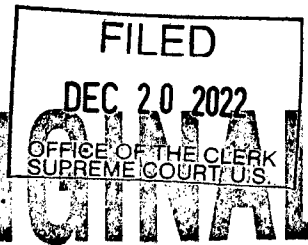


22-833

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



In the Supreme Court of the United States

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John E. Reardon,

Petitioner, Pro Se

v

Governors Murphy, Gurbir Grewal, B. Sue Fulton, Judges John McFeeley, Robert Zane, George Singley, John Morrelli, Krisden McCrink and Ryan Trabosh, Prosecutors Andrew Viola, Robert Gleaner, Steven Peterson, Daniel Long, Michael Joyce, Mathew Gindele, Senators Dawn Addiego, James Beach and Fred Madden, Assemblyman/woman Maria Gregg and Joe Howarth. Judge Zonies and Lawrence Luongo.

Respondents

On Petition for a Writ of Certiorari  
To the United States Court of Appeals  
For the Third Circuit

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PETITION FOR A WRIT OF CERTIORARI

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Questions/Issues for Review

Given this Court's Mandate found in *Wong Kim Ark v U.S.*, 169 U.S. 649, 654, 1898 that all Courts must consider the Common Law in its decisions and *Payne v Tennessee*, 501 U.S. 808, 855, 1991 that no matter what the lower courts personal beliefs they have of this Courts decisions that they must comply with them and that the lower courts have failed to comply with this court's decisions in 40 Issues and Claims made in this Lawsuit as to Void Proceedings due to Discretionary, Jurisdictional and/or Mandatory defects that holds all officials for liability if violated, the courts have abused their authority by refusing to comply with this courts findings of Liability for Legal and/or Equity Relief and all sections of the U.S. Constitution allegedly violated by the State.

Does the official:

- a. Lose Discretion and/or Jurisdiction for violations of these mandates upon them make their decisions void and of no effect?
- b. Should the official have recused themselves from the matter rather than rule against the plaintiff?
- c. Is the injured party thus entitled to either Equity and/or Legal Relief for their failure to so comply with these mandates, when they were informed of the same?
- d. If the proceedings are being challenged based on void orders for Discretionary, Jurisdictional and/or Mandatory Defects, or as being a Trespasser in the law are judges immune from a collateral attack for Equity relief for said reasons?

e. Given the officials are bound to comply with the Common Law, making said acts Ministerial, hold the official liable for Equity and/or Legal Relief?

f. Do the Lower Courts directly deny my 1<sup>st</sup>, 5<sup>th</sup> and 9<sup>th</sup> Amendment rights, and my rights violated by the State under Art.s I and IV and the 1<sup>st</sup>, 4<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and/or 14<sup>th</sup> Amendment rights by ignoring the lawsuit alleged the State's had legal limits on them?

g. Is a lawsuit that alleges the officials Lacked, Lost or Usurped their Discretion and/or Jurisdiction with the facts as to what caused said defects, or who have failed to comply with Mandates under the law and what the Mandates are and the law that supports said claims sufficient to state a claim for relief and does said allegations give the Lower Courts Jurisdiction over such a lawsuit?

h. Is this Courts decision in Gomez v Toledo, 446 U.S. 635, 639-640, 1980 such that one can seek Equity/Prospective Relief against Judges, Legislators or Executive Officials?

i. Does an Official Who Intentionally denies one of his rights, allow recovery for Prospective/Equity and/or Legal Relief?

j. Are Legislative, Judicial and Executive officials immune from Equity Relief when they war against the U.S. Constitution?

k. Are Executive, Legislative and Judicial officials subject to the same process of all other state officials when said officials are alleged to have Jurisdictional, Discretionary or Mandatory defects against them?

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

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John E. Reardon, Petitioner, Pro Se

v

Governors Murphy, Gurbir Grewal, B. Sue Fulton, Judges John McFeeley Robert Zane, George Singley, John Morrelli, and Kisten McCrink, Ryan Trabosh, Prosecutors Andrew Viola, Robert Gleaner, Steven Peterson, Daniel Long, Michael Joyce, Mathew Gindele, Senators Dawn Addiego, James Beach and Fred Madden, Assemblyman/woman Maria Gregg and Joe Howarth. Judge Zonies and Lawrence Luongo.

On Petition for a Writ of Certiorari  
From the United States Court of Appeals  
For the Third Circuit

---

John E. Reardon, Pro Se, respectfully petitions for a writ of Certiorari to review the judgment of the lower Courts in this case.

Opinions Below

The opinion of the United States District Court for the District of New Jersey, the Hon. Judge Robert Kugler was entered on 4/5/21 denying the right to reopen and amend this lawsuit under F.R.Civ.P.60(b) and for void proceedings due to Discretionary, Jurisdictional or Mandatory Defects or for acting as "Trespassers in the Law", and for which he denied my right to rescind

my request to ignore my earlier letter in which I stated this case could be dismissed. All of these claims imply the officials Lacked, Lost or Usurped their Discretion and/or Jurisdiction and for which there is the right to present such claims without respect to time. This Court needs to address these issues as to these claims and thus as to Laches and Immunity Defenses or whether Judge Kugler should have recused himself. The Court's bias is demonstrated in that all the necessary facts were stated in the Original Lawsuit and Amendments but were ignored, and obviously overruled and found insufficient by the Lower Courts. This failure to accept all the facts as true and to settle the Disputed Facts in my favor is what caused the basis of Bias by the lower courts and not what the lower courts alleged which in turn denied me of my 1<sup>st</sup>, 5<sup>th</sup> and 9<sup>th</sup> Amendment Rights and duty to recuse. A1-82.

I should have been given a Plenary Hearing or the right to discovery but was denied and thereby Denied my 1<sup>st</sup>, 5<sup>th</sup> and 9<sup>th</sup> Amendment Rights. Allaham v Naddaf, Section B-1, 3<sup>rd</sup> Cir. 2015. A83-95.

The Lower Courts Bias is demonstrated as follows: A1-82.

A. The lower courts deliberately applied the wrong law in that they claim I have been filing frivolous and Vexatious Lawsuits and pleading for the past 30 years to make it appear that I have been, and am, abusing process when this is not the case. A92.

B. I was active in the courts from 1984 to 1991 and that from 1984 to 1987 I was sanctioned for allegedly filing frivolous lawsuits as per Divorce Matters and

nothing more and for which I stopped doing so. There was just one time I had sanctions levied against me.

C. I was not active in the courts from 1991 to 2013.

D. From 2013 to 2018 I became active in the legal system again and till Judge Kugler's sanction order no prior case was declared Frivolous or Vexatious.

E. The courts have decided my 1<sup>st</sup> Amendment rights to petition for redress of grievances, and to Assert and Protect my Rights as I see them, should be curtailed. That is I should be stopped from filing Precedential Lawsuits to prevent the harm to the State and respondents rather than protect my rights.

I submitted a motion for recusal and was denied by Judge Kugler on 4/4/22 based upon Judge Kugler's Refusal to grant me my Due Process Rights to a Hearing, Discovery and the Validity of this Lawsuit.

The 3<sup>rd</sup> Circuit Court of Appeals entered its order on 08/30/22, affirming Judge Kugler's Orders and Opinions.A83-95.

Further claims of Bias by the Lower Courts comes from the 3<sup>rd</sup> Cir. Decision on 8/30/22 where it merely said I was saying that Judge Kugler was granting everything defense counsel was asking for which is not the truth. I said "Judge Kugler was granting everything defense counsel sought even when they have no factual or legal claim to their requests/motions."

A request for En Banc review was submitted on 9/8/22.

The En Banc Court denied my petition on 9/27/22 by failing to consider its own ruling in *Hafer v Melo*, 13 F.3d 736, 744, 3<sup>rd</sup> Cir. 1994.A96-97.

**Jurisdiction of this Court**  
The Jurisdiction of this court is brought under 28 U.S.C. §2101.

**Constitutional and Statutory provisions involved:**

Art.s I and IV, Amendments 1, 5, 8, 9 and 14; 28 U.S.C. §1367;42 U.S.C. §1983.A182-188.

**Statement**

A. Judge Kugler converted a dispute in the facts to a dispute in the Law.

The well settled law is that if officials violate a Mandatory Act they are liable as such acts are not discretionary and would hold the official Liable. This lawsuit alleged the violation of 7 Mandatory Acts.

This court held in Wong Kim Ark v U.S., 169 U.S. 649,654 that the courts MUST take into consideration the Common Law, which for this lawsuit included that they could not rule contrary to Mandates, and could not fail to uphold the Common Law. Blackstone's Commentaries, Introduction to the Laws of England,Pages 69,89 and Book 1, Chapter 9,Page 342. The violations are contrary to Bogan v Scott-Harris, 523 U.S. 44, 51-52,1 998. All the Respondents were informed about the Common Law and its Rights, Remedies and Mandates which they and the Courts chose to ignore.

Given the Historical Documents submitted with this case, given that I made an effort to obtain information from all 3 Branches of the State Government before proceeding in this court, based upon the case law and the facts that are in line with this law and Historical Documents, and given there has been no decision at any level on the Issues and Questions raised in this lawsuit, and given that

this has a basis in both Law and Fact, the fact is that this lawsuit is a Precedential Lawsuit. How and why is a Pro Se litigant to be denied the same consideration under the law that lawyers are accorded, how can I be Discriminated against for this Lawsuit by the court claiming it is Frivolous and Vexatious? National Life Insurance Co. v United States, 277 U.S. 508, 530,1928.

B. All 3 Branches of the Government were informed of the Rights contained and outlined in this Lawsuit and they all 3 thwarted my efforts to such inquiries thus making my Lawsuit valid and proper and was not, therefore, Vexatious and Frivolous, but for which Judge Kugler injected his own personal bias/bent to deny my Lawsuit on the fact I sought Legal Relief, which he apparently claimed voided and mooted my claim for Prospective Relief. I sought answers to my legal rights but was denied by the Respondents. Blackstone's Commentaries, Book 1, Chapter 1, Pages 138-140; Christopher v Harbury, 536 U.S. 403,414-415,2002.

The Lower courts were informed of the law as to my Right to Relief. Skinner v Switzer, 131 S.Ct. 1289,1298-1299,1301,1303,2011; Scheuer v Rhodes, 416 U.S. 232,236-238,1974; Cooper v Aaron, 358 U.S. 1,18-19,1958.

Judge Kugler has found that when this Pro Se Person files a Precedential Lawsuit that is based on well researched law that I am to have my lawsuits declared to be Frivolous and Vexatious, but when Lawyers present such lawsuits they are free from sanction and thus they can discriminate against this Pro Se Plaintiff simply due to the Precedential Nature of my Lawsuits and my Status.

The lower courts have held me to a higher standard of law than attorneys.

Haines v Kerner, 404 U.S. 519,520,1972; Jenkins v McKeithen,395 U.S. 411,421, 422,1969; SHAPIRO v THOMSON, 394 U.S. 618, 629-631,642, 648, 669-671,675, 1969.

The Lower courts have implied, by their decisions, the state can ignore the Common Law and all its Rights, Remedies and Mandates and such a challenge would be Frivolous and Vexatious.

Mr. Reardon sought any relief available. A1-3. Judge Kugler is fully aware the relief sought is proper. A83-85.

Judge Kugler is fully aware that Equitable Relief of a declaration of the State's Customs, Practices, Procedures and Usages being Unconstitutional since they do not comply with or comport to the Common Law and its Rights, Remedies and Mandates. Judge Kugler ruled that I am not entitled to any relief. He has (1) shown he has not been reading my moving papers which should cause him to recuse himself and overturn all his orders in this case;(2) he has denied my 1<sup>st</sup>,5<sup>th</sup> and 9<sup>th</sup> Amendment Rights.(3) The Law is so well settled as to Equity Relief that there is absolutely no reason he should not be aware of such relief and (4) Judge Kugler forced me to comply with his void order and violated my 5<sup>th</sup> Amendment Rights to a Fair Tribunal, to Fair Hearings and the Equal Protections of the Law and my 9<sup>th</sup> Amendment Rights to the Common Law.

The Lower Courts have failed to read 42 U.S.C. §1983 completely as it allows injunctive and Declaratory relief against all officials when there is no Declaratory relief available in the state and there is no such relief available to me.

The Lower courts made 3 things clear:

1. Judge Kugler was never going to address/redress my claims of void proceedings;

2. I was never going to be heard in the appellate court for a proceeding that was not fully aired in the District Court First; and

3. By being forced to file numerous motions to get heard for the void proceedings Judge Kugler found me to be abusing the system and chose to sanction me and the 3<sup>rd</sup> Cir. went along with Judge Kugler's findings and thereby abused process which was brought about by their inactions/actions.

These are the reasons for recusal based on the merits of the Lawsuit.

Even if the Legal Relief is barred the Prospective Relief is and was present and timely. This Lawsuit was a collateral attack to the Lawsuits filed in 1988-1990 for Discretionary/Jurisdictional/Mandatory Defects. This barred Judge Kugler and the defense from relying on any prior rulings for this case which defense claimed they were Frivolous and Vexatious. A99-164. Octane Fitness v. ICON Health & Fitness, 134 S.Ct.1749,1754,2014.

The court dismissed this case in its entirety when one issue was valid and timely. Jones v Bock, 127 S. Ct. 910,924,2007.

On 4/19/21 I submitted a motion to set aside the dismissal order and to Amend.

The Lower Courts have allowed the State to implement and enforce their customs, procedures, practices and usages unconstitutionally as follows:

They deny our Rights under Art.s I and IV and Amendments 1,8,9 and 14<sup>th</sup> to the Common Law and its Remedies as follows: (1) The statutes do not provide for relief under the Rights and Remedies of the Common Law to Jury Trials, criminal or civil; (2) They deny the people of their right of immunity unless the Lawsuit is proven by at least 2 Honest and Reputable Persons; (3) they require the people to take their Driver's License Privilege to do that which we have the right to do under Amendments 9 & 14 and don't fall under any of the legal reasons the state can so regulate the people. *Gibbons v Ogden*, 22 U.S. 118,131,203,212-213, 218 and *Buck v Kuykendall*, 267 U.S. 307,314,1925; (4) They deprive the people of their Common Law, Unrestrained, Right to use their property in the public, *Blackstone's Commentaries*, Book 1,Chapter ,Pages 119-121,130, and 134; (5) They require the people to take their Registration and Title which is protected as to the absolute right to own, possess, use, sell, buy or otherwise dispose of their property when and how we wish in the Public; (6) They have levied a tax on these rights that is a flat or Direct Tax Prohibited by the Law; (7) They require the people to take no fault insurance as it Infringes/Impinges on our 1<sup>st</sup> or 9<sup>th</sup> Amendment Rights of choice since they do not protect the public from the individual, but instead protects the individual from the public, contrary to the 4 reasons the state has the right to so regulate and basis one's insurance rates on the worst driver in the same residence that does not have insurance, the state has forced the people to be required to open our doors to the public so that they can force us into being required to pay an insurance premium that has nothing to do with my affecting



the rights of others; (8) The state has implemented Laws that deprive the people of their rights to contract, and to interstate Commerce, by denying the people their Art.s I and IV rights; (9) The Laws Infringe/Impinge on the people's 1<sup>st</sup> or 9<sup>th</sup> Amendment Right of choice as to seatbelt laws as they do not fit into any of the 4 reasons the state has the right to implement laws for; (10) The state is requiring the people to have their cars inspected when they do not violate any of the 4 reasons the state can regulate and that inspection laws are for the regulation of commerce for which the people don't come under and (11) The state has given the Municipal Courts Power/Authority to issues Fines and Jail Time in excess of their Common Law limits and deny our rights to a jury Trial. The Legislature is Mandated to not create laws that deny the people of their Right to Jury Trials.

Gibbons v Ogden @118 and 203 and North Securities Co. v U.S., 193 U.S. 197,368-369,1904. The Lawsuit and Amended Lawsuits are replete with my rights, Facts, Hard Facts and Historical Facts the lower courts have claimed don't state a claim for relief as they are Conclusions. U.S. v Jepson, 90 F.Supp. 983,988-989,1950.

This lawsuit alleged the respondents did Deny my Common Law Rights, Remedies and Mandates under the 1<sup>st</sup>,8<sup>th</sup>,9<sup>th</sup> and 14<sup>th</sup> Amendments and Art.s I and IV; 2. That they were denied under Color of Law as the Respondents are State Officials and 3. They Lacked, Lost or Usurped their Jurisdiction and/or Discretion by (i) failing to comply with Common Law Mandates; (ii) they lacked Discretion to refuse to comply with Common Law Mandates and (iii) they acted as Trespassers in the Law. I stated all the necessary facts to state a claim for relief and

the courts' failed to comply with the law and ignored the facts that were clearly and repeatedly stated giving cause to the validity and viability of this Lawsuit. The Courts held that the specific facts of this case amounts to a Vexatious and Frivolous Lawsuit. *Gomez v Toledo*, 446 U.S.635,639-640,1980.

This lawsuit sought Equity Relief in the following form: 1. A declaration the State's customs, practices, procedures, usages and statutes are unconstitutional for the reasons stated herein; 2. Injunctive relief to bar the state respondents from further enforcing their Unconstitutional Laws; 3. For Costs relief for having to bring this lawsuit and assert and defend my rights; and 4. A Certificate of Acknowledgment to be able to return to the state to seek relief from their void proceedings.

This lawsuit also sought Legal Relief in that the respondents either Lacked, Lost or Usurped their Jurisdiction and/or Discretion; failed to comply with Common Law Mandates or acted as Trespassers in the Law by failing to set aside their predecessors prior rulings.

Despite alleging all the facts necessary to state a claim for relief, that the Lawsuit is timely and all the law proving these defects exist, the lower courts denied my claims and Sua Sponte dismissed this lawsuit without the right to Discovery, a Plenary Hearing or a Trial.

The Judges also abused their authority and denied my rights as I presented the affidavit of 3 average citizens, extrinsic evidence, who agree that based on the facts and law I had them read/review that the lawsuit appears to be valid and on

point and the respondents are liable. The Lower courts ignored the affidavits and dismissed my lawsuit.

The lower courts failed to uphold the Federal Statutes, Case Law and Constitution, as the Supreme Law of the land. Florida v Meyers, 466 U.S. 380, 383, 1984.

This lawsuit sought the right to discovery to Inquire into the validity of the State's customs, practices, procedures, usage and Statutes and as to the immunity of the respondents and was denied these rights by the Lower Courts. This lawsuit sent a Memorandum of Law to all Executive, Judicial and Legislative Respondents inquiring into the Validity of the State's customs, practices, procedures and usages and I was denied this right, that is a Mandate on the part of the Officials, to hear me. As a result of the failure of my Servants to grant me my right to be heard and to inquire into the validity of the State's Laws, Judge Kugler found they did not thwart my efforts to seek answers to my questions and thus my Lawsuit is and was Frivolous and Vexatious. Judge Kugler has ruled in a way that he has settled the Disputed Facts without a Hearing or Right to Discovery or a Trial. A discovery order was never issued. I was denied my rights for over 10 years. Blackstone's Commentaries, Book 1, Chapter 1, Pages 138-140.

This lawsuit sought to have declared whether State Officials who intentionally Deny Constitutional Rights, and for the Commission of Crimes in Conjunction with this claim, can be sued for Legal and/or Equitable Relief which was ignored by the lower courts. Mr. Lawrence, 39<sup>th</sup> Congress, 1<sup>st</sup> session, April 7, 1866, Congress

-sional Globe @1837; Blackstone's Commentaries, Book 1,Chapter 9,Page 342.

On 5/1/20, Judge Kugler issued an order requiring Mr. Reardon to seek leave to file a motion or new Lawsuit stating the reasons I should be permitted to file motions in my cases or to file a new Lawsuit. On 5/13/20 I told the court to ignore my March Motion and decide my 5/10/20 Motion. My motion for relief was denied by Judge Kugler on the claim it was not in compliance with his 5/1/20 Order. Judge Kugler has put the cart before the horse as my Original Lawsuit and 1<sup>st</sup> 2 Amended Attempts stated all the necessary facts and legal reasons why it is valid and should not be dismissed but he injected his own personal bent to deny this lawsuit from the door and showing his Animus/Bias/Bent/Prejudice against this pro se Plaintiff by enforcing his void order that I could not be held to comply with.

K. From 11/16/20 to 8/23/21 I submitted paperwork in support of and for a new motion and for relief from the Court's Dismissal order.

From 8/31/21-9/27/21 I did submit paperwork requesting Judge Kugler to recuse himself due to the appearances that he has ignored the facts alleged. It was a motion of reconsideration based on new facts that were not available in the 1<sup>st</sup> Motion asking him to recuse himself. He never ruled on my 8/21/21 letter.

I submitted a 2 Page Letter to Judge Kugler for a motion in case 1:15-cv-08597 around 9/1/21 for which he has still not answered.

He acted on my letter of dismissal in April 2020 within 3 days and could not answer my letters to him 3 times, for 16 days, for 27 days or for 400 + days. He has again shown his Prejudice/Animus/ Bias/Bent against me due to how quickly

he can rule on Letters to the Court. He acts when and if he feels like it. Justice Delayed is Justice Denied.

**Reasons to Grant the Petition:**

A. The Issues raised are significant and exceptionally important as they go to question (1) should Judge Kugler have recused himself given all the Rights he has denied Mr. Reardon of; (2) What the people's purely Private, Personal and Absolute Rights are; (3) can the state invade or intrude on such Rights; (4) how far can the state intrude on said Rights that existed since 1676 and on and (5) He has violated his discretion by wilfully/intentionally/willingly and knowingly making decisions he lacked authority for. Is there any Relief available under these circumstances?

The lawsuit alleged the Respondents Violated their Duty to comply with well founded Constitutional Rights which a Reasonable Judge should have known. *Mitchell v. Forsyth*, 472 U.S. 511,517,1985.

1. To seek declaratory and injunctive relief to declare the State's Customs, Practices, Procedures, Usages and Statutes as being Unconstitutional as they do not comply with and comport to the Common Law and its Rights, Remedies, and Mandates and the Right to prevent the Respondents from further enforcing said same. This duty stems back to the establishment of the U.S. Constitution back in 1776 and as Mandated by this court in 1898;

2.For Costs Relief to have to bring this lawsuit and defend my rights;

3.All the respondents had Jurisdictional, Discretionary and/or Mandatory

Defects to their conduct that stripped them of all Discretion or Jurisdiction making them liable for Legal Relief

4.The Executive and Legislative Respondents were sought Relief from all 3 items above since they violated my rights under the Common Law, as to my right to petition my agents and for which the lower courts also did;

5.The lower courts focused primarily on the claim of Jury Trials and Legal Relief and ignored and failed to address all the issues in the Lawsuit leaving said issues unresolved and unaddressed. Denied my Due Process and Equal Protections of the Law Rights. Lawrence v State Tax Commission, 286 U.S. 276, 282, 1932;

6.A Certificate of Acknowledgment to be able to require the State to correct its records as void and to get a new Trial and be heard on all the other Violations of my Rights.

All the State Courts denied my Common Law Rights, Mandates and Remedies under the 9<sup>th</sup> Amendment. Said Common Law Rights, Remedies and Mandates are:

Blackstone's Commentaries, Introduction to the Laws of England, Pages:

69: It is not in the Breast of any Judge to not comply with and uphold the Common Law.

89: .....the common law gives place to the statute.

Joseph Story's Constitutional Commentaries, Book 1, Pages 140 and 309:

The Common Law is our Birthright and Inheritance.

Rights protected by the Constitution are part of the Supreme Law of the land and cannot be surrendered or transferred by any means.

Volume 3,Page 646: If the suit seeks legal relief a jury trial is required.

Wong Kim Ark v United States @654; Solemn v Helm @286:

654:

"In this as in other respects, it must be interpreted in the light of the common law, the principles and history of which were familiarly known to the framers of the Constitution.

286:

Blackstone's commentaries are accepted as the most satisfactory exposition of the common law of England.

U.S. v Jepson @988-989:

988:

The constitution of New Jersey, adopted July 2d, 1776, reads as follows:

"That the common law of England, as well as so much of the statute law as have been hereto fore practiced in this colony shall still remain in force, until they shall be altered by a future law of the legislature; such parts only excepted as are

989:

repugnant to the rights and privileges contained in this Charter; and that the inestimable right of trial by jury shall remain confirmed as a part of the law of this colony,without repeal forever" *The final section of the same constitution prescribes as a part of the oath to be taken by each member of the legislature, that he will not assent to any law, vote, or proceeding to repeal or annul "that part of the twenty-second section respecting the trial by jury."*

Intentional denial of Rights:

Mr. Lawrence @Congressional Globe @1837:

A judge who intentionally denies a citizen of his rights is guilty of wilful wrong and deserving of punishment.

Blackstone's Commentaries @Page 342:

But, on the other hand, any *malicious or tyrannical abuse* of their office is sure to be severely punished; and *all persons who recover a verdict against a justice, for any wilful or malicious injury, are entitled to double costs.*

Allstate Insurance Company N.J. v Lajara, 117 A.3d 1221,1226-1233,N.J.

Supreme Court, 2015.

If I can't sue a federal Judge, I am entitled to relief through process.

Judge Kugler was required to recuse himself from this Lawsuit since he failed to comply with the Mandate this court said the courts Must do in Wong Kim Ark @654 and thereby Usurped, Lacked or Lost Discretion and/or Jurisdiction making his orders, opinions and decisions void and unenforceable. His liability comes by way of Bogan v Scott-Harris @51-52, Mandates create Ministerial Acts; Antoine v Byers & Anderson Inc., 508 U.S. 429,435,1993, Officials not immune when acting in their Administrative capacity; In re Charter Communications, Inc., 393 F.3d 771, 784, 8<sup>th</sup> Circuit 2005, Ministerial Acts re non-judicial. Melo v Hafer , 13 F.3d 736,744, 3<sup>rd</sup> Cir.1994, Judicial Immunity requires act to be part of their function and must have Discretion to carry out said act; Hafer v Melo, 502 U.S. 21,22-23, 1991, the 11<sup>th</sup> Amendment does not bar suits against officials when the Lawsuit involves a Proper Legal Claim.

Given he was stripped of Discretion and/or Jurisdiction, I was denied my 1<sup>st</sup>, 5<sup>th</sup> and 9<sup>th</sup> Amendment Rights making his orders, opinions and decisions void and unenforceable.

Judge Kugler was required to comply with the Common Law and recuse



himself and set aside all his orders as he demonstrated he was not reading Mr. Reardon's legal papers that the Hard Facts and Historical Facts are not conclusions. Judge Kugler has found that the Case law relied on as to the facts are not supported by the Law. That is, I have relied on the wrong law to state my claim which runs contrary to my Rights. *Juzwin v Asbestos Corp.*, 900 F.2d 686,692,3<sup>rd</sup> Cir.1990.

Judge Kugler was required to recuse himself and he refused to do so.

*United States v Poludniak*, 657 F.2d 948,954,8<sup>th</sup> Cir.1981:

[A] judge faced with a potential ground for disqualification ought to consider how his participation in a given case looks to the average person on the street. Use of the word "might" in the statute was intended to indicate that disqualification should follow if the reasonable man, were he to know all the circumstances, would harbor doubts about the judge's impartiality.

*United States v Dalfonso*, 707 F. 2d 757,761,3<sup>rd</sup> Cir. 1983.A145-181.

The lower courts have denied my 1<sup>st</sup> Amendment Rights to Petition and to be Meaningfully Heard; My 5<sup>th</sup> Amendment Rights to Fair Hearings, Fair Tribunal and the Equal Protections of the Law and my 9<sup>th</sup> Amendment Rights to the Common Law and its Rights, Remedies and Mandates as to the Validity of this Lawsuit and the Respondent's Liability.

The Lawsuit alleged the Respondents Usurped, Lacked or Lost Jurisdiction for various Legal Reasons, what they did to so violate said same and why they are liable for such. *Gomez v Toledo*, 446 U.S. 635,639, 640,1980; *Halsey v Pfeiffer*, 750 F.3d 273,290,3<sup>rd</sup> Cir. 2014.A1-82.

I was denied my Rights under Amendments 1, 5, 8, 9 and 14. Said rights

are: Denial of the Right to Inquire into the Jurisdiction and/or Discretion of the respondents as to their Immunity and thus the right to a Meaningful Hearing in the lower courts, 1<sup>st</sup> Amendment Rights; My 9<sup>th</sup> Amendment Rights to the Common Law and its Rights, Remedies and Mandates and thus my 5<sup>th</sup> Amendment Right to a Fair Hearing, a Fair Tribunal and to the Equal Protections of the Law. Simmons v Saul, 138 U.S. 439,448, 1891 and Andrews v Andrews, 188 U.S. 14, 34-35, 1903:

Andrews and Simmons:

It is the settled doctrine of this court that the constitutional provision that full faith and credit shall be given in each State to the judicial proceedings of other States, does not preclude inquiry into the jurisdiction of the court in which a judgment is rendered over the subject matter or the parties affected by it, nor into the facts necessary to give such jurisdiction.

Christopher v Harbury, 536 U.S. 409,414,2002:

("[T]he cover-up and resistance of the investigating police officers rendered hollow the plaintiff's right to seek redress"), the loss of an opportunity to sue, e. g., Swekel v River Rouge, 119 F. 3d 1259, 1261 (CA6 1997)

B. I. The well settled Law is clear that I only have to state the facts that state a claim, not that I have to prove them. The Lower Courts ignored all the facts made and then relied on the general Law of immunity and denied me relief. VL v EL, 136 S.Ct. 1017,1020-1021,2016.

I was denied my right to amend my lawsuit since it was a Civil Rights case.

WOLFINGTON v RECONSTRUCTIVE ORTHOPAEDIC ASSOCIATES II PC, 3<sup>rd</sup> Cir.2019:

Nonetheless, "in non-civil rights cases, district courts have no obligation to offer leave to amend before dismissing a complaint unless the plaintiff prop-

erly requests it."

The Court also found in *Bingaman v Bingaman*, Section IV, Conclusion, Dist.Court, MD Pennsylvania 2009:

The right to amend allows at least 2 Attempts, even though I stated one.

II. I was denied my Right to either a Plenary Hearing, Discovery and the Right and Duty of the Lower courts to take all my Allegations as True and to settle all disputed facts in my favor for which required the courts to settle the disputes as to Jurisdictional, Discretionary and/or Mandatory Defects in my favor which the Lower Courts denied me of. They ruled based on the Title and Position of the Respondents and not the Facts and Functions. *Parrilla v. Cuyler*, 447 F. Supp. 363,365,DC,ED Pennsylvania 1978.

III. The Lower Courts decision has placed the Respondents into the position this court found in *Melo v Hafer* @22-23 that is not permissible and have converted this court's decisions into Solemn Mockery, Impotent, Empty and Meaningless phrases. *Scheuer v Rhodes* @236-238,1974; and *Cooper v Aaron* @18-19. *Buckley v Fitzsimmons*, 509 U.S. 259,269,1993:

[T]he official seeking absolute immunity bears the burden of showing that such immunity is justified for the function in question. The definition of Show is: *Bouvier's Dictionary*, Third Revision, Eighth Edition, 1984 Reprint, Page 3067: "to make apparent or clear by evidence, to prove".

The Respondents never proved, and were not required to prove, they were/are Immune from all forms of relief. Differing treatment between Defense Counsel and a Pro se Plaintiff and to all other Plaintiffs. Discrimination.

All Courts are Mandated to comply with and rule on the Common Law of

England and Blackstone's Commentaries, which did not occur. Joseph Story's Constitutional Commentaries, Pages 65, 140, 309 and Volume 3, Page 646.

All the Courts have a duty to be the guardians of the People's Rights which they did not do. *Boyd v U.S.* 116 U.S. 616, 635, 1886.

I presented Extrinsic Evidence supporting my claim of Jurisdictional, Discretionary and/or Mandatory Defects and the Lower Courts ignored it. *VL v EL* @1020-1021:

if the judgment on its face appears to be a 'record of a court of general jurisdiction, such jurisdiction over the cause and the parties is to be presumed unless disproved by extrinsic evidence, or by the record itself. A165-179.

Since Municipal Court Judges are not Judges of General Jurisdiction, there is no presumption of judicial immunity.

IV. Mr. Reardon's claims of Liability of the Respondents were denied and overruled from the door to have this lawsuit heard to at least a Rule 56 stage that the Lower Courts continued to deny and failed to hold a hearing to determine who the actual parties are and what relief is available. *Scheuer v Rhodes* @ 236-238.

The Lower Courts did everything they are not allowed to do as to Jurisdictional challenges: They (1) cannot do anything to controvert the challenge; (2) cannot rely on anything in the challenged proceedings to controvert the challenge; (3) cannot set a time limit in which to challenge said proceedings and (4) cannot bar a plaintiff from obtaining relief even prior to reversal.

The Lower Courts failed to honor, and denied, my Rights to Liability of the Respondents Mandated by the Common Law and Rights thereunder.

The 3<sup>rd</sup> Cir. held in *Max's Seafood Café, ex rel, Lou-Ann, Inc. Quinteros*, 176 F.3d 669, 3<sup>rd</sup> Cir. 1999 that relief from a court's order is permissible for 3 reasons. The basis of these 3 reasons are:

(1) The Courts applied the general law on immunity that as to these Officials they are entitled to Sovereign, Judicial and Absolute Immunity. The lower courts didn't rule based on the Law that deals with Liability for Jurisdictional, Discretionary and/or Mandatory Defects that clearly allows for relief from said Judges when the facts support this area of the Law and that the court did what it could not do and that is to rely on the Factual Basis for the State Court's Claim of Jurisdiction. *Thompson v Whitman*, 85 U.S. 457, 466-468, 1873; *Grover & Baker Sewing and Machine Co. v Radcliffe*, 137 U.S. 287, 294-295, 1890; *US v One Toshiba Color Television*, 213 F.3d 147, 150, 3<sup>rd</sup> Cir. 2000; *Mitchell v Beard*, 3<sup>rd</sup> Cir. 2012.

(2) Misstating or Ignoring of the facts: This Lawsuit alleged that the Respondents had Jurisdiction al, Discretionary and/or Mandatory Defects against them for which the court ignored. Mr. Reardon did also allege what they did that was consistent with the Law in that I alleged the Respondents had Common Law Mandates that the judges and prosecutors violated that stripped them of all Jurisdiction and Discretion in that I alleged the officials Lost, Lacked or Usurped their Jurisdiction and/or Discretion; that the Officials did violate my absolute right to the Common Law and what my rights are and were under the Common Law; they violated Court Mandates upon them that was not complied with and

they acted as Trespassers in the Law; I alleged the officials denied my Constitutional Right under color of law. *Romero v International Terminal Operating Co.*, 358 U.S. 354, 63,1959. And

(3) The court erroneously applied the law to the facts as the facts alleged are that if an Official has Jurisdictional, Discretionary or Mandatory Defects placed upon him under the Law, that he violates, he can be held liable for a Ministerial Act Violation and for which there is no Discretion on the part of the official. The Facts also stated the Defendants Lacked, Lost or Usurped their Jurisdiction, Discretion and/or Violated Mandates and what they did and the legal reasons they are liable. Recusal was based on the validity of the Lawsuit. I did not need to appeal the prior order.

(A) 1<sup>st</sup> and 9<sup>th</sup> Amendment Violations.

The lower Courts denied me of a Meaningful Right to be Heard.

The State Officials have a *Duty* to hear the people and address their concerns which all 3 Branches denied my *Absolute* rights under the Common Law. Blackstone's Commentaries, Pages 138-140.

This position is also in conflict with Judge Kugler's decision to the issue of Frivolous Proceedings in that it shows an inquiry into the state statutes before filing this Lawsuit which is one of the Criteria for claiming my complaints are Frivolous. Both of which thwart my efforts to obtain the opinions of the 3 Branches of the government for which the lower courts denied, (i) that he is applying the law unfairly in that he has forced this pro se plaintiff to prove more than he is

required to prove to get his case heard; (ii) he is granting everything the Respondents are asking for even when they have no legitimate factual or legal reason to do so and (iii) This Lawsuit does not fit the criteria for a Frivolous Lawsuit.

Compare these Facts to A1-82

Octane Fitness v. ICON Health & Fitness:

@1754:

The Federal Circuit subsequently clarified that *litigation is objectively baseless only if it is "so unreasonable that no reasonable litigant could believe it would succeed,"* iLOR, LLC v. Google, Inc., 631 F.3d 1372, 1378 (2011), and that *litigation is brought in subjective bad faith only if the plaintiff "actually know[s]" that it is objectively baseless,* id., at 1377.

Zion v. Nassan @413: A174-228.

A filing is "frivolous" for Rule 11 purposes if it is both *baseless and made without a reasonable inquiry*. Holgate v. Baldwin, 425 F.3d 671,676 (9th Cir.2005).

Professional Real Estate Investors, Inc. v Columbia Pictures Industries, Inc.,508 U.S. 49,56,

1993:

Nor did we "impute to Congress an intent to invade" the First Amendment right to petition.

Since all issues fall under the 9<sup>th</sup> Amendment Savings Clause, which is to protect and safeguard the rights of the people that are not directly stated in the Constitution, then all the courts/officials have denied my Rights.

The state officials, as they failed to honor or safeguard these rights and have thwarted my efforts to seek the valid and legal reasons for their customs, practices, procedures and usages, which they denied me of and thereby denied me

of my 1<sup>st</sup> and 9<sup>th</sup> Amendment Rights.

(B) Denial of my 5<sup>th</sup> Amendment Rights:

The facts surrounding the actions of the Lower Federal Courts as to the issue of recusal and the failure to comply with the law, and the fact that the Appellate Court's upholding Judge Kugler's Bias is such that I have been denied my rights to Fair Hearings, a Fair Tribunal and to the Equal Protections of the Law.

(C) Denial of my 8<sup>th</sup>, 9<sup>th</sup> or 14<sup>th</sup> Amendment Rights:

Blackstone's Commentaries, Book 1, Chapter 9, Page 331; Book 3, Chapter 3, Pages 24-25; Book 3, Chapter 4, Page 35 and The Courts and Lawyers of New Jersey, Courts of New Jersey, Pages 15, 79, 94, 118-119, 126 and 184:

The Court is only allowed to hear civil matters whose fines do not exceed 40 shillings [\$5.40.]

Blackstone's Commentaries, Book 4, Chapter 10, Page 137:

The Court only has jurisdiction over criminal matters to a maximum fine of 20 £. [\$54.00.] or under 3 months in jail.

Summary Jurisdiction Act of 1879, 42 & 43 Viet. C 49, Section 12:

*the right to a criminal trial by jury where the fine exceeds 20 £ or jail time is more than 3 months.*

*Section 17. Right to claim trial by jury in case of offenses otherwise triable summarily;*

*Section 18. Imprisonment in cases of cumulative sentences not to exceed six months.*

Clearly, under the Common Law, the State could not issue penalties of more than \$5.40 for Civilly based offenses nor more than \$54.00 for Criminally based offenses. All my fines exceeded these amounts.



Since these fines are as per the Common Law, the failure to recognize and protect these rights by the State and Federal Courts, they violate my rights under the 9<sup>th</sup> Amendment and my 8<sup>th</sup> Amendment Right against excessive fines. All the Courts denied my Rights guaranteed by the Common Law and Constitution.

(D) Common Law Right to either a Criminal or Civil Trial by Jury. 8<sup>th</sup>, 9<sup>th</sup> and 14<sup>th</sup> Amendment.

The Lower Courts' decisions failed to honor and protect my rights as set out above, and in this petition.

The Law as to this Lawsuit has diverging standards. These standards are:

1. The well settled law is that the 6<sup>th</sup>, 7<sup>th</sup> and 14<sup>th</sup> Amendments claims as to jury trials are not applicable to the States as applied. And

2. The Case of *Romero v International Terminal Operating Co.* @363 holds that Common Law Remedies are enforceable in the State and Federal Courts.

The Lower Courts have allowed the Municipal Court Judges to violate these limits upon them, thus all fines in violation of these limits violates my 8<sup>th</sup> Amendment Rights against Excessive Fines or Sentences.

(E) Failure of all Courts to grant my 9<sup>th</sup> Amendment Rights to proof of any matter. Blackstone's Commentaries, Book 3, Chapter 23, Pages 371-372; Book 4, Chapter 27, Pages 346, 351; 1676 Concessions and Agreements of West, New Jersey, Chapter XX: *Must* have 2 witnesses to prosecute any offender in a criminal or civil matter.

(F) Denial of my 14<sup>th</sup> Amendment Rights to travel the Highways. This

court found in *Buck v Kuykendall* @314 as Follows:

The people may have the right to travel and transport one's property upon them by auto vehicle.....

The Court Found in *Gibbons v Ogden*, 22 U.S. 1, 212, 1824 as Follows:

A privilege attaches to a right and may be regulated, but the law must imply a power to exercise the right. The privileges are gone if the Right is annihilated. Such a position is Contrary to all reason and to the course of human affairs.

Since the License Privilege merely allows the people to do that which we already have the right to do, since it can therefor only become a privilege that attaches to this right, and since the State has the present right to completely revoke its privilege and thereby annihilate this right, the privilege cannot legally exist and the people are free to enjoy their rights unrestrained. The Lower Courts have denied this right contrary to the Law.

*Shuttlesworth v. City of Birmingham*, Alabama, 394 U.S. 147, 151, 1969:

our decisions have made clear that a person faced with such an unconstitutional licensing law may ignore it and engage with impunity in the exercise of the right of free expression for which the law purports to require a license...

(G) The lower Courts have denied the following Personal/Private Rights of the people:

Blackstone's Commentaries, Introduction to the Laws of England. Rights of Individuals:

lage 119.....

.....Absolute, which are such as appertain and belong to particular men, merely as individuals or single persons:

...BY the absolute rights of individuals we mean those which are so in their primary and strictest sense; such as would belong to their persons merely

in a state of nature, and which every man is entitled to enjoy whether out of society or in it.

Page 120...

...Let a man, therefore, be ever so abandoned in his principles, or vicious in his practices, provided he keeps his wickedness to himself, and does not offend against the rules of public decency, he is out of reach of human laws.)

...For the principle aim of society is to protect individuals in the enjoyment of those absolute rights, which were vested in them by the immutable laws of nature.

Page 121...

...This natural liberty consists properly in a power of acting as one thinks fit, without restraint or control, unless by the laws of nature; being a right inherent in us by birth, and one of the gifts of God to man at his creation.

Page 130...

...This personal liberty consists in the power of locomotion, of changing situations, or removing one's person to whatever place one's own inclination may direct; without impairment or restraint, unless by due course of law. Concerning which may make the same observations as upon the preceding article; That is a right strictly natural; that the laws of England have never abridged it without sufficient cause; and that in this Kingdom it cannot ever be abridged at the mere discretion of the magistrate; without the explicit permission of the laws.....

Page 134:

V. THE third absolute right, inherent in every Englishman, is that of property: which consists in the free use, enjoyment, and disposal of all his acquisitions, without any control or diminution, save only by the laws of the land.

Page 138...

...When any uncommon injury or infringement of the rights before mentioned, which the ordinary course of law is too defective to reach, there still remains a 4<sup>th</sup> subordinate right appertaining to every individual, namely, the right of petitioning the King (The president) or either the house of parliament for (Congress and/or the Senate)

Page 139:

redress of grievances.

Page 140...

....We have seen that these rights consist, primarily, in the enjoyment of personal security, or personal liberty and private property. So long as these remain inviolate, the subject is perfectly free; for every species of compulsive tyranny and oppression must act in opposition to one or the other of these rights, having no other object upon which it can possibly be employed.

To preserve these from violation, it is necessary that the constitution of parliaments be supported in it's full vigor; and limits certainly known, be set to the royal prerogative. And, lastly, to vindicate these rights, when actually violated or attacked, the subjects of England are entitled, in the first place, to the regular administration and free course of justice in the courts of law; next to the right of petitioning the king and parliament for redress of grievances; *And all these rights and liberties it is our birthright to enjoy entire* ; unless where the laws of our country have laid them under necessary Restraints in themselves so gentle and moderate, 23 will appear upon farther enquiry, that no man of sense or probity would wish to see them slackened.

Right of free restraint to buy, posses, use, sell or otherwise dispose of our property as we see fit which cannot be infringed/impinged under the 9<sup>th</sup> and 14<sup>th</sup> Amendments.

(H) Liability of Respondents:

The Lower courts failed to honor my rights to both Equitable/Prospective and/or Legal Relief as per: Bogan v Scott-Harris @51-52; Antoine v Byers & Anderson Inc. @435; In re Charter Communications, Inc. @784:

51:

Respondent's heavy reliance on our decision in *Amy v Supervisors*, 11 Wall. 136 (1871), is misguided for this very reason. In that case, we held that local legislators could be held liable for violating a court order to levy a tax sufficient to pay a judgment, but only because the court order had created

a ministerial duty. Id., at 138 ("The rule is well settled, that where the law requires

52:

absolutely a ministerial act to be done by a public officer, and he neglects or refuses to do such act, he may be compelled to respond in damages to the extent of the injury arising from his conduct"). The treatises cited by respondent confirm that this distinction between legislative and ministerial duties was dispositive of the right to absolute immunity. See, e.g., Cooley 377 (stating that local legislators may be held liable only for their "ministerial" duties); Mechem § 647 (same)

435:

Indeed, we have recently held that judges are not entitled to absolute immunity when acting in their administrative capacity. *Forrester v. White*, 484 U. S. 219, 229 (1988).

436:

*absolute immunity from state law tort actions available to executive officials only when their conduct is discretionary).*

784:

Ministerial acts have long been recognized as nonjudicial by the Supreme Court. See, e.g., *Custiss v. Georgetown & Alexandria Turnpike Co.*, 6 Cranch 233, 10 U.S. 233, 236, 3 L.Ed. 209 (1810).

(I) Right to exercise our rights without payment of a Tax as to Registrations, Titles and Driver's Licenses.

The Lower Courts have allowed the State Courts to convert the exercise of a Right to a privilege and then Tax it.

This court stated in *Murdock v Pennsylvania*, 319 U.S. 105, 1943:

112:

The power to tax the exercise of a privilege is the power to control or suppress its enjoyment. It is contended, however, that the fact that the license tax can suppress or control this activity is unimportant

113:

if it does not do so. But that is to disregard the nature of this tax. It is a license tax — a flat tax imposed on the exercise of a privilege granted by the Bill of Rights. In all of these cases the issuance of the permit or license is dependent on the payment of a license tax. And the license tax is fixed in amount and unrelated to the scope of the activities of petitioners or to their realized revenues. It is not a nominal fee

114:

imposed as a regulatory measure to defray the expenses of policing the activities in question.

It is in no way apportioned. It is a flat license tax levied and collected as a condition to the pursuit of activities whose enjoyment is guaranteed.....

115:

It is claimed, however, that the ultimate question in determining the constitutionality of this license tax is whether the state has given some -thing for which it can ask a return. That principle has wide applicability. *State Tax Commission v. Aldrich*, 316 U.S. 174, and cases cited.

But it is quite irrelevant here. This tax is not a charge for the enjoyment of a privilege or benefit bestowed by the state. The privilege in question exists apart from state authority. It is guaranteed the people by the Federal Constitution.

This law only grants the citizen the privilege, to such right guaranteed by the Common Law as to Absolute Rights. They have merely created privileges that only gives the people the rights they already enjoy under the U.S. Constitution and Blackstone.

(J) i. As to no-fault insurance laws, the lower courts have ignored the people's rights thereunder:

Art. I, Section 8, Powers of Congress:

To Regulate Commerce with Foreign Nations, and among the several

States, and with the Indian Tribes:

Art. IV, Section 2 says:

The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the Several States.

Allgeyer v Louisiana, 165 U.S. 578, 1897:

587:

In the case before us the contract was made beyond the territory of the State of Louisiana, and the only thing that the facts show was done within that State was the mailing of a letter of notification, as above mentioned, which was done after the principal contract had been made.

The distinction between a contract made within and that made without the State is again referred to by Mr. Justice White in the same case as follows: "It is said that the

588:

right of a citizen to contract for insurance for himself is guaranteed by the Fourteenth Amendment, and that, therefore, he cannot be deprived by the State of the capacity to so contract through an agent.

This law allows the people the right to go to another State and Contract for insurance on their property for which the laws of the States presently forbid and deny.

The Laws deny the people of their right to the benefit of the Citizens of the several States as to interstate Commerce and the Right to Contract. They also deny the People's 1<sup>st</sup> or 9<sup>th</sup> Amendment Rights to Freedom of choice to decide if they wish to protect themselves from the Public.

ii. This 1<sup>st</sup> or 9<sup>th</sup> Amendment right of choice also applies to Seat Belt Laws as we cannot be required to Wear Seatbelts.

The right of the state to make laws only allows the state to do so if the Individual Trespasses on the Rights, Person or Property of Others; Affects the Health, Safety or Welfare of Others; or the people engage in some form of Commerce; or we open our Doors to the Public to be regulated.

This Court Noted in Munn v Illinois:

124:

.....that all shall be governed by certain laws for the common good." This does not confer power upon the whole people to control rights which are purely and exclusively private, Thorpe v. R. & B. Railroad Co., 27 Vt. 143; but it does authorize the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another. This is the very essence of government, and

125:

has found expression in the maxim sic utere tuo ut alienum non lædas. From this source come the police powers, which, as was said by Mr. Chief Justice Taney in the License Cases, 5 How. 583, "are nothing more or less than the powers of government inherent in every sovereignty, . . . that is to say, . . . the power to govern men and things." Under these powers the government regulates the conduct of its citizens one towards another, and the manner in which each shall use his own property, when such regulation becomes necessary for the public good.

The lower courts have denied my rights under the law as to No-Fault Insurance Laws that requires the individual to protect himself from the Public and not the Public from him as noted above, the State's No-fault Insurance Laws cannot be forced upon the individual since it (a) does not regulate how the individual acts toward his fellow citizens;(b) does not Violate any of the 4 Reasons the State can so regulate the individual. Thus as to No-Fault Insurance Laws they deny the individual the right of personal choice to protect himself from the Public



or not and (c) because a person's right to insurance rates is not directed to myself and my Driving Record but Forces the people to surrender their rights of personal choice, and to be required to pay fees based on someone else's record. That is, we must open ourselves to the issue of State Privileges.

(K) The Lower Courts have not allowed the peoples' Personal Rights not to be required to inspect their cars as per: Gibbons v Ogden:

@203-Inspection laws are for the regulation of commerce.

(L) The Lower Courts have allowed the state to bring private rights to be governed by laws for commerce when we don't belong there. Northern Securities Co. v U.S. 193 U.S. 197,1904:

368:

"Commerce undoubtedly is traffic, but it is something more, it is intercourse. It describes the commercial intercourse between nations and parts of nations in all its branches, and is regulated

369:

by prescribing rules for carrying on that intercourse."

The decisions of the Lower Courts are erroneous since they have not protected Mr. Reardon's Rights listed for all the reasons stated and because the Lower Courts have shown a Bias/Animus/Bent/Prejudice against Mr. Reardon and left numerous claims unresolved.

The State's Laws cannot be enforced as they are void. Lemon v Kurtzman, 411 US 192,198,1973.

Relief Sought

Mr. Reardon prays this Court will grant my Petition and settle and resolve all the claimed Rights, Remedies and Mandates as to the Common Law and overturn all the abusive decisions of the Lower Courts under this court's Supervisory Authority or due to the significant issues raised under the Constitution and because Judge Kugler should have recused himself from my Lawsuits due to his Bias/Bent/Animus/ Prejudice against Mr. Reardon.

Reverse of all orders and double or treble Costs from the filing of this Lawsuit till now and remand.

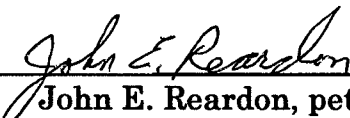
#### Conclusions:

The Common Law simply sets out certain functions as being ministerial no different than a statute outlining the functions of an official.

The Lower Courts abused their discretion and deliberately denied my 1<sup>st</sup>, 5<sup>th</sup> and 9<sup>th</sup> Amendment Rights and showed bias as the lower courts have ignored the facts alleged. Their decisions deliberately injure me in my Person, Property, Remedies, and Rights. They failed to give me all the benefit of my Allegations. Justice Delayed is Justice Denied. A1-82.

The Lower Courts have acted Tyrannically by refusing to comply with the Mandates of this court and to comply with this Court's opinions and violated their Duty to comply with and uphold this Court's Decisions.

Dated: 12/12/22

  
John E. Reardon, petitioner, pro se