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Docket No: 23-_____

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SUPREME COURT, U.S.

SUPREME COURT OF THE UNITED STATES

Alan Headman,

Petitioner

vs.

Camille Bromley,

Respondent

Petition for a Writ of Certiorari to the United States Supreme Court
From Orders Issued by the Utah Supreme Court

PETITION FOR WRIT OF CERTIORARI

Alan Headman

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QUESTIONS PRESENTED FOR REVIEW

- I. Whether the United States Supreme Court should order the use of a deference doctrine (referred to as "**Headman Deference**" outlined in this petition) that sets forth Chevron-deference-type tests which must be applied to all lower-court actions seeking to impose alimony-related servitude upon a citizen in the absence of a written pre-nuptial agreement.
- II. Whether (1) a disregard of a demand for trial by jury; (2) a refusal to issue declaratory judgements defining the legal relationship between parties and their rights in a matter before the court; (3) threats of or actual ordering of jail time; (4) the issuance of bill-of-attainder-type labels; and/or (5) interpretations of legal terms contrary to their legal meaning or similar denials of due process; without the existence of a pre-nuptial agreement before imposing alimony servitude, constitutes court coercion into involuntary-alimony servitude in violation of the Thirteenth Amendment of the United States Constitution.
- III. Whether any Court Officer, who participates in the imposition of alimony in excess of one-year without the existence of a pre-nuptial agreement, imposing terms of alimony servitude in excess of one year, without applying the **Headman Deference** test, shall be guilty of criminal "knowingly and willfully" holding a person in involuntary servitude in violation of **Title 18, U.S.C., Sec. 1584 Sale into involuntary servitude**.
- IV. Whether any employer or other party, who does not apply **Headman Deference** before imposing terms of servitude against an individual's will, shall be deemed to "obstruct[s], attempt[s] to obstruct, or in any way interfere[s] with or prevent[s] the enforcement of" **Title 18, U.S.C., Sec. 1584 Sale into involuntary servitude** and shall be subject to being "fined under this title or imprisoned for any term of years or life, or both".

LIST OF PARTIES TO PROCEEDING NOT LISTED ON COVER

Petitioner

Alan Headman

Respondent

Camille Bromley

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RELATED STATE TRIAL AND APPEAL COURT PROCEEDINGS

Headman v. Headman Third Judicial District Court in the State of Utah Case: 114901377

These proceedings concern the coercion of the Petitioner into long-term alimony servitude without the existence of a pre-nuptial agreement and the Utah District Courts failure to (1) comply with terms of a divorce Decree (e.g. Item 92 of a decree which specified that the "Respondent's [Petitioner in this case] loss of employment and resulting income [documented 50% loss] will qualify as a substantial and material change in circumstance ROA# 000224), (2) assemble a demanded trial by jury, (3) grant due process over motions for declaratory judgement, (4) protect a citizen from incarceration and garnishment without due process of law, and (5) investigate documented claims of fraud upon the court.

Headman v. Headman Utah Court of Appeals Case: 20220335-CA

This action sought the restoration of the Petitioner's right to trial by jury and due process over declaratory judgements in District Court from the Utah Appeal Court; resolution of the 50% decline in income which was dismissed as immaterial; relief secured by Item 92 of the Decree through legal definitions; as well as the District Court's incarceration of the Petitioner, garnishment of his wages, etc.

Headman v. Headman Supreme Court of the State of Utah Case: 20221037-SC

This action petitioned the Utah Supreme Court to set a precedential deference standard, to correct past and prevent the future existence of unconstitutional alimony-related-involuntary-servitude, which when applied would protect the Constitutional Rights of the Petitioner and other citizen cases where a written pre-nuptial agreement does not exist. Similar protection of the test referred to as "Headman Deference", for which the Utah Supreme Court denied certiorari, is now being sought by this Court to uniformly preserve Thirteenth Amendment protection from alimony-related-involuntary-servitude.

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CITATIONS OF OFFICIAL AND UNOFFICIAL OPINIONS AND ORDERS

HEADMAN V. HEADMAN Utah District Case: 114901377

Demand for Trial by Jury March 12, 2019 (ROA #001014)

DEMAND FOR JURY IGNORED

Initial demand Record On Appeal ("ROA")#001014, Payment of Fees ROA# 001990, Other Pleas to Honor Demand ROA# 001827-8, ROA# 001182, ROA# 001981, ROA# 001983-5, ROA# 002054-8, ROA# 002068, ROA# 002075-6, ROA# 002096-2113, ROA# 002133-5, ROA# 002205-10, ROA# 002215-2232

Motions for Declaratory Judgement (2019-2022)

DUE PROCESS DENIED

Declaratory Judgments Ignored ROA# 000775, ROA# 001473, ROA# 001524, ROA# 002041

Deceptive Practices Denying Due Process

DUE PROCESS DENIED

Trial Court Orders issued after denying Trial by Jury, dismissing witnesses, refusing to hear arguments, but issuing orders on the related subject matter. ROA#001520

Coercive Orders and Threats Issued

COURT COERCION

First Incarceration Order December 10, 2019

5-Day Incarceration

Second Incarceration Order January 14, 2020

5-Day Incarceration

Third Threat of Incarceration October 30, 2020

10-Day Incarceration

Garnishment Order Ruling on Objection to Garnishment Orders

March 18, 2022

References of District Court Officers Denying Constitutional Rights

Sagers: Involuntary servitude statements denying due process by limiting proceedings to one party's "ability to pay not that citizens God-given right to Life, Liberty and Property or Due Process (ROA #000406, ROA #000963, ROA #000808, ROA #000955-60, ROA #001037, ROA #001222, ROA #001245, ROA #001283-4, ROA #001754, ROA #001862, ROA #001908).

Hansen: Claiming court would not hear issues in court but ruled against them after dismissing witnesses, refusing presentation of evidence and arguments, denying the demand for jury and ignoring a 50% material decline in income (ROA #001190-93, ROA #00929, ROA #00945, ROA #001190-93, ROA #001196, ROA #000752, ROA #001135, ROA #001200, ROA #001135-9, ROA #001196, ROA #001199, ROA #001190, ROA #001197).

HEADMAN v. HEADMAN Utah Appeal Case: 20220335-CA

Declaratory Judgement Defining Income (September 15, 2022)

DUE PROCESS DENIED

Order of Affirmance Denying Due Process

November 10, 2022

Order Denying Rehearing

November 23, 2022

Reference Affirming Denial of Due Process

Utah Presiding Judge Mark S. Kouris: Despite Utah Rules of Civil Procedure 38, 39 and 57 that provide for the right to demand a trial by jury and have the demanded Jury affirm facts and the rights and relations of the parties, the Utah Presiding Judge formalized Utah's denial of due process and related imposition of involuntary servitude as he exclaimed, "the right to the jury drum that you keep pounding here is going to fall on deaf ears" (ROA #002227).

HEADMAN v. HEADMAN Utah Supreme Court Case: 20221037-SC

Order Denying Certiorari

February 23, 2023

Order Denying Rehearing

March 8, 2023

Utah Supreme Court Affirming Involuntary Servitude Exists in Utah: Through Failing to correct the denial of Trial by Jury; Denials of Due Process over Declaratory Judgements; Coercion by Threats of Incarceration, Incarceration, Bill-of-Attainder-Type labels, Fines, and Avoidance of Constitutional Protection; and failing to implement the deference "Headman Deference" test to prevent the existence of involuntary servitude in Utah.

SUPREME COURT JURISDICTION

Jurisdiction under Supreme Court Rule 10(a)

The Supreme Court of this land is the proper jurisdiction for ensuring the protections guaranteed by the Supreme Law of the Land are being uniformly preserved. Utah Courts have “so far departed from the accepted and usual course of judicial proceedings”, by denying trial by jury, declaratory judgments, and other measures of due process, “as to call for an exercise of this Court’s supervisory power” as provided in Supreme Court Rule 10 Considerations Governing Review on Certiorari (a). This is the proper forum to correct the judicial departures of Utah and other courts which violate the Supreme Law of the Land. “In declaring what shall be the supreme law of the land, the constitution itself is first mentioned; and not the laws of the United States generally, but those only which shall be made in pursuance of the constitution” and it is the “duty of the judicial department to say what the law is” Marbury v. Madison, 5 US 137 - Supreme Court 1803 and correct departures from it.

Jurisdiction through Supreme Court Rule 10(c)

The Utah Supreme Court is requested to “decide an important federal question of federal law that has not been, but should be, settled by this Court”. The question of federal law of which the Utah Supreme Court refused to decide is whether a deference test, proposed as “**Headman Deference**”, is required to ensure that state courts at every level, who are required by oath to uphold the Constitution as the Supreme Law of the Land, are not themselves violating the Thirteenth Amendment in pursuit of meeting an unconstitutional state social agenda. This question will be settled through the adoption of a Chevron-Deference-type test eliminating state-court-imposed coercion and the “existence” of involuntary servitude “except as a punishment of a crime”.

The Supreme Court is responsible for policing the activities of lower courts where the impartiality of the lower Court is called into question Beavers v. Medtronic, Inc., 41 F. Supp. 3d 633 - Dist. Court, WD Kentucky 2014. Unlike cases of slavery wherein court's themselves were not imposing slavery, the involuntary servitude of our day is being imposed by the very state court officers that are charged with preventing it. The inherent conflict of interest built into this scenario demands Federal intervention in the form of a deference test to ensure the protections of the Thirteenth Amendment cannot be procedurally discarded. It is the role of the Supreme Court of this land to preserve the protections of the Supreme Law of this land by removing the risk of impaired impartiality by all lower courts.

CONSTITUTIONAL PROVISIONS STATUTES AND REGULATIONS

The Fourteenth Amendment to the United States Constitution

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws".

The Thirteenth Amendment to the United States Constitution

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

Title 18 U.S.C. Sec. 1584 Sale into involuntary servitude

"(a) Whoever knowingly and willfully holds to involuntary servitude or sells into any condition of involuntary servitude, any other person for any term, or brings within the United States any person so held, shall be fined under this title or imprisoned not more than 20 years, or both..."

"(b) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (a)"

Article Six of the United States Constitution

The Constitution "shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding" and "all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; ..."

CONCISE STATEMENT OF THE CASE

This case is being brought before the United States Supreme Court seeking the end of unchecked Thirteenth Amendment involuntary-servitude violations imposed by the very courts which are by oath charged with placing the Constitution as the Supreme Law of the Land. The canons of construction inherent in the language of the Thirteenth Amendment are so definitive that it is absurd to consider that a citizen must commit to the better part of a decade, dedicate insurmountable resources, endure incredible amounts of stress and be imprisoned for simply seeking the protections that it guarantees.

The material facts to consider for the questions presented include (1) after six years of litigation, the Petitioner has not received specific declarations to resolve conflicts over his rights in matters before Utah Courts; (2) after four years of properly filing his demand for trial by jury with Utah Courts, the Petitioner has not had the facts of his case placed before the demanded jury; (3) despite having never committed a crime, the Utah Courts have incarcerated the Petitioner for his persistence in seeking the Thirteenth Amendment protection he is entitled to; (4) Utah Courts have refused to issue declaratory judgment upon what rights are preserved in the use of the word "involuntary" within the Thirteenth Amendment; and (5) Utah Courts have refused to issue declaratory judgements upon rights preserved through other unambiguous words or terms within the Decree, Utah laws and/or the United States Constitution. These include "involuntary servitude", "shall", "shall not", "exist", "except", "income", "will", "loss of employment", "material", "fraud upon the court", and "fault" among others.

As compelling as specific citations to proceedings are, the more significant facts and evidence this Court should consider are the practices and the omissions of evidence which Utah Courts, and prospectively other state-court systems, have been attempting to hide from the scrutiny of the United

States Supreme Court. It is preposterous to assume that the Utah Courts would issue declaratory judgements stating that “will” actually means “will not” or “involuntary” actually means “voluntary” formalizing their flawed interpretations and denial of due process of law.

“The Absence of Declaratory Judgements is the Space where Involuntary Servitude Exists”

Case Progression – District Court

As soon as the District Court became aware of the Petitioner’s insistence of full due process over the protections of law he was entitled to, an immediate and multi-year strategy was put in place to keep the case from progressing through the appeal process. The defining moment of this was when the Petitioner refused to accept Commissioner Sager’s inference that Utah Courts had the authority to set aside the God-given right to life, liberty and property to instead impose a Marxist approach, which would disregard all facts and conclusions of law, only to look at who had an ability and who had a need. This was clearly evident as, despite being presented with a tax-return-documented loss of income (of approximately 50% of divorce year income), Utah Courts effectively ruled that a documented 50% loss of income is not material.

The clear intent to deny the Petitioner due process prompted the Petitioner to demand his right to have a jury assembled to affirm the facts and hopefully prevent further injustice at trial (ROA #001014). The demand for trial by jury, however, activated a full-court press by the Utah District Court to both prevent the progression of the case and omit evidence of due process denials over declaratory judgements within written orders. In addition, this marked the point where the threats, imposition of incarceration, vexatious labels, financial coercion and employer harassment intensified. To cap it all off, the District Courts took additional steps to prevent motions for declaratory judgement from being

reflected on Court records as they issued orders requiring off-the-record reviews of filings before they could be submitted to the clerk of the court and appear on the official record.

Case Progression – Appeal Court

Despite filing a timely appeal following the orders issued by the Utah District Court, the efforts of the Utah Courts became coordinated to stop the progression of the matters. This is evident as the Appeal Court ruled the first appeal attempt was filed too early yet, despite later pronouncing that a filed appeal automatically resumes its filing once the precursor steps are satisfied, the Utah Appeal Courts continued to require fees only to claim subsequent appeals were untimely or unwarranted. Further, the Appeal Courts continued the practice of omitting facts surrounding the denials of due process over specific declaratory judgements motioned for in District Court as well as those sought from the Appeal Court through motions seeking clarification of rights required for the resolution of District Court errors.

Other efforts were taken by Utah Courts to hide the denial of due process over Motions for Declaratory Judgement and these facts off the official record. For example, the District Courts ruled the Petitioner was a vexatious litigant and required all motions to be scrutinized off-the-record by the Presiding Judge Mark S. Kouris before being filed on the official record. The very orders used to activate this vexatious-litigant approach were based on verbal evidence the opposing party “felt” harassed while the same court ignored factual evidence, including records of all correspondence between the parties submitted to the court, that clearly supported that the motive of the Petitioner was not to use the legal system to harass but to seek, in good faith, the protection of law he was entitled. The impartiality of the Courts was further brought into question as the Courts refused to acknowledge that the false claims of harassment which were relied upon by the Courts to issue vexatious orders were themselves grounds

to issue the vexatious label upon the Respondent in this case for making such false statements. At the conclusion of the Appeal proceedings it was clear the denial of Constitutional Rights imposed by a court system with conflicting interests towards meeting Utah's unconstitutional social agenda was the clear grounds for the next level of appeal.

Case Progression – Utah Supreme Court

Within the pre-certification process before the Utah Supreme Court it became clear that State Courts at lacked impartiality every level and their possession of unchecked power in allowing involuntary servitude to "exist" in Utah were clear violations of the Thirteenth Amendment.

The Petitioner Petitioned the Utah Supreme Court to exercise its Constitutional oversight over Utah Courts and acknowledge their own lack of impartiality in directly imposing involuntary servitude. In the final analysis, the Utah Supreme Court was unwilling to set aside the conflict of interests, existing between the financial benefits of tethering the servitude of one citizen to another and avoiding the potential social cost that would result, by correcting the errors of the lower Utah Courts.

As a proposed corrective action, Utah Supreme Court was petitioned to adopt a deference test ("Headman Deference") that would uphold the constitutional rights of citizens in the court of first instance and remove the extreme coercion with which the Utah Courts themselves have been imposing from the ground level up. For this appeal to the Utah Supreme court, this deference test was designed to prevent violations of the Thirteenth Amendment which were allowing involuntary servitude to "exist" in Utah. The Utah Supreme Court failed to uphold the Constitution by choosing not to order the use of this deference doctrine.

This Utah case is evidence that court systems within the United States, imposing involuntary-alimony-servitude without written pre-nuptial agreements, are incapable of self-regulating their adherence to the Thirteenth Amendment. The conflicting interests of state courts which set aside Constitutional protections demand intervention by this Court. The Petitioner now seeks the United States Supreme Court adopt the Chevron-deference-type test "**Headman Deference**" presented in this action which will universally preserve the "shall not exist" clause of the Thirteenth Amendment, within the "United States, or any place subject to their jurisdiction" including Utah.

HEADMAN DEFERENCE TEST

The Petitioner now seeks the United States Supreme Court adopt the "**Headman Deference**" test for ensuring states do not impose involuntary-alimony servitude in violation of the Thirteenth Amendment. Under this doctrine, the following Chevron-type tests shall apply to all State or lower-court actions seeking to impose alimony servitude upon a citizen in excess of one year.

Test 1 Was there a written pre-nuptial agreement with specific terms of alimony servitude covering a period of greater than one year?

If Yes, Court must govern alimony servitude to specific terms of pre-nuptial agreement.

If No, go to Test 2.

Test 2 Does the party seeking alimony have a basis to claim that an unwritten alimony agreement, with a duration of up to one year, exists?

If Yes, the party seeking alimony must provide reasonable evidence the unwritten alimony agreement exists and Courts are limited to rewarding alimony up to one year.

If No, The Courts cannot award alimony and the controversy over the term of alimony must immediately end.

AMPLIFYING ARGUMENT

Regulations such as ***Title 18 U.S.C. Sec. 208 Acts affecting a personal financial interest*** are designed to eliminate the impact of personal conflicts of interest which directly impact the impartiality and fair administration of the law. ***Chapter 2 of the Code of Conduct for United States Judges*** requires that a judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned. In **18 U.S. Code § 208** and **Code of Conduct** scenarios the interests of parties potentially effected by lack of impartiality and conflicts of interest are expected to be addressed during the early stages of an action. No preventive controls currently exist which correct state interests, imposed by state courts, which conflict with Thirteenth Amendment rights.

It is Absurd to claim to Claim that Alimony is a Thirteenth Amendment Exception

As with the Chevron Deference Test Doctrine from Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc., 468 U.S. 837 (1984), this Court need only pose the question to itself, is the language within the Thirteenth Amendment ambiguous? It is blatantly clear that the Canon of Construction relied upon for the creation of the Thirteenth Amendment was the Expressio Unius Est Exclusio Alterius Canon of Construction, which dictates the enumeration of specific items implies the exclusion of all others. In the case of the Thirteenth Amendment, the only express exception to involuntary servitude enumerated is "as a punishment for a crime" and not to comply with a state's social agenda. Just as in Chevron, when the statute is not ambiguous, it is not subject to any interpretation outside of the statute. The mere existence of alimony imposed against a persons will without a pre-nuptial agreement is clear evidence that the Thirteenth Amendment is not being upheld and requires its own deference test to ensure compliance.

Headman Deference Would Ensure the Existence of Thirteenth Amendment Protection in All States

Just as with Chevron, if a pre-nuptial agreement cannot be provided in any alimony-related proceedings, the pursuit of the imposition of alimony in excess of one year must end. The one year mark represents the Historical Statute of Fraud Provision (“M.Y.L.E.G.S.”) maximum a contract over marriage may cover without being required to be formalized within a written agreement. Statute-of-fraud provisions have historically affirmed that any agreements over marriage are not enforceable unless formalized in writing. Since contracts under a year can be enforced without a written agreement, however, the maximum legal term alimony should be able to extend is one year. Just as in basic contract law, however, reasonable evidence that an unwritten alimony agreement up to one year in length exists, would have to be proven by the recipient.

Bodies of law, such as contract law and statute of fraud provisions, which would normally govern the term alimony would have been voluntary agreed to, already exist. These governing laws are blatantly being discarded due to the conflicting interests of states and their power to control the information that would expose it. In this day of equality, this Court has the supreme obligation to establish a deference test to protect citizens from state-court imposed conflicting interests which are denying Thirteenth Amendment protection and allowing involuntary servitude to “exist” unchecked.

No application of law should result in the Constitutional rights of one citizen being discarded for the benefit another. There are no exceptions that can by definition override the “shall not exist” clause designed to protect United States Citizens from involuntary servitude. The Surplusage Canon of Construction requires that every word and every provision is to be given effect and “none should be ignored”. The Thirteenth Amendment clause “involuntary servitude shall not exist” is no exception.

GOVERNING REVIEW CONSIDERATIONS

Fed. Rule Civ. Proc. 10(c) requires actions by this court when “a state court or a United States court of appeals has decided an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court”

The Utah State Supreme Court, representing the highest court in Utah, has refused to adopt a deference test that would protect citizens from involuntary servitude. The primary unresolved question before this court is whether the deference test “Headman Deference” should be adopted as the standard for eliminating the conflicting interests of State social agendas and the guaranteed protection the Thirteenth Amendment provides. The current practice of Utah and other state courts thwarts the three primary judicial review aspects **Illegality, Procedural unfairness and Irrationality**.

Illegality – 18 U.S. Code § 1584 Sale into involuntary servitude requires that any person who “willfully holds to involuntary servitude” “any other person for any term, or brings within the United States any person so held, shall be fined under this title or imprisoned not more than 20 years, or both”. Further, this section requires that any person who “in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (a)”. The unchecked conflict of interest is not only civilly Unconstitutional but Criminally Unconstitutional as well. The illegality factor alone is compelling enough to invoke the direct and swift intervention of this Court.

Procedural Unfairness – the mechanisms for enforcing the imposition of involuntary servitude are easily disguised behind the omission of facts from court orders, deliberate frustration imposed upon those seeking Thirteenth Amendment protection, failure to issue declaratory judgements, denial of

trial by jury, and dozens of other creative ways a Court system can use to prevent issues from reaching a forum that upholds the Constitution as the Supreme Law of the Land.

Irrationality – the mere fact that state courts refuse to issue declaratory judgements upon what the word “involuntary” means demonstrates the absurd irrationality as to why involuntary servitude has been allowed to “exist” within Utah and other parts of the United States. No rational jury would affirm that voluntary and involuntary can be decided contrary to the declaration of the individual.

“This Matter Requires SCOTUS to Hear From a Pro Se Victim Directly”

It is important for this United States Supreme Court to hear this issue directly from a Pro Se Litigant as the matter concerns involuntary servitude not imposed by a private individual or group of individuals but by public servants who have taken oaths to uphold the constitution. Because state courts themselves are perpetrating involuntary servitude and using the public court forums and attorneys who practiced before it to do so, the state-court power of coercion has the threat and capacity to place the future practice of any attorney or law firm, daring to oppose the court’s agenda, in jeopardy.

There is no state forum that will promote a case that would potentially conclude that the very state’s forum is acting unconstitutionally let alone enter a ruling formalizing that fact. Neither is there a practicing attorney worth his or her salt that is willing to throw away his or her legal career by exposing the unconstitutional practices of the State Court that will hear and rule upon his or her next case. It is time for the United States Supreme Court to actually hear the voice of a citizen who has been victimized by a state’s defiance of the Thirteenth Amendment and to place a mechanism, the **Headman Deference**, in place to ensure that involuntary servitude does not “exist” within the United States, or any place subject to their jurisdiction.

CONCLUSION

In order to preserve the protections which were carefully and deliberately formalized through the "shall not exist" clause of the 13th Amendment of the United States Constitution, this Petition for Writ of Certiorari seeks for the protections set forth in the Thirteenth Amendment to be preserved for alimony-related servitude through the ordering of the **Headman Deference** test before any future alimony-related servitude be allowed to exist in the Petitioner's case, Utah or any other state. The protection of an individual's God-given right to life, liberty and property should be the supreme objective of the Supreme Court of this land not the protection of a state's right to set constitutional protections aside and constructively allow involuntary servitude to exist through any state's systemic imposition. For these reasons, the Petitioner hereby requests this Court to grant this case Certiorari.

Respectfully Submitted,



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