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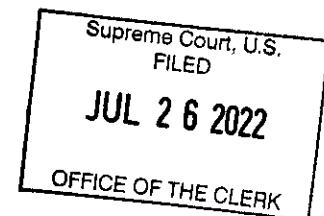
ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

EN RE Rodney Allen Bey, Petitioner

PETITION FOR WRIT OF HABEAS CORPUS



Rodney Allen Bey #1887338

ferguson unit

12120 Savage dr

Midway, Tx 75852

QUESTIONS PRESENTED

- 1) WHAT BRANCH OF LAW AUTHORIZED STATES TO APPLY ABOLISHED SLAVE LABELS(NEGRO, BLACK, COLORED) TO ANY PERSON OF AFRICAN DESCENT AFTER 1865? THIS REINSTATES SUCH PERSONS AS CHATTEL PROPERTY AND REOPENS THE INSTITUTION OF SLAVERY UNDER COLORABLE CONSTITUTIONAL AMENDMENTS**
- 2) ARE BLACKS 'SLAVES' OR OTHERWISE 'PERSONS' AS USED IN THE 14TH AMENDMENT AND HOW CAN THEY BE MADE 1ST CLASS CITIZENS WITHOUT THEIR INALIENABLE FREE NATIONAL DESCENT NAME OF THEIR FOREFATHERS?**
- 3) AS FOR BLACKS WITH CRIMINAL RECORDS, WHAT CRIMES CAN 'PROPERTY' POSSIBLY COMMIT WHICH IT'S OWNER, THE SLAVE MASTER, IS NOT ACCOUNTABLE FOR IN A COURT OF LAW?**
- 4) IF ONE CAN PRODUCE A SLAVE(BLACK), THE SAME ONE MUST ALSO PRODUCE A SLAVE MASTER.**

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STATEMENT OF THE CASE

The supreme laws of the U.S. uphold there can be no legal proceeding without the right order establishment of proper status and apposite jurisdiction. These two pillars of law must be in place and have precedence before the adjudication of all formal matters of lawful substance can be addressed. The State violated this great requirement by first failing to properly identify me and by taking assumable jurisdiction of my personage.

Per 13th amendment of the U.S. Constitution, "Neither slavery nor involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Through the usage of birth certificate, arrest report, indictment and other court documents I was given an improper status(identification) that presented me to the court as property instead of a natural person with inalienable rights. Thus, the 13th amendment was violated by enacting the institution of slavery upon me prior to adjudication or any level of duty conviction. The State then took assumable jurisdiction over my natural personage.

By taking assumable jurisdiction the State identified me as 'Black', which is an act of denationalization. Per Federal rule title 18, section 241-242, "No one has the right, especially under eadges and courts,etc. to denationalize, deprive any rights, privileges or immunities by reason of color or race."

'Black' is an unlawful status, as it is a property(slave) label and this confirmation is in dire violation of the U.S. Constitution Article 1, section 9(clause 3) and 10, which is "Ex Post Facto" and the courts that enforce these laws are criminally liable. This status did not exist before the establishment of the Continental Congress and nor after it's congressional death in 1865. In addition, 'Blacks' are declared property per article 1, section 2(clause 3) of the constitution(3/5th clause) and no property can testify against itself in any court of law. Only it's owner must appear. Therefore, who owns the "blacks" that was declared out of law in 1865? It is 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 judicially but ministerially, thus, having no judicial immunity, and, unlike courts of law do not obtain jurisdiction by service of process, nor even compelled appearance." (Boswell v Otis, 9 How,336,348)

All misdemeanors and felony cases proceeding from identification records with me described as Negro, Black, Colored, African-American, etc. is "Ex Post Facto". Thereby, the arrests, prosecution, convictions and all sentencing of person/property/slaves are tainted laws of colorable slavery.

Per the U.S. Supreme court ruling of Dred Scott v Sandford, 60 US(Howard) 393, 15 L.E.D 691, Scott who was labeled as "Black", did not have lawful status, thus he did not have rights to the court, nor did the court have jurisdiction to hear his claim. The court also ruled that the 'black man' has no rights that any true US citizen is bound to respect. And, that African descendants, whether free or enslaved cannot be 1st class citizens, nor were they ever intended to be.

This decision has never been over turned by any other Supreme court ruling, nor has there been any act of congress to pass a law to over turn the decision of Dred Scott v Sanford. Thus, my right to due process was violated when the State court failed to properly identify me.

With the abolishment of the Institution of Slavery via the 13th Amendment also included all slave names(labels), slave owners and slaves.

FACT: The slave identifying marks of negro, black, colored, etc. which were names given to those enslaved were also voided with their institution because these names were applied to captured and imported African Moors were 'demurable' and an act of denationalization, which placed them out of their "proper person" to be treated unfairly and unjustly. Thus, those labeled black are lawfully 3/5ths of a person(slave). When the district court applied a slave label to me and knowing failed to properly identify me it violated the 5th Amendment, which ensures that all true citizens are treated fairly.

As it is the U.S Supreme courts responsibility to protect the U.S constitution ~~the~~ this court has the burden of proof to show that 'black' is a lawful status with a descendant nature within the scope of nationality or national origin of forefathers equal to all other people. Jurisdiction is essentially the authority, conferred by congress to decide a given type of case one way or another(Hagans v Lavine, 415 US 528, 94 SCT 1372. 39 LED 2d 577). Jurisdiction is a term which embraces every kind of judicial action. It defines the powers of the courts to inquire into facts, apply the law, make decisions and declare judgment. All of which pertains to procedural due process as protected by the 5th Amendment. Jurisdiction is always in want of proper parties to be present. Proper parties means being properly identified with a lawful status that ensures rights to the court. My rights to the court were violated in this regard.

Under the ruling of Hagans v Lavine, jurisdiction cannot be sustained by a lower court or entertain or decide any claim of conflict between State and Federal law. This ruling also states that the conflict question itself is constitutional matter within the meaning of 28 USC 1343(3), proper jurisdiction. The claim that the 13th amendment to abolish all entities of slavery(slave owners, slave names and slaves,e.g. negro, black, colored, etc.) now become Ex Post Facto in the 14th Amendment, which then declares the same negro, black and colored slaves as citizens, disguised under the word persons(commercial property/slave) and made subject to the jurisdiction. The U.S. 14th amendment uses the term "Person" to diffuse the "3/5 clause" of its constitution(Article1,sec 3) and was written strictly applicable to slaves and ex-slaves, misnomered Negroes, Colored Folks, Black People, etc. Under color of law, this document gives the united states clear title ownership to said persons, as property and evinces assumable jurisdiction over the automatism of fallen humanity. The 14th amendment was ratified in full knowledge it would perpetuate all so-called Negroes and Blacks, as an undeclared and wretched people, to remain alienated and separated from the human family. This

mandates the ex-slaves into an unconscious act of voluntary enthrallment by clinging to those names and principle that delude to slavery. As long as the ex-slaves accept the slave labels of Negro, Black and Colored people, that has been certified upon their decree of live birth by the States wherein they were born, then they will live the life of a slave, bearing names that delude to slavery, yet not knowing they have been Denationalized to the status of slaves. This claim gives rise to a legal conflict between slavery and freedom and is itself a constitutional matter. *Hagans v Lavine* further establishes that a substantial question to be answered by the court is: How the word 'black' can find no formal place within the nationalities of the human family and still can be made a citizen of any free national and constitutional government?

By law, jurisdiction can be challenged at any time. Once jurisdiction is challenged, the court must investigate the authenticity of the status in question before it can proceed. This forces the court in 'personam jurisdiction' where it must prove it has power over my true personage in written personam. Any court that lacks personam jurisdiction is also a court without power to issue an in personam judgement(*Pennoyer v Neff*, 95 US 714,24 LED, 565).

Reason for not applying to district courts

Jurisdiction cannot be sustained by a lower court, or entertain and decide any claim of conflict between federal and state law. The conflict question is itself a constitutional matter within the meaning of 28 USCA 1333(3), proper jurisdiction. District courts are not Article III, section II courts as defined by U.S. constitution.

Reason for Granting petition

All people, who are free nationals are born with the inalienable right to inherent nationality of their forefathers. Any act, lawful or disguised, which deprives a person or people of this birth right is an act of "denationalization" and "genocide".

These are first degree criminal violations for any government to enact upon a people

under colorable amendments to its constitutional laws. This confirmation is in direct violation of the U.S. constitution Art 1, section 9(clause 3) and 10 which is Ex Post Factos and the courts that enforce these laws are criminally liable.

Aovernment of Jurisdiction

Now comes the petitioner, Rodney Allen Bey, Moorish American, in propria persona sui juris to move this aovernment of jurisdiction to the status of the petitioner hereby challenge the respondent, The United States, U.S. Congress, U.S. Supreme court, et al, to be recognized as the order of todays judicial business: The supreme laws of the united states and all other free national governments judicially uphold there can be no legal proceeding without the establishment of proper status and correct jurisdiction. These two pillars of law must be in place and have precedence before the adjudication of all formal and alleged offenses can be addressed.

CITED SUPREME COURT DECISIONS: AMISTAD MUTINY OF 1841 DRED SCOTT DECISION OF 1856

The above-cited supreme court decisions, combined with resolves as "Eliot Gonzales of Cuba vs The Laws and citizens of the United States", were the lawful gnosis personifying the supreme issues of status and jurisdiction; These issues are relevant to the immediate matters of nationality and manumissions of the indigenous Moorish to the continental breast of North America. The U.S. 14th amendment uses the term "Person" to diffuse the "3/5 clause" of its constitution (Article 1, sec 3) and was written strictly applicable to slaves and ex-slaves, misnomered Negroes, Colored Folks, Black People, etc. Under color of law, this document gives the united states clear title ownership to said persons, as property and evinces assumable jurisdiction over the automatism of fallen humanity.

The 14th amendment was ratified in full knowledge it would perpetuate all so-called Negroes and Blacks, as an undeclared and wretched people, to remain alienated and separated from the human family. This mandates the ex-slaves into an unconscious act of voluntary enthrallment by clinging to those names and principle that delude to slavery. As long as the ex-slaves accept the slave labels of Negro, Black and Colored people, that has been certified upon their decree of live birth by the States wherein they were born, then they will live the life of a slave, bearing names that delude to slavery, yet not knowing they have been Denationalized to the status of slaves.

Yet neither the united states nor any other sovereign power have established lawful jurisdiction over the petitioner. Nay, neither written nor assumed will such jurisdiction over the subject matter be surrendered, given or hypothesized. Whereas, the above decree of hostage making can have no jurisdictional bearing upon the petitioner. The United States of America is now being called forth, with it's congressional powers as handed down in the last clauses of the reconstruction amendments, in light of the full constitutional body of laws and principles for which

it stands, to answer this proper federal question and lawful challenge, to demonstrate The United States of America cannot muster adjudication to this Moorish American petitioner.

Here now the greatest bounds of jurisdiction, empowered to the wisdom in The Supreme Court of the United States is now challenged; to render, in written personam, it's constitutional jurisdiction to govern the petitioner. The U.S. supreme court is in full authority to exercise the power of the United States Constitution, joined with the entire embodiments of Congress, now have the burden of proof to any jurisdiction to justly govern the petitioner present in his proper person before you.

Relief Sought

Now, the highest court in the United States, being in want of said jurisdiction, and therefore without power to issue an "in personam judgement", the petitioner, Rodney Allen Bey, Moorish American, with his seal affixed here upon, do hereby declare his right of his sovereignty, National uprightness and independence; His first inalienable right to be free from all forms of detention and imprisonment.

Verification

I declare under penalty of perjury that the foregoing is true and correct, per 28 USC 1746.

Rockey Allen Bey

Certificate of Service

I hereby certify that a true and correct copy of the foregoing National Habeas corpus has been furnished by U.S. mail to: The clerk of the supreme court of the united states; one 1st St NE, Washington, DC; The solicitor General; Room 4614 Dept of Justice, 950 Pennsylvania Ave NW, Washington, DC 205630

Date 8-5-22

Rockey Allen Bey

Conclusion

The petition for writ of national Habeas corpus should be granted.

Respectfully submitted

Rodney Allen Bey

DATE 8.5.22

IN THE SUPREME COURT OF THE UNITED STATES

IN RE Rodney Allen Bey, Petitioner

PROOF OF SERVICE

I, Rodney Allen Bey, do hereby declare that on this date 8.5.22 as required by supreme court rule 29 I have served the enclosed motion for leave to proceed in forma pauperis and petition for writ of national habeas corpus on each party to the above proceeding, or the party's counsel and on every other person required to be served, by depositing an envelope containing the above documents in the united states mail properly addressed to each of them with first-class postage prepaid or by delivery to a third party commercial carrier for delivery within 3 calender days.

The names and addressees of those served are as followes: Clerk of the u.s. supreme court; One 1st ST NE, Washington ,DC 20543. Silcitor General room 5614, dept of justice 950 Pennsylvania Ave NW, Washington,DC 20530.

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

Executed on 8.5.22

Rodney Allen Bey

In propria persona sui juris

