

No. 22-6517

**ORIGINAL**

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**IN THE SUPREME COURT OF THE UNITED STATES**

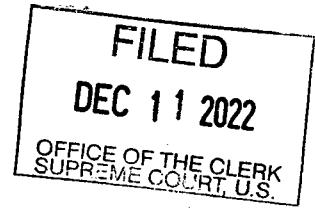
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William F. Kaetz — *Petitioner*

vs.

United States of America et. al. — *Respondent*

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On Petition for A Writ of Certiorari To  
To the United States Court of Appeals  
for the Third Circuit  
Consolidated Cases No. 22-1456 and Case No. 22-1476

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**PETITION FOR WRIT OF CERTIORARI**

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Pro se Petitioner

## **QUESTIONS PRESENTED**

When a United States Citizen attempts to correct the errors of the United States government by filing a civil complaint, and the United States government retaliates and criminalizes the citizen, should the government and its employees involved be held accountable for offending the Constitution with 1<sup>st</sup> Amendment retaliation?

For acts offending the Constitution, totalitarian acts, should the government and its employees involved be held accountable?

Should the government use content and viewpoint discriminations to alter and suppress evidence and to manipulate speech to create a crime to silence the speaker because that speech goes against totalitarians in government?

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## LIST OF PARTIES

### **Parties from the Third Circuit Appeal Case No. 22-1456**

WILLIAM F. KAETZ,

Appellant

v.

FREDA L. WOLFSON, J.; ALL 3RD U.S. DIST. JUDGES,  
enforcing Speedy Trial Act Continuances; ALL 3RD U.S. DIST.  
ATTORNEYS, enforcing pandemic Speedy Trial Act  
Continuances; UNITED STATES OF AMERICA

### **Parties from the Third Circuit Appeal Case No. 22-1476**

WILLIAM F. KAETZ,

Appellant

v.

UNKNOWN US MARSHALS; UNITED STATES OF AMERICA;  
MATTHEW A. HOHMAN; PAUL SAFIER; SOO C. SONG;  
CLAIRE C. CECCHI, defendants are being sued in both their  
official and personal capacity; UNITED STATES MARSHALS  
SERV.; U.S. DIST. COURT, DISTRICT OF NJ; UNITED STATES  
DEPARTMENT OF JUSTICE

No. \_\_\_\_\_

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**PETITION FOR WRIT OF CERTIORARI**

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Petitioner respectfully petitions for a writ of certiorari to review the judgment of the United States Court of Appeals for the Third Circuit in this case.

**OPINIONS BELOW**

The opinion of the United States Court of Appeals appears at Appendix 21 - 25.

**JURISDICTION**

The date on which the United States Court of Appeals decided my consolidated cases was 09/09/2022. A copy of that order appears at Appendix 19 - 20. A petition for rehearing was timely filed in my case. A

timely petition for rehearing was denied by the United States Court of Appeals on 09/30/2022. The order denying rehearing appears at Appendix 26 - 27. The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

The Constitutional and statutory provisions involved are in the Petitioner's Appendix. A list of them is presented here:

1. U.S. Constitution, Article I
2. U.S. Constitution, Article II
3. U.S. Constitution, Article III
4. U.S. Constitution Article IV, Section 4
5. U.S. Constitution Article VI, Clause 2- Supremacy Clause
6. U.S. Constitution Article VI, Clause 3 - Oath of Office
7. 28 U.S.C. § 453
8. 28 U.S.C. § 544

## **STATEMENT OF THE CASES**

These cases I am asking this Court to review were created while I was in jail. I hand-written them. I was pretrial detained in 2020 to 2021 for sending an email to enforce the Constitution that was discriminated into being threatening by defendants in these cases.

The email was triggered by a 14-month delay of my Federal Civil Cases in the 3<sup>rd</sup> U.S. District Court of New Jersey. I found information

through Brady Material including USMS reports that happened 14 months before my email and arrest. I also found out in jail the Constitution was offended because 6<sup>th</sup> Amendment Rights and other Civil Rights were on hold indefinitely by internal court administrative procedures based on covid misrepresentations. These cases are Civil Rights Actions that are based on offending the Constitutional guarantee clause violations and offending Constitutional separation of powers violations that denied me Civil Rights and equal protection of law.

The first case, Third Circuit Appeal Case No. 22-1476, KAETZ v. UNKNOWN US MARSHALS et. al., is a Civil Rights Act case against federal government officials that discriminated me for petitioning the government. I had 3 civil cases in the Third Circuit District Court, Newark Vicinage. One case I petitioned against totalitarians in government. (See S. Ct. Cert No. 21-7965) The Federal Judge put my cases on hold while the U.S. Marshals investigated me. 14 months no activity on my civil cases. This happened because a U.S. Attorney, name blacked out on USMS report, marked me a threat. This act of discriminating me for petitioning the government to not be totalitarian and to get rid of totalitarians in government was a totalitarian act.

The second case, the Third Circuit Appeal Case No. 22-1456, KAETZ v. FREDA L. WOLFSON, J., et. al., is the case about the internal operation administrative orders that misrepresented covid-19 that offended the Constitution's Separation of Powers and was a totalitarian act. (Also See S. Ct. Cert. No. 21-7635) The court's administrative orders unconstitutionally legislated law and unconstitutionally executively administered the made-up law, an Art. I, Art. II, and Art. III offense that can be demonstrated unequivocally.

These two cases I am asking this Court to review were dismissed by the lower courts with claims the cases were attacking the criminal case. The lower courts and the U.S. Attorneys came up with this argument to sweep my complaints under the rug. They failed to address the fact that both cases are about events that happened before the criminal complaint and the fact that the defendants lacked Constitutional Authority to do the things they did.

### **Constitutional Argument to Correct Government Errors**

It seems to me that the place to start is with the Constitution. After all, the judge's highest obligation is to preserve and protect its promises.

I attempted to correct government error and was attacked and suppressed. The Constitution itself imposes affirmative ideological commitments prerequisite to assisting in the government's work. It excludes viewpoints such as communism and anarchism, stating that those engaged in government work must swear an oath to support our Constitution's republican form of government. (See U.S. Constitution Article VI, Clause 3, *Agency for Int'l Development v. Alliance for Open Society*, 140 S. Ct. 2082, 2090 (2020), see also 28 U.S.C. §§ 453, 544). And the Republican Form of Government Clause prevents monarchists. (See U.S. Constitution Article IV, Section 4, *Romer v. Evans*, 517 U.S. 620, 647-48 (1996)). Bias against having Totalitarians in government is Constitutional. The priceless heritage of our society is the unrestricted constitutional right of each member to think as he will. Thought control is a copyright of totalitarianism, and we have no claim to it. It is not the function of our Government to keep the citizen from falling into error; it is the function of the citizen to keep the Government from falling into error. (See *Walters v. Nat. Assn. of Radiation Survivors*, 473 U.S. 305, 371 n.21 (1985) quoting *American Communications Assn. v. Douds*, 339 U.S. 382, 442-443 (1950)).

The Executive and Judicial Branch of government is attempting thought control over what I can petition the government for and how the right to petition can be used, a totalitarian act that is offensive to the Constitution. It is an act of denial of fundamental rights and liberties characteristic of a representative form of government, opposite of the Constitution.

Anyone with allegiance to the Constitution supporting Totalitarianism focused on changing our existence as a free people and our constitutional republic form of government is by definition of 18 U.S.C. § 2381 is a traitor, it is bad behavior. It is Misconduct.

The findings from the 6<sup>th</sup> Circuit court in *In Re United States 817 F. 3d 953 (6th Cir. 2016)* are important to this case because this case is the same:

"Among the most serious allegations a federal court can address are that an Executive agency has targeted citizens for mistreatment based on their political views. No citizen-republican or democrat, socialist or libertarian-should be targeted or even have to fear being targeted on those grounds. Yet those are the grounds on which the plaintiffs allege they were mistreated ... The allegations are substantial ... we echo the district court's observations about this case. The lawyers in the Department of Justice have a long and storied tradition of defending the nation's interests and enforcing its laws - all of them, not just selective ones -

in a manner worthy of the Department's name. The conduct of the ... attorneys in the district court falls outside that tradition ....”

I was targeted by the defendants for political reasons, and the government fell outside of good conduct. There was Misconduct.

There is disparity in treatment, unequal treatment was intentional and purposeful, I was treated differently than others similarly situated, and this is matters are of public concern. It was unequal justice because I exercised my rights and a conservative.

In my cases the government administratively targeted me and placed me under investigation, classified me into discriminating dissenting and demeaning groups, a “Trump Supporter” a “Serial Filer” and a “Tax Protester”, and as a “threat”, in retaliation of my exercise of 1<sup>st</sup> amendment rights, this includes a Federal Judge who purposely stonewalled my civil cases for 14 months while this witch hunt was being done.

The defendants retaliated against me because I am enforcing the Constitution in a civil complaint and the Constitution prohibits totalitarianism, and that I am a conservative.

## **REASONS TO GRANTING THIS CERTIORARI**

### **This Area of the Law is Badly in Need of the This Court's Authoritative Voice**

This Court's Authoritative Voice about overthrowing the Constitution is badly in need. Many government officials have overthrown Constitutional rights using what some may suppose to be extraordinary emergencies to advance Totalitarianism. They went about this illegal business of overthrowing the Constitution with a brazen assurance that the alleged emergency would justify the illegal business of overthrowing the Constitution. The voice of this Court is needed to show that all lower courts and inferior government officials are to properly fulfill their official duties and to stop overthrowing the Constitution. This is an exceptional circumstance of a peculiar emergency and of public importance. Overthrowing the Constitution does damage to faith in the written Constitution as law, and to the power of the people to oversee their own government.

### **This Case is Likely to Produce an Opinion that Will Give Useful Guidance to the Lower Courts**

The guidance produced by this case will produce a positive useful guidance to all Constitutional matters. Overthrowing the Constitution

is a serious offence and any type of overthrowing the Constitution, including viewpoint and content discriminations, suppressing public debate, alterations and suppression of facts, fraud on the court, unequal protection of the laws, should not be tolerated. Business of the Courts is a serious business, this case will strengthen this fact and make it harder to overthrow the Constitution and individual rights.

### **There Would Be a Negative National Impact by this Court by Letting the Lower Court's Decision Stand**

By letting the lower courts' decision stand, it will send a message that it's okay to disrespect the business of the courts, the Constitution is dead, fraud on the court and usurpation of power is okay, legislation does not matter, delegation of authority does not matter, we are a totalitarian nation. It is a bad message to send at any time and could cause civil unrest that is a negative national impact. The courts below committed an error so important that it must be corrected immediately. They were inconsistent with the Constitution and accepted Supreme Court precedents and made a procedural and technical error that can be demonstrated unequivocally.

## CONCLUSION

The Certiorari should be granted or a summary reversal as an alternative remedy.

Respectfully submitted,

Date: 12/11/2022 Signature: William F. Kaetz

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