction pursuant to its authority under 28 U.S.C §§ 2241 and 2254 to grant a writ of Habeas corpus as well as pursuant to rule 20.4 of the rules of this court, the all writs act, 28 U.S.C § 1651(a) and Sovereign Immunities Act of October 21, 1976 C.E, and 28 U.S.C 1602

Statement of Reasons for not filing in The District Court

Rule 20.4 requires an original petition for writ of Habeas Corpus by a state ~~per~~ prisoner 1. to "comply with the requirements of U.S.C.S 2241 and 2242, and in particular with provision in last paragraph of 2242, which requires a statement of the reasons for making application to the district court of the district in which the appellant is held" 2. to "set out specifically how and where the petitioner has exhausted available remedies in the state court or otherwise comes within the provision of 28 U.S.C 2254(b)" 3. to "show that exceptional circumstances warrant the exercise of the courts discretionary power" 4. to show that adequate relief cannot be obtained in any other form or from any court." Petitioner Alfred Lane-Bey meets these requirements.

1. By the petitioner's proper person status being unconstitutional and unlawfully labeled as Black (de facto label) in violation of the United States of American constitution Article I section 9 (CL.3) and section 10 ex post facto laws and also violation of the 13th Amendment, The claim of the 13th Amendment to abolish all entities of slavery (slave names, slave masters, slave e.g. Black, negro, and colored.) now comes ex post facto in the 14th Amendment which declares the same Black, negro, and colored slaves as "citizens" disguised under word "persons" and made subject to the jurisdiction. This claim give rise to a legal conflict between slavery and freedom. And, itself then, a Constitutional issue.

The reason for not making a application in the district court where the petitioner is held is because under the United States Supreme Court ruling (Hagan v. Lavine, 415 U.S. 528 (1974)) Jurisdiction cannot be sustained by lower court, or entertained and decide any claim of conflict between federal and state law? This ruling also states, as example, that the conflict question is itself a constitutional matter; within the meaning of 28 U.S.C 1343(a)(3) proper jurisdiction. only the "proper status" can be heard in the "proper jurisdiction", being Black is not a district court or superior court issue.

In fact the ex post facto "Black labels" would leave any court "In want of Jurisdiction" except the U.S. Supreme Court, a Special Congressional Committee and/or the United Nations International Court of Justice (The World Court), in the Hague Netherlands. This Interpretation provides that the petitioner should be permitted via 28 U.S.C § 2254.

2. Jurisdiction is always in want of proper parties to be presented, The Scope and extent to Jurisdiction of Federal Courts has the unquestionable authority to entertain suits to redress a person deprived, under color of state laws, and of constitutional rights, now, to the question of "state" ownership of slaves/Black labels, via Black birth Certificates, Black Licenses, arrest records of Blacks, and other official state levels. The states are only limited to their Federal Jurisdiction allocations. In Brief, the "Blacks" are words of the states, the states are united and empowered by Congressional legislation and Congress must answer to the constitution which is overseen by the U.S. Supreme Court. Also any court which lacks personal Jurisdiction, is also a court without power to issue an "in personam" Judgment (See. Penn-oyer v. Meff, 95 U.S. 714, 24 LEd 545) "Jurisdiction is essentially the authority conferred by Congress, to decide a given type of case one way or the other. The state court has no authority over the said issue herein, these reasons. This Court Jurisprudence regarding statutory interpretation provides that the petitioner should be permitted via. 28 U.S.C § 2254 (b)(1)(B)(i) and also in 28 U.S.C § 2254 (b)(1)(B)(ii)

3. Exceptional circumstances warrant the exercise of this court's discretionary power to issue a writ of Habeas Corpus for the reasons set forth, infra, in the statement of facts and of the reasons for granting writ.

4. Unless this Court grants this Habeas Corpus petition issue referenced above, then Adequate relief cannot be obtained in any form and from any other United States Court. No other Court can redress or grant relief when there are claims of conflict, where ^{un}Constitutional ex post facto laws, and denationalization are claims made, which further violates universal Human Rights, and United Nations Declaration on the Rights of Indigenous Peoples herein.

✓

Constitutional and statutory provision involved

This Petitioner involves the following provisions of the United States Constitution:

- Article I, section 9, CL. 2, of the United States Constitution provides:

The privilege of the writ of Habeas corpus shall not be suspended unless when in cases of rebellion or invasion the public safety may require it.

- Article I, section 9, CL. 3, of the United States Constitution provides:

No Bill of attainder or ex post facto law shall be passed.

- Article I, section 10, of the United States Constitution provides:

1. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligations of contract, or grant any title of nobility.

2. No state shall without the consent of Congress lay any impost, or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and no produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subjected to the revision and control of Congress.

3. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with any other state, or with foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

• The Eighth Amendment provides:

Excessive bail shall not be required, nor excessive fines imposed nor cruel and unusual punishments inflicted

• The Thirteenth Amendment provides:

1. Neither slavery nor involuntary servitude, except as a punishment for a crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction
2. Congress shall have power to enforce this article by appropriate legislation

• The Fourteenth Amendment

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.
4. The validity of the public debt of the United States, authorized by law, including debts incurred for payments of pensions and bounties for services in suppressing insurrection or rebellion shall not be questioned. But neither the United States shall assume or pay any debt or obligation incurred in and 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.
5. The Congress shall have power to enforce, by appropriate legislation, the provision of this article.

28 U.S.C.A § 1203: kidnapping statute

28 U.S.C.A § 1251: Original Jurisdiction provides:

(A). The Supreme court have original and exclusive jurisdiction of all controversies between two or more states

(b). The Supreme court shall have original but not exclusive jurisdiction of:

(1). All actions or proceedings to which ambassadors, other public ministers, consuls, or vice consuls of foreign states are parties

(2). all controversies between the united states and a state;

(3). All Actions or proceedings by a state against the citizen of another state or against aliens

28 U.S.C.A 1343(a)(3) "civil rights and elective franchise provides" in relevant parts:

(A). The District courts shall have original Jurisdiction of any civil action authorized by law to be commenced by any person:

(3). To redress the deprivation, under color of any state law, statute, ordinance, regulation, custom, or usage, of any right, privilege or immunity of Congress providing for equal rights of citizens, or of all persons within the jurisdiction of the united states.

28. U.S.C § 2254 (b)i (B)ii provides:

(b)i. an application for writ of habeas Corpus on behalf of a person in custody pursuant to the Judgement of a state court shall not be granted unless it appears that -

(b)i. There is an absence of available state corrective process or

(B)ii. Circumstances exist that render such process ineffective to protect the rights the applicant.

I. Introduction

By Special visitation comes now Alfred Lane-Bey a 31 year old Moorish American sovereign "In propria persona." Sui Juris. I am the movant (herein after referred to as petitioner) in this Extraordinary Writ of Habeas Corpus moves this Court to release the petitioner from this unconstitutional unjust, and unlawful imprisonment in the matter where the Commonwealth of Virginia was the plaintiff. This Aggrieved Moorish American Sovereign petitioner challenges the legality of the status imposed upon the petitioner and Jurisdiction of the United States by way of the Commonwealth of Virginia.

The United States by way of the Commonwealth of Virginia were participants in denationalizing and enforcing ex post facto laws by way of de facto labels of slavery, which violates the 13th Amendment, and Article I section 9 (CL.3) and Section 10 of the United States of America Constitution, which in turn cause the petitioner to be an political Hostage. The failure of the United States by way of the Commonwealth of Virginia failure to properly identify and name the petitioner "In propria persona" is in conflict with the Jurisprudence of all United States court systems, which is founded upon two master words "status" and "Jurisdiction", without these two legal principals there cannot be a lawful proceeding to have any ~~trial~~ trial without true application of their necessary condition and will make the law ex post facto to the United States constitution and leave any court "In want of Jurisdiction", Any court which lack personal Jurisdiction, is also a court without power to issue an "In personam" Judgement (See. Pennoyer v. Mcff, 95 U.S. 714, 24 Fed. 565 (1877))

II. unconstitutional and unlawful Acts

All people, who are free national, are born with the "inalienable Rights" to the inherent nationality of their fore-fathers, eg. Chinese, German, Egyptian or Moorish American. Any act, lawful or disguised, which deprives a person or people of this birth Right, given by their Creator is an act of "Denationalization and Genocide". These first degree felony criminal violations for any government to enact upon a people under colorable Amendments to its constitutional laws. Hence: Formal charges!! The United States and the Commonwealth of Virginia having mislabeled and misidentified this Aggrieved Moorish American sovereign petitioner as "Black" in arrested records, Birth certificates, person status, etc. etc. Makes these acts unconstitutional, being that this confirmation is dire violation of the Constitution's Article I, section 9 (CL. 3) and section 10, which is "ex post facto laws and labels" and for the United States by way of the Commonwealth of Virginia that enforced the fore mentioned Acts, and by imposing the de facto "Black" label on the petitioner's status is "Criminally liable/names were applied to captured and import African Moors were "Demurable" and an act of denationalization which placed them out of their "proper person", to be treated unfairly and unjustly.

According to the Federal rule Title 18 U.S.C section 241 through 242 States "no one has the right, especially under Judges, and courts, etc. to denationalized, deprive any rights, privileges, or immunities by reason of color or race." Whereas the courts are hereby demanded to prove that Black, negro, and colored is a law status, national origin with a descendant nature within the scope of nationality of fore-fathers, equal to all other people. Furthermore, prove this status existed before the establishment of the Continental congress and after its congressional death in 1865. In addition, Black, negro, and colored is declared "property" and no property can testify against itself in any court of law, only its owner must appear.

Therefore who owns the Black, Negro, colored, that declared abolished in the 1865 enactment of the 13th Amendment, with the institution of slavery? Its the appearance of the "Rightful" owner of the property, not the property, required to answer in a court of law (Courts enforcing mere statutes?) "Do not act Judically, but merely ministerially; thus having no Judicial Immunity. And, unlike Courts of law, do not obtain Jurisdiction by service of process, nor even arrest and compelled appearance" (See. *Boswell v. Otis*, 9 How. 336, 348, to wit)

Furthermore these criminal and unconstitutional Acts committed by the united states by way of the commonwealth of Virginia by failing to properly identifying this Aggrieved Moonish American petitioner "In propria persona" are acts of "Denationalization" and a form of Genocide. These inhumane acts are in violation of the 8th amendment of the U.S. Constitution by unconstitutionally and unlawfully holding the petitioner in custody as an political Hostage, basically kidnapping the petitioner in violation of 18 U.S.C.A § 1203 which is an Federal Crime.

This Aggrieved Moonish American Sovereign petitioner asserts that the true appellation of this petitioner "In propria persona" has not been presented in any of the courts documents or any documents of the united states by way of the commonwealth of Virginia, and that a derivative of a "person status" or name is not the legal status, name or identity "In propria persona". Furthermore this Aggrieved Moonish petitioner has not abdicated his position as a Sovereign to one of a lesser, deplorable or denunciable status of a Black, Negro, colored, African American, nor that of a united states citizen or etc. (See. Appendix A and B) To understandfully the petitioner "propria persona" culture, Birth-Right, nationality, origin of fore-father and fore-mothers etc.

In addition, the Supreme Court of the united states (in the landmark case) of "Dred Scott v. Sandford" 60 U.S. (19 Howard) 393, (1857), held that Negro-whether held to slavery or free-were not included and were not intended to be included in the "Category" of "Citizen" (Subjects of the Union State Rights). This statement further shows that Black, Negro, or colored were never meant to be citizens so the only ties to those ex post facto labels is "property"

Furthermore, In addition, to what has been stated above and throughout, without a valid contract, Agreement, a meeting of the minds or Foundational Instrument with this aggrieved moonish American Sovereign petitioner's bonafide signature "In propria persona" on it, requiring specific performance and placed into evidence on the Courts records, the United States by way of the Commonwealth of Virginia has no legal standing, thus Jurisdiction, and legal existence to further unlawfully, and unconstitutionally hold this moonish petitioner captive in their custody or any custody et al.!

III Treaty violation

The treaty of peace and friendship between the United States and Morocco (The first and oldest treaty to date, agree upon by U.S.) has Articles built in concerning the treatment of moons accused of a crime in the U.S., This treaty forbids moonish moslems being tried in any Christian court of law and to have either a 'Blue Ribbon Jury' or Islamic Consul representation. The treaty was and is to ensure proper Jurisdiction is at law. By the acts stated throughout this petition as well as history of the pass and present, is proof, that this Treaty has never been honored by the United States and states that reside, especially the experience this aggrieved moonish moslem petitioner has witness witnessed throughout most of my life.

IV International violation of law

For all of the above mentioned acts committed by the United States and the Commonwealth of Virginia, its clear that these international laws have been violated to wit;

1. International covenant on civil and political rights as follow;

(a) part II Article 3 provides: The states parties to the presented Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present covenant

(b). part III Article 8 section 1 provides:

No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited. And secondly; no one shall be held in servitude.

(C). Part III Article 9 section 1 provides:

everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or ~~det~~ detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law;

(d). Part III Article 24, section 3 provides:

Every child has the right to acquire a nationality

2. universal Declaration of Human Rights, as follows;

(A). Article 1 provides in relevant part:

All humans are born free and equal in dignity and rights

(b). Article 2 provides in relevant part:

Everyone is entitled to all rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national, or social origin, property, birth, or other status.

(C). Article 4 provides:

No shall be held in slavery or servitude, slavery and slave trade shall be prohibited in all their forms.

(d). Article 5 provides:

No one shall be subject to torture or cruel, inhumane or degrading treatment or punishment.

(e). Article 6 provides:

Everyone has the right to recognition everywhere as a person before law.

(f). Article 7 provides:

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of the Declaration and against incitement to such discrimination.

(g). Article 15 provides:

First, Everyone has a Right to a nationality

Secondly, no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality

3. U.N. Declaration on Rights of Indigenous People as follow;

(a). Article 2 provides:

Indigenous people and individuals are free and equal to all other people and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

(b). Article 6 provides:

Every Indigenous individual has the right to a nationality

(c). Article 7, section 1 and 2 provides:

First, Indigenous individuals have the right to life, physical and mental integrity, liberty and security of person

Secondly, Indigenous people have the collective right to live in freedom, peace and security as distinct people and shall not be subjected to any act of Genocide.

(d). Article 8, section 2(a) provides:

States shall provide effective mechanisms for prevention of, and redress for:

Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities.

(e). Article 46, Section 2 provides:

Indigenous people have the right to the recognition observance and enforcement of Treaties, agreements, and other constructive arrangements concluded with states or their Successors and to have states honor and respect such treaties, agreements and other constructive arrangements.

(f). Article 46, Section 2 provides:

In the exercise of the rights enunciated in the present Declaration, human Rights and fundamental freedoms of all shall be respected. The exercise of the Rights set forth in this Declaration shall be subjected only to such limitations as are determined by law and in accordance with international human Rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the ~~same~~ purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

V. Reason for Granting the writ

It's very clear that the United States and the Commonwealth of Virginia has violated all of these substantive, and International Rights mentioned throughout this entire unit of Habeas Corpus. The Supreme Court decision that was ruled state; "The state is prohibited from violating substantive Rights. (See. *Owens v. City*, 445 U.S. 662 (1980)); and it cannot by one power (e.g. Taxation/Eminent Domain) as a matter of law. (See. *U.S. and U.T. v. Daniel*, 22 p. 159), nor indirectly that which is prohibited to it directly (See. *Fairbanks v. U.S.*, 181, U.S. 283, 294, 300:)

There has been clear ex post facto laws, and labels violations throughout my entire existance, being held an political hostage; where Rights secured by the Constitution are involved, there can be no rule-making or legislation which would abrogate them (See: *Miranda v. Arizona*, 384 us 436, 125.) The united states by way of the Common Wealth of Virginia court, has completely undermined laws concerning Substantive Rights and the Judicial laws governing Jurisdiction, "Lack of Federal Jurisdiction cannot be waived or overcome by agreement of Parties, (See: *Griffin v. Matthew*, 310 F. Supra 341, 342 (1969)) and want of Jurisdiction may not be cured by consent of parties" (See: *Industrial Addition Association v. C.I. R.*, 323 us. 310, 313)

If any Tribunal (Court) find absence of proof of Jurisdiction over a person and subjectmatter, the case must be dismissed, (See: *Louisvill v. Mutley*, 211 us 149, 295, CT 42) "The accuser bears the Burden of Proof Beyond a Reasonable Doubt". Its, facts, that by me, being a Moonish American Sovereign "In propria persona", that the united state and the Commonwealth does not have Jurisdiction over the petitioner in any manner! The petitioner is Indigenous to the Americas; North, Central, South American and Mexico; Also the adjoining Islands, (See: Appendix A, B, and C), and theres historical proof to it all.

The Supreme court, and the "Act of states" to wit:
"Every sovereign State (People) is bound to respect the Independence of every other sovereign state (People) and courts of one country (People) will not sit in Judgement on the acts of the government of another done within (The same or) its own territory..... With that being said, all the unconstitutional, unlawfully, and violations of International laws, this court has all the reasonings to Grant this Aggrieved Moonish American Sovereign "In propria persona" petition.

CONCLUSION

The Petition for writ of Habeas corpus should be granted

Respectfully Submitted,

ALC Lm Bey

Alfred Lane-Bey

"In propria persona"

Moonish American

Imprisoned at : W.R.S.P

P.O. Box 789

Big Stone Gap, VA (24219)

U.C.C 1-207/308

Without Prejudice

By: Alfred Lane Bey
Alfred Lane Bey

In propria persona Sui Juris
Moonish American

Currently incarcerated at
Wallens Ridge state prison
272 Dogwood Drive
Bigstone Gap, VA 24219

Acknowledgment

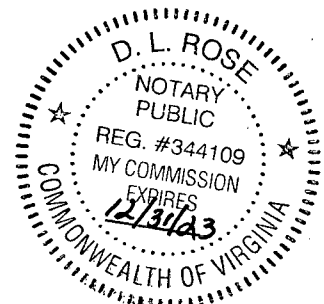
Subscribed to sworn before me this 9th day
June 2022 AD a notary that Alfred Lane Bey
personally appeared and known to me to the man
whose name subscribed to within this instrument
and acknowledge to be the same

David Rose seal

Notary public and for state Virginia

My commission expires

12/31/23



NO. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Alfred Lane-Bey - PETITIONER

VS.

Harold W. Clarke - RESPONDENT(S)

PROOF OF SERVICE

I, Alfred Lane-Bey, do swear or declare that on this date July 12, 2022, as required by Supreme Court Rule 29 I have served the enclosed motion for leave to proceed in forma pauperis and petition for a writ of Habeas corpus on each party to the above proceeding on that parties counsel, and on every other person required to be served, by depositing an ~~even~~ envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:
Harold W. Clarke, Virginia Director of Department of
Correction

I, Alfred Lane-Bey pursuant to 28 U.S.C 1746, declare under penalty of perjury that the foregoing is true and correct.

Executed on July 12, 2022

Alfred Bey