

22-6369

ORIGINAL

In the Supreme Court of the United States No.

Ex Parte, Tiyas Terrell Brown-Bey

Petitioner

Petition For writ of habeas Corpus

Supreme Court, U.S.
FILED

OCT 24 2022

OFFICE OF THE CLERK

Tiyas Terrell Brown-Bey

In Propria persona Si, juris

Moerish American Sovereign

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U.C.C 1-207/308, U.C.C 1-103

Wallace Bridge State Prison

272 Dogwood Drive

Big Stone Gap VA 24219

Question(s) Presented

By Special visitation comes now the petitioner Tijer
Terrell Brown-Bey, A Moorish American Sovereign by
Birth right, in propria persona, Sui juris, unconstitutionally
Mislabeled, criminally Desationalized and unlawfully
Detained in the commonwealth of Virginia 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 Does not assert the true
Identity (Proper status) of this Free Moorish American
Now is today's judicial Business? The supreme laws of
The united states and all other Free National Governments
Judicially uphold, there can be no legal proceeding with-
out 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.
This petition invokes the extraordinary jurisdiction of
This court because all other traditional Avenues lacks
Any available corrective process except said supreme
And or world court.

The Questions Presented are

1. Should this court use its power to grant A writ of habeas
Corpus to A Moorish American Sovereign Now who has no
Available Forum to raise his compelling claim of

Devationalization?

2. What branch of law authorized the states to apply Abolished slave labels (Negro, Black, Colored) to any Person of african descent after 1865?

3. Are blacks "slaves" or otherwise "Persons" as used in the 14th Amendment, and how can they be made first class Citizens without their inalienable free national descent and name of their fore fathers?

4. As for "Blacks" with criminal records, what crimes can "Property" possibly commit which its owner, the slave Master is not accountable for in a court of law?

5. How can the label "Black" find no formal place within nationalities of the human family and still be made a "Citizen" of any free national Constitutional Government?

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Parties to Proceeding

Tiyas Terrell Brown - Bey is A Moorish American Sovereign
"In propria persona" Sujuris held as A political hostage is
The movant herein this extraordinary writ of habeas Corpus
Proceeding Before the Supreme court of the united states (of)
America. Petitioner is unlawfully held in the custody of
Harold W. Clark, the director of the Virginia department of
Corrections. For reasons stated within petition, petitioner is
Also listing the united states et al, united states congress
And the united states supreme court as parties

Petition for writ of habeas Corpus

I, Tyrone Terrell Brown-Bey respectfully petition for A writ of habeas Corpus.

Decision Below

This petition is an original proceeding in this court but relates to an unlawful detainment and custody conviction on behalf of the commonwealth of Virginia.

Statement of Jurisdiction

This court jurisdiction is involved pursuant to its Authority Under 28 U.S.C 2241 and 2254 to grant writ of habeas Corpus, as well as pursuant to rule 20.4 of the rules of this court and the all writs act, 28 U.S.C 1651 (a)

Statement for not filing in District

Rule 20.4 requires an original petition for A writ of habeas Corpus by A state prisoner, 1) to comply with the requirements of U.S.C 2241 and 2242, and particular with provision in the last paragraph of 2242, which requires A statement of the reasons for not making application to the District court of the district in which appellant is held; 2) to "set out specifically how and where the petitioner has exhausted available remedies in the state courts", 3) to "show that exceptional circumstances warrant the exercise of the courts discretionary powers", and 4) to show "that adequate

Relief cannot be obtained in any other form or from any other court. "Petitioner meets these requirements."

- 1) Petitioner Claims give rise to A legal conflict between Slavery and Freedom, and itself thus A constitutional issue. The reason for not Making an application to the district Court where Petitioner is held is Because "Jurisdiction cannot be sustained by A lower court or entertain and Decide any claim of conflict between Federal and state laws, (Hague v. Love, 415 U.S. 528 (1974))

The conflict Question is itself A constitutional Matter Within the meaning of article 3 section 2 of the united States constitution only the "Proper status" can be heard In the "Proper jurisdiction" Being "Desationalized" as "A Block" is not A lower or district court issue. In fact the ex Post Facto "Block label" Would leave any Court "In want of jurisdiction" except the U.S supreme Court, A special Congressional committee and/or the International court of justice this court jurisprudence Regarding statutory interpretations provide that the petitioner Should be permitted Via 28 U.S.C. 2254

- 2) Now, to the Question of "States" ownership of slaves/ Black label Via Black Birth certificates, Black Licenses, Arrest records of Blacks (See appendix E) and all others

Official state level. the states are only limited to their Federal jurisdiction allocations. in brief the "Blocks" 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 *Pennoyer vs. Neff*, 95 U.S. 714 24 Led. 565)

Jurisdiction is essentially the authority conferred by congress To decide A given type of case one way or the other"

"*Hagans vs. Lavine*". For reasons stated herein, there is an Absence of available state corrective process pursuant to 28 U.S.C. 2254(B)(i) and circumstances exist that render Such process ineffective to protect the rights of applicant Pursuant to 28 U.S.C. (B)(ii) 2254

3) Exceptional circumstances warrant the exercise of this courts Discretionary power to issue A writ of habeas corpus for The reasons set forth, *infra*, in the statement of facts and The reasons for granting writ.

4) Unless this court grants this habeas corpus petition issues Referenced above, then "Adequate relief cannot be obtained Is any form or from any other U.S. Court. no other court

Can redress or grant relief where the United States is
A party.

Constitutional And Statutory Provisions Involved

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

Article I, Section 9, Clause 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, clause 3 of the United States ~~const~~ Constitution Provides:

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

Article I, Section 10 of the United States Constitution Provides:

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
A payment of debts; pass any bill of attainder, Ex post facto
Law impairing the obligations of contracts, or grant

Any title of nobility.

Article III, section 2 of the united states constitution is relevant part provides:

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 -]. The Eighth amendment provides:

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

The thirteenth Amendment provides:

Section 1, Neither slavery nor involuntary servitude, except as a punishment for a crime whereof the party shall be duly convicted, shall exist within the united states, or any place subject to their jurisdiction.

The fourteenth Amendment Provides, Its relevant part is:
All (Persons) Born or naturalized in the United States,
And (Subject) to the jurisdiction thereof are (Citizens) of
The United States and of the where in they reside: no
State shall make or enforce any law which shall abridge
The (Privileges) or immunities of the (Citizens) of the
United States; nor shall any state deprive any person of
Life, liberty, or property without due process of law; nor
Any person within its jurisdiction the equal protection of
The law.

Treaty of peace - Morocco (See appendix 2)

Statement of the case

I. Introduction:

Petitioner is A Moorish American Natural human Being
Possessing all 5/5th components, and is not the "person" of
Article. I of the U.S constitution who were 3/5th of A
Human (Slave) nor the "Persons" (Entity) of the 14th
Amendment who are subjects (Property) to the jurisdiction
Thereof. therefore, this aggrieved Moorish challenges the
legality of the status inflicted upon petitioner and the
Jurisdiction of the United States Et al, who by way of the
States of Virginia has been participants in
Denaturalization and enforcing "Ex post facto laws"

(
Violation of Article I, Section 9 (cl. 3) and section 10 of the United States constitution, as well as violating the 13th Amendment with utilizing abolish slave labels, which in turn caused petitioner to be a political hostage. the failure of the United States by way of the commonwealth of Virginia to properly identify and name the "petitioner in proper person" is in conflict with the jurisprudence of all United States court system which is founded upon two master words "status" and "Jurisdiction". without these two legal principles there cannot be a lawful proceeding to have any trial without true application of their necessary conditions and ~~more~~ leave any court "in want of Jurisdiction". Any court which lacks personal jurisdiction is also a court without power to issue "An in personam" Judgement (Penuyer vs. Jeff, 95 U.S. 714. 24 Fed. 565 1877)

II. Unconstitutional and unlawful acts:

(
A) All people who are free nationals are born with the "Inalienable Right" to the inherent nationality of their forefathers, E.g. Chinese, German, Egyptian, or Moorish. 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 are first degree felony, criminal violations for any government to exact upon a

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People under colorable amendments to its constitutional laws, hence; formal charges!

The united states by way of the commonwealth of Virginia having illegally labeled and identified petitioner

As "Black" (Slave) in arrest records (See Appendix E)

Birth certificates, person status etc... is unconstitutional.

And any courts that enforce the fore mentioned acts

By imposing the ~~def~~ defecto label "Black" on petitioner status is "criminally liable" Ignorantia juris was excused?

All slave identifying marks of negro, black, colored etc....

Which were labels given to those enslaved where also

Abolished with their institutions because the labels/names

forced upon captured and imported african slaves were an

Act of Denationalization which placed them out of their proper

Persons" and separated them from the human family

(3/5 Clause) to be treated unfairly and unjustly

According to federal rule title 18 U.S.C section 241

Through 242 in relevant part states "no one has the

right (especially under judges, and courts, etc) to

Denationalize, deprived any rights, privileges, or immunities

By reason of color or race". where as the courts are

hereby demanded to prove 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. Further prove this status existed before the

Establishment of the continental congress and after its
Congressional Death in 1865.

In addition Black is declared "Property" and no property
can testify against itself in any court of law only its owner
must appear, therefore who owns the negro, Black and
Colored that was declared abolished in 1865 enactment
of the thirteenth Amendment along with the institution
of slavery? 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 merely ministerially; thus having no judicial
immunity, and unlike courts of law, do not obtain
jurisdiction by service of process, nor even by arrest and
compelled appearance" (Buswell vs. Otis) further more these
cruel and unusual acts committed by the United States
by way of the state of Virginia is in violation of the
Eighth amendment.

B) 13 Amendment violations:

As a result of the congressional ratification of the thirteenth
Amendment in 1865 the Moors were emancipated from slavery
(See app c) the congressional Maximission of the thirteenth
Amendment abolishment of slavery brought forth a new
clear and pure nation into existence this new nation then
became one family bearing one free national name.

Moorish Americans. Therefore as a free Moor "Is proper Person" One cannot be "Duly" convicted (Unless in Accordance with treaty) of any crime that would make Slavery or servitude legal. This in turn violates the Thirteenth amendment & compels petitioner to bondage Inside the "United States".

III. Treaty Violations:

The treaty of peace and friendship between the United States and Morocco has articles built in concerning The treatment of Moors accused of crimes in the United States (See App. D) This treaty forbids Moorish Moslems Of being tried in any christian courts of law and to Have A "Blue Ribbons Jury" or islamic consul Representation. that treaty was and is to ensure proper Jurisdiction is at law. By acts stated within this Petition as well as past history it is clear the United States has been continuously Disregarding there own Supreme laws which they speak exclusively thru (Constitution, laws and treaties)

Reasons for Granting Writ

To Exceptional circumstances warrant the exercise of this Courts original habeas Jurisdiction.

This case presents several exceptional circumstances. First, as the afore mentioned facts indicate, petitioner's Evidence of De-nationalization is substantial. It happens 1/3. Lapse it was established that A "substantial" question was necessary to support jurisdiction. How the word "Black" can find no formal place within nationalities of the human family and still can be made "citizens" of Any free national and constitutional Government is truly A substantial question. there is no difference from A Black Slave or A free black, it still deludes to slavery.

II. This court should resolve the state of Virginia's Jurisdictional Claim over petitioner by using colorable amendments.

A) Mental slavery violates the second Fifth, the right of Mind (the soul) of the Five Gifts from the creator (Soul, Spirit, Body, Nationality and Creed). A person must be made consciously whole before he becomes A citizen here. The rights of A citizen and be "subject" to the Jurisdiction of A "citizen". it is A Divine, natural and lawful impossibility to make A de-nationalized person (Property) into A citizen of A free national Government.

1) The Negro, Black and coloreds referred to As person's
Is its unchanged (1779) U.S. constitution as 3/5th is
The same property referred to is the (1868) Fourteenth
Amendment. if the fourteenth amendment over ruled
The 3/5 clause and or the Dred Scott Decision then
The same slave labels Black, Negro, and colored that
lawfully began in 1779 should not still Be certified
As subjects to the jurisdiction thereof (state owned
Property).

2) There is not A rightful law on earth that can make
A citizen from A mold designed to produce the staples of
Property and african americans etc... Being another misnomer
Is in the egg slot of slave labels and further promotes
Dehumanization Being that ones nationality couldnt
Possibly be two continents.

III This court should redress the rights, that this aggrieved
Moorish petitioner is being deprived of.

Section 2254 (a)(B)(i) permits this court to grant this
Petition, being that no state corrective process is available.
The state of Virginia is merely A vessel for the united
States to employ there colorable fourteenth Amendment
And this amendment has been A tool used to covertly

Violate the substantive and international rights of the Petitioner.

A) The state is prohibited from violating substantive rights *Duress v. City*, 445, US 662 (1980); and it can not by One power (eq. taxation/eminent domain/as A matter of law, US and UT *v. Daniels*, 22 p. 159, Nor indirectly That is prohibited to it directly. *Fairbanks v. US* 181, US 283, 294, 300; there has been clear ex post facto laws and labels of violation for my entire existence which violates rights secured by the constitution, is *Miranda v. Arizona* 384 US 436, 125 it was stated, where rights secured by the constitution are involved, there can be no Rule-Making or legislation, which would abrogate them.

B) The united states by way of the state of Virginia has completely undermined laws concerning substantive rights and the judicial laws governing jurisdiction. lack of Jurisdiction cannot be waived or over come by Agreement of parties. (See *Griffin v. Matthews*, 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 finds absence of proof of jurisdiction Over A person and subject matter, the case must be

Dismissed (see *Louisville v. Molley*, 211 U.S. 149, 245. Ct 42."

The accuser Bears the burden of proof beyond A Reasonable doubt," petitioner hereby challenges the United States et al of proving petitioner is A "Black" National (which has been the status compelled on Petitioner since birth) and not the Moorish American "In propria persona" sovereign by birth right as stated in the proclamation and declaration of nationality and Sovereignty (See Appendix A) and upon this impossibility of this court proving that the status that has been Imposed on petitioner is correct which will make the Jurisdiction and servitude correct as well as legal, then This aggrieved Moorish American petitioner demands the Release from this unjust bondage and for all rights To be restored

Conclusion

The petition for writ of habeas corpus should be granted For the undeniable Miscarriage of Divine rights gifted to Petitioner from the creator.

Without Prejudice

Sujon J. Brown-Bey

In propria persona supris

Moorish American Sovereign

Date submitted: Aug 29, 2022