22-5807

In The Supreme Court of the United States

IN RE DANIEL KWAKU GBEDEMAH, Petitioner

TO THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT
(21-5154) (22-5088)
AND
THE-UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA, Respondents
1-20-mc-00128-UNA (Chief Judge)
1-21-cv-00438-DLF (Junior Judge)

PETITION FOR A WRIT OF MANDAMUS

ORIGINAL

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QUESTIONS PRESENTED

1. Whether Congress implicitly or explicitly bar Petitioner a victim of "extrajudicial killings and torture" from seeking relief under the Torture Victims Protection Act.
2. Whether a lower court can exhibit two judgments in a case. One judgment with constitutional authority and subject matter jurisdiction, hereinafter-deemed the Chief Judge ORDER, While the second an unconstitutional order, hereinafter-deemed the Junior Judge ORDER.
3. Whether a lower court without subject matter jurisdiction, in jurisprudence can order an amendment in a complaint, when the lower court lack subject matter jurisdiction.
4. Whether the Court of Appeals can summarily affirm a "void judgment" of a lower court without looking into its own Article III standing and justiciable issues of the case.
5. Whether the Clerks of the U.S District Court and the DC Circuit Court of Appeal perform fiduciary duties and if Clerks can corrupt the law, when Clerks swear oath to uphold the law.
6. Whether this case implicate or circumvent "National Security" interest, or a "National Embarrassment" that manifest the injustice of denial of a forum to seek redress for "black sited" human rights violations. And whether 18 U.S.C.S. 242 is implicated.
7. The question presented is whether a writ of mandamus shall issue directing the court of appeals to remand the case to the Chief Judge of the district court without delay.

PARTIES TO THE PROCEEDING

Petitioner in this Court is Plaintiff in the United States District Court and Appellant in the court of appeals. Respondents in this Court is the United States Court of Appeals for the District of Columbia Circuit and the United States District Court, District of Columbia. Respondents include all the Judges that acted in their official capacity as Judges of the D.C. Circuit Appeals Court and United States District Court; including the Clerks of court in their official capacity as record keepers in the District Court and Appeals Court of the District of Columbia, without mentioning their names in compliance.

CORPORATE DISCLOSURE STATEMENT

Petitioner DANIEL KWAKU GBEDEMAH hereby disclose the following pursuant to this Court's Order on Interested Persons and Corporate Disclosure Statement: DANIEL KWAKU GBEDEMAH, is not aware of any association of persons, firm, law firm, partnership, and corporation that has or may have an interest in the outcome of this action – including subsidiaries, conglomerates, affiliates, parent corporations, publicly-traded companies that own 10% or more of a party's stock, and all other identifiable legal entities related to any party in the case: Petitioner, however have sought amicus curiae from various human rights organizations, including the United Nations Human Rights Committee. Petitioner certify that I am unaware of any actual or potential conflict of interest involving the Chief Judge or Junior District Court Judge and Clerks assigned to this case, and will immediately notify the Court in writing on learning of any such conflict. Petitioner further certify that I am aware of a conflict or basis of recusal of the Junior District Court Judge and Clerk of the District Court as follows: Petitioner filed a writ of mandamus against the Junior District Court Judge and Clerk in the DC Circuit Appeals court. Petitioner also filed a bias and recusal motion against the junior judge for usurping the chief Judge and lack of judicial temperament. The junior judge lip-synced undetectable "espionage" one that the United States cannot bring before its grand juries for criminal prosecution, only to become a "void judgment." A dereliction to report espionage to the AG or FBI.

STATEMENT OF RELATED PROCEEDINGS

The following proceedings are directly related to the case in this Court within the meaning of Rule 14.1(b)(iii): U.S. District Court for the District of Columbia, Daniel K. Gbedemah v. CIA, et. al. No. 1:20-mc-00128-UNA,(Chief Judge)(Appendix "A"); Daniel K. Gbedemah v. CIA, et. al. 1-21-cv-00438-(DLF) (Junior Judge)(Appendix "B"); U.S. Court of Appeals for the D.C. Circuit, No. 21-5154, In re Daniel Kwaku Gbedemah, (per curiam) (Oct. 05, 2021)(Appendix "D"); Daniel Kwaku Gbedemah v. CIA, (per curiam)(Jul. 28, 2022)(Appendix "G"). All opinions annexed in the appendix and numbered in compliance.

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PETITION FOR WRIT OF MANDAMUS

Petitioner DANIEL KWAKU GBEDEMAH, pro se, respectfully petition for writ of mandamus to the United States Court of Appeals, for District of Columbia Circuit, requesting that the District of Columbia Circuit be directed to remand this case to the Chief Judge of the United States District Court, District of Columbia, for further proceedings consistent with Congressionally granted right to Justice under 18 U.S.C.S 242, 28 U.S.C.S. 1350, and the National Research Act of 1974.

OPINIONS BELOW

The US District Court Misc order 1-20-mc-00128-UNA. (Appendix "A"). The US District Court order 1:21-cv-00438(DLF), (Appendix "B"). The per curiam mandamus order of the District of Columbia Circuit Court of Appeals,(Appendix "D"). The per curiam final order of the District of Columbia Circuit Court of Appeals, (Appendix "G").

JURISDICTION

The jurisdiction of this court is invoked under 28 U.S.C.S.1651.

RELEVANT CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The All Writs Act, 28 U.S.C.S. 1651(a), provides: "The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdiction and agreeable to the usages and principles of law."

STATEMENT OF THE CASE

There is no clearer rule in jurisprudence that a court must have jurisdiction to enter a valid, enforceable judgment on a claim. Whenever jurisdiction is lacking, litigants, through various procedural mechanisms, may retroactively challenge the validity of a judgment. A judgment is a void judgment if the court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process. A junior judge of the United States District court lack the jurisdictional authority to usurp power from the chief judge of the district court, lacking any assignment from the chief Judge. An appeals court panel trespassed its constitutional authorities by reviewing a void order of the lower court. The Appeals Court mandate is to perform constitutional duties. Not to endorse or ratify unconstitutionality, without probing more.

The lower court cannot have two ORDERS on a case. One order constitutionally valid, from the chief judge of the lower court. The second order, a void order issued by a junior judge, lacking constitutional authority. An appeals court panel trespassed its constitutional authority by summarily affirming a void judgment. The only constitutional order before this Court is the valid judgment of the Chief Judge. Before the Chief Judge, there will be no futility in amendments. The proper jurist with constitutional authorities who was usurped. The Chief Judge have not issued any summons on the case. The junior Judge improperly issued simulated and mock summons. The effects

of lack of subject matter jurisdiction applies to summons. A court must have jurisdiction to rule on the summons of a case.

A chief judge is the judge in regular active service who is senior in commission of those judges who are (1) 64 years of age or under; (2) have served for one year or more as a judge; and (3) have not previously served as chief judge. The "Rule of 80" is the commonly used shorthand for the age and service requirement for a judge to assume senior status, as set forth in Title 28 of the US. Code, Section 371(c). Beginning at age 65, a judge may retire at his or her current salary or take senior status after performing 15 years of active service as an Article III judge (65+15 = 80). A sliding scale of increasing age and decreasing service results in eligibility for retirement compensation at age 70 with a minimum of 10 years of service (70+10=80). Senior judges, who essentially provide volunteer service to the courts, typically handle about 15 percent of the federal courts' workload annually." Id. See About Federal Judges: https://www.uscourts.gov/faqs-federal-judges.

FACTS OF THE CASE

Petitioner DANIEL KWAKU GBEDEMAH a victim of "bio-terrorism" induced poliomyelitis filed a "sealed" complaint in the United States District Court district of Columbia. Petitioner filed the complaint "sealed" in compliance with United States v. Lewis Libby (2003)(grand jury indictments) at: https://www.justice.gov/archive/osc/documents/libby_indictment. Petitioner's sealed complaint was assigned to the Chief Judge of the District Court and assigned case number 1-20-mc-00128-(UNA).

The Chief Judge issued a valid and legally enforceable Order denying the cause to proceed under "seal." See Appendix "A".

Petitioner upon a motion for reconsideration assenting to proceed without "seal" as ordered by the Chief Judge, the Clerk in the lower court juxtaposed jurisdiction from the Chief Judge to a junior judge. See Appendix "E". Chief Judges handle 15% of a courts case loads. Thus, there are no statutory bar impeding the Chief Judge from reviewing a motion for reconsideration addressed to the Chief Judge. See Rule 60 Federal Rules of Civil Procedure, et. seq.

The junior judge unconstitutionally began simulated trials, first by denying a motion for reconsideration meant for the CJ. See docket entries of the case at Appendix "E." Next the junior judge began a protracted mock trial riddled by a controversial ruling on service of process, the court lip-synched the United States baseless Rule 12(b)(1) motion with dubious fictitious assertions, and defeated by Petitioner's affirmative declarations. The unconstitutional court copped out of simulation with a void order couched in lack of subject matter jurisdiction and unfoundable espionage. The mock court rained abuses in its void and unconstitutional order concluding, amending Petitioner's complaint would be futile, in spite of 18 U.S.C.S 242. Vectored with "trumpish" accolades.

Indeed, it would be futile to amend a complaint before a court that copped out for lack of jurisdiction. Petitioner, concede that because a court must have jurisdiction to amend a complaint, [NO] one can over come that futility in a mock court

that usurped the constitutional authority of the chief judge in an ideological contest. Arguably imbibed in "liberal, conservative, and federalist" ideologies, in the blinded face of Lady Justice. It is egregiously wrong for the clerk and junior judge so usurp constitutional authority from the Chief Judge who is also the senior judge. Tantamount to a "judicial-coup" mounted against the chief judge of the lower court, aided by the clerk. Indeed a writ of mandamus was filed by this Petitioner against the junior judge and clerk which propelled the case to this point. A biased clerk and judge. The Clerk failed to docket filed documents. See Appendix "C" and Appendix "M". The clerk of the lower court failed to perform a fiduciary duty. The clerk withheld filed exculpatory documents in the proceedings with intent to destroy the documents. See Petitioner's sworn affidavit under penalty of perjury. Appendix "C" and "D". Clerks swear oath to uphold the laws. This Clerk broke the law.

REASONS FOR GRANTING THE PETITION

The Court may "issue all writs necessary or appropriate in the aid of their respective jurisdictions and agreeable to the usages and principles of law." 28 U.S.C. § 1651(a). A writ of mandamus is warranted where "(1) no other adequate means exist to attain the relief [the party] desires, (2) the party's right to issuance of the writ is clear and indisputable, and (3) the writ is appropriate under the circumstances." Hollingsworth v. Perry, 558 U.S. 183, 190 (2010) (quoting Cheney v. United States Dist. Ct., 542 U.S. 367, 380-81 (2004)) (internal quotation marks and alterations omitted). Mandamus is reserved for

"exceptional circumstances amounting to a judicial 'usurpation of power.'" Cheney, 542 U.S. at 380 (citation omitted). Where a lower court "mistakes or misconstrues the decree of this Court" and fails to "give full effect to the mandate, its action may be controlled . . . by a writ of mandamus to execute the mandate of this Court." Gen. Atomic Co. v. Felter, 436 U.S. 493, 497 (1978) (per curiam) (quoting In re Sanford Fork & Tool Co., 160 U.S. 247, 255 (1895)); see also United States v. Fossatt, 62 U.S. 445, 446 (1858) ("[W]hen a case is sent to the court below by a mandate from this court, . . . if the court does not proceed to execute the mandate, or disobeys and mistakes its meaning, the party aggrieved may, by motion for a mandamus, at any time, bring the errors or omissions of the inferior court before this court for correction."). Exceptional circumstances are present here, where two divergent ideologies have emerged from one district court with two opinions on a case. One decision by the chief judge, constitutionally sound on its face, lacking Article III standing scrutiny. And the other a junior judge void order. And an appeals court that have affirmed a void order. Surmounting to acts of "failure to perform a constitutional duty." Judges do solemnly swear (or affirm) to administer justice without respect to persons, and do equal right to the poor and to the rich, and faithfully and impartially discharge and perform all the duties incumbent upon a Judge under the Constitution and laws of USA. As here, one judge copped out, the other faultless.

I. PETITIONERS' RIGHT TO ISSUANCE OF A WRIT IS CLEAR

Petitioner is entitled to a writ directing the D.C. Circuit to relinquish jurisdiction over this case and remand it to the district court for further proceedings consistent with this Court's prior opinions, because the appeals that came before the DC Circuit is a "void judgment" which have not been fully resolved in the US district Court. What this Court "is asked to do by way of granting the writ of mandamus is to vacate a "void judgment" which have dubiously become the verdict of the case, and to render the kind of judgment on the merits of the merits that the court of appeals could have rendered." See Stephen M. Shapiro et al., Supreme Court Practice § 2.2 at 80 (10th ed. 2013). The Court can do so here. By "grant[ing] mandamus in a lower court nullified judgment, [it] effectively [stood] in the shoes of the Court of Appeals" and bring justice. "A judgment rendered in violation of due process is void in the rendering State and is not entitled to full faith and credit elsewhere. Pennoyer v. Neff, 95 U.S. 714, 732-733 (1878)." World-Wide Volkswagen Corp. v. Woodson, 444 U.S. 286 (1980). Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Procedure, 60(b)(4). A void judgment is a simulated judgment devoid of any potency because of jurisdictional defects only, in the court rendering it and

defect of jurisdiction may relate to a party or parties, the subject matter, the cause of action, the question to be determined, or relief to be granted, Davidson Chevrolet, Inc. v. City and County of Denver, 330 P.2d 1116, certiorari denied 79 S.Ct. 609, 359 U.S.926, 3 L.Ed. 2d 629 (Colo. 1958). Void order may be attacked, either directly or collaterally, at any time, Steinfeld v. Hoddick, 513 U.S. 809 (1994). Questions concerning justiciability as to Petitioner's due process right is significant in this suit, and the necessity and appropriateness of a remand to the US District Court. The Chief Judge of the US District Court did not opine, Petitioner lack Article III standing in its order.

II. Article III, Section 2, Clause 1:

The judicial Power shall extend to all cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction; to Controversies to which the United States shall be a Party;—to Controversies between two or more States; between a State and Citizens of another State, between Citizens of different States,— between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In in Lujan v. Defenders of Wildlife. 504 U.S. 555 (1992). This Court established a three prong test in the determination of standing issues. The first prong of the Lujan test requires

a litigant to allege (and ultimately prove) that he has suffered an injury-in-fact. According to this Court, this key requirement has three components, obligating the litigant to demonstrate that he has suffered an injury that is concrete, (2) particularized, and (3) actual or imminent. 560-561. The Lujan test also requires that a plaintiff be able to show causation and redress-ability, which is sufficient to establish Article III standing, see Susan B. Anthony List v. Driehaus, 573 U.S. 149, 158 (2014); Babbitt v. United Farm Workers Nat'l Union, 442 U.S. 289, 298 (1979). Moreover, even if the DC Circuit limited its consideration on appeal only on "service of process" issues and excluded "justiciability" questions, it has still violated this Court's mandate in Lujan. There is no way to reconcile the DC Circuit void opinion with this Court's Lujan analysis, since the appeals Court already affirmed a void order on service of process. To the extent there is a difference [between the causation and redress-ability requirements of standing], it is that the former examines the causal connection between the asserted unlawful conduct and the alleged injury, whereas the latter examines the causal connection between the alleged injury and the judicial relief requested). See also Sprint Commc'ns Co. v. APCC Servs., Inc., 554 U.S. 269, 288 (2008) ([T]he general 'personal stake' requirement and the more specific standing requirements (injury in fact, redress-ability, and causation) are flip sides of the same coin. They are simply different descriptions of the same judicial effort to ensure, in every case or controversy, 'that

concrete adverseness which sharpens the presentation of issues upon which the court so largely depends for illumination.') (citations and internal quotation marks omitted). Only the Chief Judge on remand can make those determinations in the District Court. This Court stated that if a court is "without authority, its judgments and orders are regarded as nullity. They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification; and all persons concerned in executing such judgments or sentences, are considered, in law, as trespassers." Elliot v. Piersol, 26 U.S. 328-340 (1828), not even the DC Circuit Court of appeals has fully resolved the justiciable issues, the appeals court only rubber stamped a void judgment on service of process, which is equally void.

Subject matter can never be presumed waived, and cannot be construed even by mutual consent of the parties. Subject matter jurisdiction is two part: the statutory or common law authority for the court to hear the case and the appearance and testimony of a competent fact witness, in other words, sufficiency of pleadings. There is subject matter jurisdictional failings, where a summons was not properly issued and where service of process was not made pursuant to statute and Supreme Court Rules, Janove v. Bacon, 6 Ill. 2d 245, 249, 218 N.E.2d 706, 708 (1955). As here, no summons was issued by the Chief Judge, and no service of process was completed, and the DC Circuit Appeals Court lack authority to do anything else beyond remanding the

case to the Chief Judge of the district court. Wherefore, Petitioner meet the high threshold for a writ of mandamus ordering the DC Circuit Appeals Court to confine its actions to precedents prescribed by this Court.

III. EXECUTIVE PRIVILEGE CAN'T SHIELD THE WRONGDOING OF (BIO-TERRORISM)

This Court in United States v. Nixon, 418 U.S. 683 (1974) held that executive privilege cannot be invoked at all if the purpose is to shield wrongdoing. The wrongdoing in this case is directly tied to the White House, involving two (2) former United-States Presidents. Presidents Dwight Eisenhower and Richard Nixon. This Court is familiar with the executive privilege abuses of Richard Nixon. The term "executive privilege" is not in the U.S. Constitution, but it's considered an implied power based on the separation of powers laid out in Article II, which is meant to make sure one branch of government doesn't become all-powerful; executive privilege is one way the legislative branch's power over the executive is limited. For example, when Congress investigated George W. Bush's firing of eight U.S. Attorneys in 2006, the White House Counsel at the time, Fred Fielding, alluded to executive privilege in a letter referencing the "the constitutional prerogatives of the presidency." But prominent constitutional law expert Raoul Berger famously called it a "constitutional myth" in his 1974 book, literally entitled Executive Privilege: A Constitutional Myth.

President Dwight Eisenhower invoked executive privilege

more than 40 times. Id. https://time.com/5605930/executive-privilege-history/. Richard Nixon was deemed corrupt. Recently, the Justice Department's Office of Legal Counsel has decreed that the doctrine of executive privilege should not be employed "to shield documents which contain evidence of criminal or unethical conduct by agency officials." Id. https://thehill.com/opinion/white-house/578175-abuses-of-executive-privilege-reveal-our-system-of-checks-and-balances-is/. Birds of the same feather flock together. The bio-terrorism violations incident to this litigation was conducted during the periods associated with Dwight Eisenhower and Richard Nixon. See Appendix "N". The National archives cannot publish fake picture or news. In United States v. Nixon, supra, this Court held that Nixon's purported invocation of executive privilege was illegitimate, in part, for that reason. There is reason to suspect that this might be the case in the fast and furious cover-up and stonewalling effort. Congress needs to get to the bottom of that question to prevent an illegal invocation of executive privilege and further abuses of power. . . . Id. (citations omitted).

As here in the case at bar, the United-States did not invoke any protected privileges or the "state secrets privilege," rather the United-States have invoked the "national embarrassment" privilege, a privilege not defined in the US Constitution. A privilege Congress effectively waived when Congress adopted UNCAT and made it public law 103-299. 28 U.S.C. S. 1350. The judiciary cannot provide absolute immunity or

sovereign immunity, where Congress have clearly spoken. This Court have found that Article I of the U.S. Constitution grants Congress the sole powers to make laws. See Marbury v. Madison, 5 U.S. (1 Cranch) 137, 177 (1803) ("[i]t is emphatically the province and duty of the judicial department to say what the law is"); United States v. Nixon, 418 U.S. 683, 705 (1974) (the judiciary is the ultimate arbiter of claims of executive privilege); Boumediene v. Bush, 553 U.S___, 128 S. Ct. 2229 (2008) (rejecting regime in which the political branches may "switch the Constitution on or off at will" and, rather than the judiciary, "say what the law is'"). Congress effectively waived United States sovereign immunity in matters involving "Bio-terrorism, Extrajudicial killings and torture." Congress defined "terrorism" inclusive of biological weapons of mass destruction. See 28 U.S.C.S. 1605A exceptions.

Congress passed the Nation Research Act abolishing human experiments. Numerous experiments which are performed on human test subjects in the United States are considered unethical, because they are illegally performed or they are performed without the knowledge, consent, or informed consent of the test subjects. Such tests have been performed throughout American history, but some of them are ongoing. The experiments include the exposure of humans to many chemical and biological weapons (including infections with deadly or debilitating diseases), human radiation experiments, injections of toxic and radioactive chemicals, surgical experiments, interrogation and torture

experiments, tests which involve mind-altering substances, and a wide variety of other experiments. Many of these tests are performed on children, the sick, and mentally disabled individuals, often under the guise of "medical treatment". In many of the studies, a large portion of the subjects were poor, racial minorities, or prisoners. Id. Wikipedia "Unethical human experimentation in the US." (internal citations omitted).

Many of these experiments violated US law. Some others were sponsored by government agencies or rogue elements thereof, including the Centers for Disease Control, the United States military, and the Central Intelligence Agency, or they were sponsored by private corporations which were involved in military activities. The human research programs were usually highly secretive and performed without the knowledge or authorization of Congress, and in many cases information about them was not released until many years after the studies had been performed. Id. Wikipedia.

The ethical, professional, and legal implications of this in the United States medical and scientific community were quite significant, and led to many institutions and policies that attempted to ensure that future human subject research in the United States would be ethical and legal. Public outrage in the late 20th century over the discovery of government experiments on human subjects led to numerous congressional investigations and hearings, including the church Committee and Rockefeller Commission, both of 1975, and the 1994 Advisory Committee on

Human Radiation Experiments, among others. Id. Wikipedia. (citations omitted).
https://en.wikipedia.org/wiki/Unethical_human_experimentation.

One of such experiments was conducted by a "rouge and corrupt" CIA agent and minister of Health in the Republic of Ghana, K.A. Gbedemah, a CIA declared terrorist, who afflicted Petitioner with the Polio virus. See Appendix "J, K, and L." Greed for money was attributed to his in-sigma. For example, in the context of "terrorism" which includes bio-terrorism, this Court was asked Whether, consistent with the Court's decision in Republic of Austria v. Altmann, 541 U.S. 677 (2004), if the Foreign Sovereign Immunities Act applies retroactively, thereby permitting recovery of punitive damages under 28 U.S.C. § 1605A(c) against foreign states for terrorist activities occurring prior to the passage of the current version of the statute. This Court affirmatively held that when Congress ratified the UNCAT and codified it at 28 U.S.C.S 1350, Congress waived all "Political Doctrine Questions and comity" and "national embarrassment" privileges. Congress spoke clearly. This Court have interpreted congressional intent and have ruled under the "terrorism expropriation exception clause" {States} lose it all. Id. Opati v. Sudan, 590 __US__,(2020)(emphasis added). As here, there exist no immunity or preserved privileges by Congress. Congress banned human experiments. Petitioner is a private citizen and not in the military. Petitioner requested Freedom of Information Act, 5 U.S.C. § 552 documents. See Appendix "L" unanswered by the CIA.

In the District Court Petitioner attempted to obtain the records of his human research experiments to no avail. No one can destroy those records under the Federal Records Act. It remains to be heard when a injunctive relief complaint is filed. In light of the AG's raid on the former presidents home, see the Federal Records Act of 1950 a United States federal law that was enacted in 1950. It provides the legal framework for federal records management, including record creation, maintenance, and disposition. An Act to amend the Federal Property and Administrative Services Act of 1949, and for other purposes. The CIA cannot destroy those records. They affirmatively exist.

"Congress is free to change any Court's interpretation of its legislation," that the Court adheres more strictly to the doctrine of stare decisis, or adherence to judicial precedents, in the area of statutory construction than in the area of constitutional interpretation, where amendment is much more difficult. Neal v. United States, 516 U.S. 284, 295 (1996) (quoting Illinois Brick Co. v. Illinois, 431 U.S. 720, 736 (1977)); Shepard v. United States, 544 U.S. 13, 23 (2005). Congress has placed no kind of restrictions on Petitioner. And a lower court abrogate its constitutional duties by failing to do its duty out of national embarrassment or shame.

In the area of sovereign party comity, the Supreme Court has adopted a rule that any government recognized by the United States, and not at war with it, may bring suit in a US Court, Banco Nacional de Cuba v. Sabbatino, 376 U.S. 398, 409

(1964) ("[T]he privilege of suit has been denied only to governments at war with the United States or to those not recognized by this country." (citations omitted)).

In Constitutional law, the Comity Clause refers to Article IV, § 2, Clause 2 of the U.S. Constitution (also known as the Privileges and Immunities Clause), which ensures that "The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States." Comity falls under The legal principle that political entities (such as states, nations, or courts from different jurisdictions) will mutually recognize each others legislative, executive, and judicial acts. The underlying notion is that different jurisdictions will reciprocate each others judgments out of deference, mutuality, and respect. . . .Id. https://www.law.cornell.edu/wex/comity. Comity falls under executive privileges, and eviscerates under the "terrorism expropriation exception" clause. Accord, Opati v. Sudan, supra.

IV. NO OTHER ADEQUATE MEANS TO OBTAIN RELIEF EXIST

No other adequate means exist to obtain Petitioner's requested relief. "[T]he Court has indicated a high function of mandamus is to keep a lower tribunal from interposing unauthorized obstructions to enforcement of a judgment of a higher court. United States v. District Court, 334 U.S. 258 (1948). The fact that mandamus is closely connected with the appellate power does not necessarily mean that the power to issue it is absent where there is no existing or future, but

only a past, appellate jurisdiction to which it can relate. 334 U.S 263. And here, petitioner have already moved for reconsideration of the Chief Judge order, which is the only constitutional order. The junior judge lack subject matter jurisdiction, thus its order is a nullity and cannot be affirmed by an appeals court. Simply stated, there was no legally enforceable judgment for the appeals' court to affirm. Absent intervention by this Court, the DC Circuit would have affirmed a void, never before seen in jurisprudence, and in direct violation of this Court's stare decisis on due process and Article III standing.

Therefore, Petitioner have no recourse in any other court. See: In re Sanford Fork & Tool Co., 160 U.S. at 255; Will v. United States, 389 U.S. 90, 95-96 (1967); Stephen M. Shapiro et al., Supreme Court Practice 665 (10th ed. 2013) ("One function of the writ of mandamus is to force a lower court to comply with the mandate of an appellate court. When the mandate or judgment in question is that of the Supreme Court, application for the writ must, of course, be made to that Court."). The affirmation by the appeals court of a lower court judgment lacking in subject-matter jurisdiction is a violation of the due process clause. Johnson v. Zerbst, 304 U.S.458 (1938); and Petitioner's civil rights under 18 U.S.C.S 242.

V. Whether Congress implicitly or explicitly bar Petitioner a victim of "extrajudicial killings and torture" from seeking relief under the Torture Victims Protection Act.

Not even the United States or any of the opinions by the US District Court, Chief Judge or Junior Judge proclaimed that Petitioner is barred by any statute from seeking the relief he sought under the United Nations Convention Against Torture Act, public law 103-102. Congress potentially can temper the judiciary's influence by regulating federal court jurisdiction. The Exceptions Clause in Article III grants Congress the power to make "exceptions" and "regulations" to the Supreme Court's appellate jurisdiction. See U.S. CONST. art. III, § 2. And more generally, with the power to create lower federal courts, Congress possesses the power to eliminate the jurisdiction of the lower courts. See Sheldon v. Sill, 49 U.S. 441, 449 (1850) ("Courts created by statute can have no jurisdiction but such as the statute confers."). Congress sometimes exercises this power by "stripping" federal courts of jurisdiction to hear a class of cases. Indeed, Congress has even eliminated a court's jurisdiction to review a particular case in the midst of litigation. See Tara Leigh Grove, The Structural Safeguards of Federal Jurisdiction, 124 HARV. L. REV. 869, 888-916 (2011) (describing various congressional jurisdiction-stripping efforts). More generally, Congress may influence judicial outcomes by amending the substantive law underlying particular litigation of interest to the legislature. See, e.g., Robertson

v. Seattle Audubon Soc'y, 503 U.S. 429 (1992) (upholding law that replaced legal standards underlying particular litigation). Lacking any statutory bar placed by Congress under the TVPA, a junior judge of the district court cannot usurp Congress with a void order as a restriction to a relief created by congress for victims.

Ghana cannot conspire with the CIA in breaking the law, and plead empathy in the face of 18 U.S.C.S. 242. Tantamount to a "corpus delicti" with no justice. Ghana is a signatory to the Torture Convention. Ghana passed UNCAT through her parliament. Ghana is equally a signatory to the Biological Weapons Convention. GHANA cannot self defeat laws it passed.

VI. Whether this case implicates or circumvent "National Security" interest, or a "national embarrassment" that manifest the injustice of denying Petitioner the right to seek justice.

The U.S. government did not invoke any "state secrets" privilege, a doctrine created by the Supreme Court in 1953 that allows the government to shield evidence harmful to national security. Moreover, Congress effectively waived United States Sovereign Immunity with exceptions. See 28 U.S.C. § 1605A - Terrorism exception to the jurisdictional immunity of a foreign state. (a) In General.– (1) No immunity.– A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case not otherwise covered by this chapter in which money damages are sought against a foreign state for personal injury or death that was caused by an act of

torture, extrajudicial killing, aircraft sabotage, hostage taking or the provision of material support or resources for such an act if such act or provision of material support or resources is engaged in by an official, employee, or agent of such foreign state while acting within the scope of his or her office, employment, or agency. Petitioner's complaint relate to "Bio-terrorism." "Poliomyelitis" is a biological weapons grade virus. "Bioterrorism" is the intentional use of micro-organisms to bring about ill effects or death to humans, livestock, or crops. The use of micro-organisms to cause disease is a growing concern for public health officials and agricultural bodies. Id. US Center for Disease Control and Prevention. https://www.cdc.gov/anthrax/bioterrorism/index.html.

Anyone or Nations who provided "material support" or "financial resources" to a "terrorist" is liable, and Nations cannot claim immunity under the "terrorism exception" clause. Congress effectively waived United States Sovereign Immunity under the exceptional clause. Congress defined "bio-terrorism" in the Act. See 18 U.S.C. § 2332a - Use of weapons of mass destruction: (a) Offense Against a National of the United States or Within the United States.—A person who, without lawful authority, uses, threatens, or attempts or conspires to use, a weapon of mass destruction- against a national of the Unites States while such national is outside of the United States; "Poliomyelitis" is classified as a weapon of mass destruction.

Moreover, anyone who creates a virus "Hoax" against the United States is liable. 18 U.S.C. § 1038 - False information

and hoaxes. Anyone who attempts or bring false information against the US is liable, Including Petitioner. See "Jury Convicts San Antonio Man for COVID-19-related Hoax." The DOJ cannot publish fake news to the public. https://www.justice.gov/usao-wdtx/pr/jury-convicts-san-antonio-man-covid-19-related-hoax. See also Title 18 U.S.C.§ 35 - Imparting or conveying false information. Anyone, including Petitioner who goes before a United States District Court and impart false information in a law court against the US is liable. Petitioner is also liable to Title 18 U.S.C.§ 1038 - False information and hoaxes and 18 U.S.C.§ 1035 - False statements relating to health care matters and makes any materially false, fictitious, or fraudulent statements or representations. 18 U.S.C.§ 287, False, fictitious or fraudulent claims. 18 U.S.C.§ 1031, Major fraud against the United States; and 18 U.S.C.§ 1621 - Perjury generally. Petitioner accentuate and vow to all the statutes recited and give-up freely to any jurisdiction capable of credible grand jury proceedings to ascertain the truth.

In a recent torture case, this Court in Zubaydah v. CIA, (2022), ruled in favor of the government, in a very fractured opinion. The vote was 7-to-2, but with four separate opinions on the majority side and a furious dissent. Justice Stephen Breyer wrote the majority decision, setting out narrow grounds for siding with the government. But, he added, "we do not decide here whether a different ... request filed by Zubaydah might" avoid the pitfalls of this particular case.

Indeed, at oral argument, the government refused to say whether it would allow Zubaydah, now detained at Guantanamo Bay, to testify himself about his interrogation. Only Chief Justice John Roberts joined Breyer's opinion in its entirely. Justice Clarence Thomas agreed only on the end result and refuted the idea that judges should play any role in reviewing secret material. Justices Brett Kavanaugh and Amy Coney Barrett also filed a separate concurring opinion. And Justice Elena Kagan wrote that while she largely agreed with Breyer's analysis, she would not have dismissed the case, but would have allowed the lower court to see if there were other ways of avoiding disclosure of secret material. Justice Neil Gorsuch, in an angry dissent joined by liberal Justice Sonia Sotomayor, emphasized a long history of the government invoking national security to "shroud major abuses." Here, the government really wants to "avoid further embarrassment for past misdeeds," Gorsuch concluded. "But as embarrassing as these facts may be, there is no state secret here. This court's duty is to the rule of law and the search for truth. We should not let shame obscure our vision." Id. Zubaydah, supra.

"The opinion also is an excellent reminder that there has been no accountability for the U.S. program that subjected people to torture, something particularly worth remembering while the U.S. rightly condemns Russia for violating international law next door in Ukraine" . . . . Id. https://www.npr.org/supreme-court-rules-against-disclosure-in-torture-case . No "state secrete" doctrine was invoked as here

in the case of Petitioner, rather a "political embarrassment" doctrine was invoked by co-conspirator- Republic of Ghana. Petitioner Daniel Kwaku Gbedemah, is a subscriber and donor to MuckRock. "MuckRock is a non-profit collaborative news site that gives you the tools to keep our government transparent and accountable." Id. https://www.muckrock.com/.

See ("KETANJI BROWN JACKSON, United States District Judge" Muckrock, LLC v. Cent. Intelligence Agency, 300 F. Supp. 3d 108, (D.D.C. 2018).

In American Civil Liberties Union v. C.I.A., 710 F.3d 422 (D.C. Cir. 2013), The AG then a Judge agreed with the ACLU's arguments that numerous official acknowledgments of the United States' drone program, including statements by CIA Director Leon Panetta, eliminated the CIA's ability to assert a Glomar response. According to Judge/AG Garland's opinion: The Glomar doctrine is in large measure a judicial construct, an interpretation of FOIA exemptions that flows from their purpose rather than their express language. In this case, the CIA asked the courts to stretch that doctrine too far – to give their imprimatur to a fiction of deniability that no reasonable person would regard as plausible. "There comes a point where … Court[s] should not be ignorant as judges of what [they] know as men" and women. Watts v. Indiana, 338 U.S. 49, 52, 69 S.Ct. 1347, 93 L.Ed. 1801 (1949) (opinion of Frankfurter, J.). We are at that point with respect to the question of whether the CIA has any documents regarding the subject of drone strikes." The AG

cannot have it both ways. As here the point have come for this Court to act not as ignorant men and women to know that CIA operations are clandestine and mostly unlawful acts outside the USA.

VII. WHETHER A LOWER COURT WITHOUT SUBJECT-MATTER JURISDICTION CAN GRANT THE REPUBLIC OF GHANA IMMUNITY UNDER FSIA of 1976.

28 U.S.C.S 1605A provides, in relevant part, that a foreign state is not immune from a suit in which money damages are sought against a foreign state for personal injury or death that was caused by an act of torture, extrajudicial killing, aircraft sabotage, hostage taking, or the provision of material support or resources for such an act if such act or provision of material support or resources is engaged in by an official, employee, or agent of such foreign state while acting within the scope of his or her office, employment, or agency. Id. 28 U.S.C. § 1605A(a)(1) (emphasis added).

"Extrajudicial killing and Torture" are defined terms in the FSIA. For purposes of § 1605A, "the terms 'torture' and 'extrajudicial killing' have the meaning given those terms in section 3 of the Torture Victim Protection Act of 1991" (TVPA). 28 U.S.C. § 1605A(h)(7). Section 3 of the TVPA in turn specifies that the term "extrajudicial killing" means a deliberated killing not authorized by a previous judgment pronounced by a regularly constituted court affording all the judicial guarantees which are recognized as indispensable by civilized peoples. The federal statutory definition of "torture" is "an

act committed by a person acting under the color of law specifically intended to inflict severe physical or mental pain or suffering . . . upon another person within his custody or physical control . . . ." 18 U.S.C.§ 2340(1), extended by Executive Order 13491, 74 C.F.R. 4893 (2009), the definition within the federal government as, "torture" would have the same meaning as in international law. [A]ny act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession . . . when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. Id. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, G.A. Res. 39/46, 39 U.N. GAOR, 39th Sess., Supp. No. 51, at 197, U.N. Doc. A/39/46 (1984) (entered into force June 26, 1987). As in the case here Petitioner's complaint alleged "extrajudicial killings and torture" that requires a constitutional determination by a lawfully constituted district court which would have addressed the imminent "justiciable" issues of the case. Instead, a lower court junior judge apprehended the senior judge assigns and conducted "simulated" trials. Upon witnessing the magnitude of the liability against the United States, based on a sworn declaration from the Republic of Ghana empathizing black sited "bio-terrorism" which violates Petitioner's due process rights. Even when the junior judge lack subject-matter jurisdiction, the judge grants GHANA two immunity.

But no Foreign Sovereign Immunity can be waived by GHANA or the USA in the face of "bio-terrorism." Egregious acts and abuse of process by a biased lower court judge to save "national embarrassment." Not even the United States can approach its grand jury in the "oath of truth" to wade off Petitioner's claim. Only the exceptional writ of mandamus shall issue to bring the proceeding before the senior judge for proper determination of Petitioner's right to justice under the law.

This Court have said "determination of the immunity of particular officials is guided by the Constitution, federal statutes, history, and public policy. Id. 457 U.S.748. A lower court junior judge cannot rule on "FSIA immunity" lacking subject-matter jurisdiction. As in Petitioner's case the junior judge granted two "nullified and void" from its inception immunity to the Republic of Ghana, while lacking jurisdiction. Only the senior district court chief judge can make those qualifications of immunity. A junior judge usurped jurisdiction and ruled on the motion for reconsideration meant for the Chief judge who had previously denied to proceed with the case under "seal". The adjudication of Petitioner's motion for reconsideration addressed to the Chief Judge, is a "void and nullified" order by a junior judge who lack jurisdiction. A trespasser. Unless the writ of mandamus issue from this Court to the appeals who have ruled that they lack jurisdiction, to remand the case to the senior judge of the district court a grave injustice will be served on Petitioner. This Court applied such holding in Nixon v. Fitzgerald, 457 U.S. 731 (1982)

stating that "before exercising jurisdiction, the court must balance the constitutional weight of the interest to be served against the dangers of intrusion on the authority and functions of the Executive Branch. The lower court cannot shield wrong.

VIII. WHETHER THE "NUREMBERG CODE" IS TORTURE UNDER THE CONVENTION AGAINST TORTURE.

The voluntary consent of the human subject is absolutely essential. This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, over-reaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision. This latter element requires that before the acceptance of an affirmative decision by the experimental subject there should be made known to him the nature, duration, and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably can be expected; and the effects upon his health or person which may possibly come from his participation in the experiment. The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.

In United States v. Stanley, 483 U.S. 669 (1987), this court held whereby a violation of constitutional rights can give rise to a damages action against the offending federal officials even in the absence of a statute authorizing such relief, unless there are "special factors counseling hesitation" or an "explicit congressional declaration" of another, exclusive remedy. A Plaintiff can bring suit. As here Petitioner is a private citizen and there are no "explicit congressional declaration" neither did the United States invoked any "special factors counseling hesitation." "National embarrassment" is not a "special hesitation" or a "explicit congressional declaration." See dissenting opinion, 483 U.S at 708.
In the absence of any special factors or congressional declaration, a lower court junior judge cannot create one. Moreover, the senior judge did not see any special factors or congressional declarations, thus denied to proceed under "seal." A undetectable hullabaloo of "espionage" by the junior judge, albeit nullified cannot raise the case to the level of "special hesitation" absent any "congressional declarations." In fact Congress effectively waived United States immunity in torture cases by ratification of the United Nations Convention Against Torture, codified at 28 U.S.C.S 1350. A junior judge cannot create those conditions in nullity and assert futility in amendments when they lack subject-matter jurisdiction. Indeed, it will be a futile exercise to attempt an amendment of a complaint before the junior judge without subject matter jurisdiction. A court must have jurisdiction to act on or amend

a complaint. As here in this case the only district court judge with constitutional authority to amend is the chief Judge. The case was "in" the Court of Appeals for purposes of 28 U.S.C. 1254, which authorizes this Court's review of "[c]ases in" the courts of appeals. The Court of Appeals have abrogated its duties from "justiciable" issues and standing and have summarily affirmed a "void" judgment, a vague judgment by a junior judge who lack jurisdiction on service of process. Even though Petitioner's appeal to the Court of Appeals falls within the "collateral order" doctrine of Cohen v. Beneficial Industrial Loan Corp., 337 U.S. 541 (1949), as raising a "serious and unsettled" question, unless the writ of mandamus issue and remand the case to the appeals court to further remand to the senior judge to make all the AMENDABLE determinations in law without futility. 18 U.S.C.S. 242.

IX. WHETHER IT WILL BE FUTILE TO AMEND A COMPLAINT BEFORE A COURT WITHOUT JURISDICTION

Petitioner concede in accordance to law that indeed it will be futile to amend a complaint before a lower court junior judge lacking subject-matter jurisdiction. A lower court junior judge that have expressed bias in a vaguely voided opinion with assertions of "espionage" espoused via a nullified judgment, tantamount to "judicial hoax" with immunity. Judges are not immunized under 18 U.S.C.S 242. By contract there will be zero futility to amend a complaint before the senior judge with constitutional authority, who had first ruled on the case. Futile is synonymous to ineffectual. A court must have

jurisdiction for its order to be effective. It will indeed be ineffectual to amend a complaint before a lower court junior judge that conducted "simulated" trials. Simulation is defined as "imitation of a situation or process" and in accordance to law once voided is "one which from its inception is and forever continues to be absolutely null, without legal efficacy, ineffectual to bind parties or support anything. Id. Blacks law.

X. WHETHER JUDGES CAN PRACTICE JUDICIAL ACTIVISM AND UNDERMINE THE RULE OF LAW BY DENYING PETITIONER JUSTICE PROTECTED BY LAW-TVPA

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....." Id. 18 U.S.C.S 242. The civil-rights statute applies to judges and law enforcement officials including the AG. 18 U.S.C.S. 242. The civil rights statute mirror the United Nations Convention on the Rights of

Persons.

In Roe v. Wade, __US__ (2022), the public lost confidence in the manner this Court overturned Roe. Assertions of judicial activism were levied against the Court. Roe, was not protected by any Congressional statutes. Roe, was decided based on logic. In contrast to this case, three (3) Congressional statutes protect this action. 18 U.S.C.S 242, 28 U.S.C.S 1350, and National Research Act, 342 public law 93-348 (1974). The buck stops there. There are no ambiguities here. When Congressional intent is clear Courts look no further. This Court is the ultimate arbiter of whether a statute has ambiguity. This Court cannot examine statutes beyond the plain meaning of the words used in the statute only when their meaning is "inescapably ambiguous". Id. Garcia v. United States, 469 U.S. 70, 76 n.3 (1984))(emphasis added). This Court said "A disregard of the command of the statute is a wrongful act, and where it results in damage to one of the class for whose especial benefit the statute was enacted, the right to recover damages from the party in default is implied." Texas & Pac. Ry. v. Rigsby, 241 U.S. 33 (1916). Congress waived United States immunity in matters of "terrorism, extrajudicial killings, and torture". See Susan Stabile, The Role of Congressional Intent in Determining the Existence of Implied Rights of Action, 71 NOTRE DAME L. R EV. 861, 864 (1996); see also Donald H. Zeigler, Rights of Action, and Remedies: An Integrated Approach, 76 WASH . L. R EV. 67, 68 (2001) (discussing implied rights).

Congressional intent is clear on terrorism. Congress defined bio-terrorism. And a President signed it to law with this statements: President George W. Bush, Address to a Joint Session of Congress and the American People (Sept. 20, 2001), http://www.whitehouse.gov/news/releases/200Io9/200Io92o-8.html; see also, e.g., THE NATIONAL SECURITY STRATEGY OF THE UNITED STATES OF AMERICA 5 (2oo2) ("The United States of America is fighting a war against terrorists of global reach. The enemy is not a single political regime or person or religion or ideology. The enemy is terrorism - premeditated, politically motivated violence perpetrated against innocents."), available at http://www.whitehouse.gov/nsc/nss.pdf. "Poliomyelitis" is biological weapon of mass destruction afflicted on Petitioner by a "terrorist" politically motivated by greed for money who perpetrated "bio-terrorism" on a toddler without parental consent. See Appendix "O." To the extent that the US AG decline to em-panel grand jury proceedings, the Republic of Ghana cannot claim otherwise. Implicitly or explicitly GHANA have admitted to hosting "biological weapon of mass destruction." GHANA empathized undocumented "Poliomyelitis." GHANA is a co-conspirator. Ghana cannot commit a "war crime" and then publicly admit the crime by empathizing, then proffer to the lower court not to prosecute the action. It is self defeating for GHANA to appear in the US district court with a "empathizing declaration" and plead Petitioner's due process rights should be violated to save national embarrassment. What about Petitioner's civil and human rights that are protected by

statute and the law? 18 U.S.C.S 242. Can a Court undermine Congressionally given and protected laws? No Court shall affirm a void judgment. It is Simply against the rule of law. The AG cannot mimic the "public's right of access to judicial records is a fundamental element of the rule of law," In Re Leopold to Unseal Certain Electronic Surveillance Applications and Orders, 964 F.3d 1121 (D.C. Cir. 2020), and then turn around as here, and violate the same fundamental element of the rule of law, the right to justice. Tantamount to the gravamen of all judicial hypocrisy. The AG made history again, the AG raided the home of a former president draped with a constitutionally sufficient warrant. It remains to be seen how this Court will react logically, if that action approaches its jurisdictional boundaries.

XI. A WRIT OF MANDAMUS IS WARRANTED GIVEN THE URGENT CIRCUMSTANCES OF THIS CASE

Because the Court of Appeals has acted in conspicuous violation of this Court's precedent, a writ of mandamus from this Court is the appropriate vehicle to rectify the error. See, e.g., Ex parte Republic of Peru, 318 U.S. 578, 583 (1943); United States v. Fossatt, 62 U.S. at 446 (1858). This Court's intervention is particularly necessary because of the extraordinary, urgent circumstances of this case. An Appeals court that avoided justiciable issues of a case but affirmed a void judgment that lack effect in law have acted conspicuously. An appeals court cannot affirm a lower court void order that is constitutionally defective. Affirming the void of a simulated

trial lacking subject matter jurisdiction on service of process has no effect in law. "Void judgment" is "one which has has no legal force or effect, invalidity of which may be asserted by any person whose rights are affected at any time and at any place directly or collaterally. One which from its inception and forever continues to be absolutely null, without legal efficacy, ineffectual to bind parties or support a right, of no legal force and effect whatever, and incapable of confirmation, ratification, or enforcement in any manner or to any degree. Judgment is a "void judgment" if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process." Black's Law Dictionary, Sixth Edition, p. 1574.(internal quotations omitted). "Ignorance of the law will not excuse any person, either civilly or criminally." Id, Barlow v. United States, 32 U.S. 404,411 (1833). The appeals court carefully crafted its opinion avoiding "justiciable" issues of the case, but rather focused on a void service of process, an issue that even the lower court lacked the jurisdiction to discuss and "incapable of confirmation, ratification, or enforcement in any manner or to any degree." Id, supra. A clear act of conspicuousness. Given the magnitude of the constitutional questions presented, this case should received extraordinary solicitude and for good reasons shown. See United States v. Throck-Morton, 98 U.S. 61 (1878), Whereas, officials and even judges have no immunity See, Owen v. City of Independence, 445 U.S.622 (1980); Maine vs. Thiboutot, 448 U.S. 122 (1980); 18 U.S.C.S. 242.

There is precedent in history of a United States President publicly apologizing for "Nuremberg" Code violations. On May 16, 1997, in the East Room of the White House, President Bill Clinton issued a formal apology for the Tuskegee Study of Untreated Syphilis in the Negro Male, the "longest non-therapeutic experiment on human beings" in the history of medicine and public health. That study, conducted under the auspices of the U.S. Public Health Service (PHS) at Tuskegee Institute (now Tuskegee University) in Tuskegee, Alabama, was originally projected to last six months but spanned 40 year from 1932 to 1972. The purpose of the study was to determine the effect of untreated syphilis in black men. The men in the study were never told that they had syphilis, a sexually transmitted disease. Instead, government doctors told the men they had "bad blood," a term that was commonly used to describe a wide range of unspecified maladies. Id. https://www.britannica.com/topic/Presidential-Apology-for-the-Study-at-Tuskegee-1369625. See also public video at: https://www.youtube.com/watch?v=l1A-YP24QwA

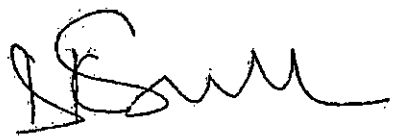
This Court should rule applying the "mischief" rule of law. See United States v. Fisher, 6 U.S. 358, 386 (1805),"[w]here the mind labours to discover the design of the legislature, it seizes every thing from which aid can be derived." See also Peter L. Strauss, The Courts and the Congress: Should Judges Disdain Political History?, 98 COLUM. L. REV. 242, 258 (1998). Grounded on those principles, this Court should issue the writ of mandamus.

CONCLUSION

The petition for a writ of mandamus should be granted. The Court should issue a writ of mandamus directing the court of appeals to remand this case to the Chief Judge of the district court, district of Columbia to permit Petitioner the effective right to amend his complaint in compliance to law, Fed. R. Civ. Pro. 15(c); Rule 60(b)(4) and for further proceedings consistent with due process in the premises.

Respectfully submitted,

Dated: September 08, 2022



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