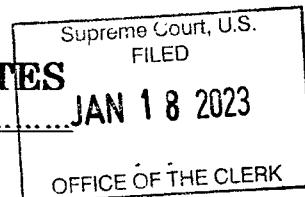


No. 876

In The  
**SUPREME COURT of the UNITED STATES**



DANIEL L POHLE.

Petitioner,

v,

MICHAEL R. PENCE, BARACK OBAMA, JOE BIDEN,  
HILLARY CLINTON, JOHN KERRY, JOHN BRENNAN,  
ROBERT MUELLER, JAMES COMEY, CHRISTOPHER  
WRAY, JOSHUA MINKLER, SIX UNKNOWN NAMED  
AGENTS, and CHIEF JUSTICE JOHN G ROBERTS

Respondants

On Petition For A Writ Of Certiorari To  
The United States Court Of Appeals  
For The Seventh Circuit

**PETITION FOR A WRIT OF CERTIORARI**

DANIEL L POHLE  
1280N CR500E  
Butlerville, Indiana 47223  
(812)-873-6349  
Pro Se Petitioner

## QUESTIONS PRESENTED

1. Whether the President of the United States is bound by the Supremacy Clause of the United States Constitution to seek injunction against a Governor of a state who provides a venue for an International Corporation to litigate a sales contract dispute against a United States Corporation in violation of the United Nations Convention on Contracts for the International Sale of Goods. (CISG)
2. Whether the knowing and willful non-compliance with a ratified United States Treaty by a President of the United States and other persons represents a Criminal Conspiracy against the United States of America under 18 -U.S. Code -371 or Treason under 18 -U.S. Code 2381.
3. Whether the knowing and willful non-compliance with a ratified United States Treaty by a President of the United States and other persons resulting in the blocking of Otter Creek Trading Co Inc and Daniel L. Pohle's Constitutional Right to Due Process in a court with proper jurisdiction represents a Criminal Conspiracy to Violate the Constitutional Rights of another person under 18 U. S. Code 241.
4. Whether the Rooker -Feldman Doctrine can be constitutional if it has been used as a tool of fraud by the United States Department of Justice and the State of Indiana to moot the United Nations Convention on Contracts for the International Sale of Goods (CISG) signed by the United States of America and ninety-four other nations.

11

## PARTIES TO THE PROCEEDING

**The Petitioner is: DANIEL L. POHLE, Owner and President of Otter Creek Trading Company Inc.**

**The respondents to this petition are:**

**MIKE PENCE, Former Governor of Indiana,**

**BARACK OBAMA, Former President of the United States**

**JOE BIDEN, Former vice-President of the United States**

**HILLARY CLINTON, Former Secretary of State**

**JOHN KERRY, Former Secretary of State**

**JOHN BRENNAN, Former Director of the C.I.A.**

**ROBERT MUELLER, Former Director of the FBI**

**JAMES COMEY, Former Director of the FBI**

**CHRISTOPHER WRAY, Current Director of the FBI**

**JOSHUA MINKLER, Former U.S. Attorney for the Southern District of Indiana**

**SIX UNKNOWN NAMED AGENTS of the United States Federal Government**

**THE HONORABLE CHIEF JUSTICE JOHN G ROBERTS,**

111

## **STATEMENT OF RELATED PROCEEDINGS**

### **FEDERAL**

**Seventh Circuit Case No. 21-3351 -POHLE v  
PENCE -July 25, 2022**

### **APPENDIX - (A)**

**POHLE v PENCE -Southern District of Indiana  
Case No. 4:20-cv-00139-SEB-DML**

### **STATE OF INDIANA**

**Indiana Supreme Court Case No. 62 N.E.3d 1202  
(Ind. 2016) Otter Creek Trading Co. v, PCM  
ENVIRO PTY LTD**

**Indiana Court of Appeals Case No. 60 N.E.3d 217-  
(2016) Otter Creek Trading Co. v, PCM ENVIRO  
PTY LTD**

### **JUDGEMENT**

**Jennings County Indiana Superior Court Case No.  
40D01-1410-00049**

**PCM Enviro (Australia) v Otter Creek Trading Co  
Inc and Daniel L Pohle (United States of America) --  
Judgement Date June 17, 2015**

### **APPENDIX - (B)**

**iv**  
**TABLE OF AUTHORITIES**

THE UNITED STATES CONSTITUTION.....
THE UNITED STATES BILL OF RIGHTS.....
ARTICLE VI-2 --THE SUPREMACY CLAUSE.....
THE UNITED NATIONS CONVENTION ON THE LAW OF TREATIES.....
THE UNITED NATIONS CONVENTION ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS.....
<u>MISSOURI v HOLLAND</u> .....
<u>BIVENS v SIX UNKNOWN NAMED AGENTS</u> .....
<u>42 U S CODE 1983</u> .....
18 U S CODE 2381----TREASON.....
THE -2001 AUSTRALIAN CORPORATIONS ACT...

V

TABLE OF CONTENTS

QUESTIONS FOR THE COURT.....	i
PARTIES TO THIS PROCEEDING.....	ii
LIST OF PROCEEDINGS.....	iii
TABLE OF AUTHORITIES.....	iv
TABLE OF CONTENTS.....	✓
PETITION FOR A WRIT OF CERTIORARI.....	1
INTRODUCTION.....	1
STANDARD OF REVIEW.....	2
FACTUAL BACKGROUND.....	2
ARGUMENT.....	6
REASON FOR GRANTING THE WRIT.....	7
MOTIVE FOR KNOWING WILFULL .....	7
CONCLUSION .....	9
TABLE OF APPENDICES.....	10
APENDIX -A.....	11
APENDIX -B.....	17

## **PETITION FOR WRIT OF CERTIORARI**

Pro Se Petitioner Daniel L Pohle, President and owner of Otter Creek Trading Co Inc located in Butlerville Indiana, respectfully petitions the court for a Writ of Certiorari to review the judgement of the Seventh Circuit Court of Appeals and to restore the United States Jurisdiction over International Treaties and The United States Bill of Rights.

### **INTRODUCTION**

**Pohle v Pence may be the most important Civil Rights and Constitutional Question case of the 21<sup>st</sup> Century.**

Both the United States Attorney General Merrick Garland and the United States Attorney for the Southern District of Indiana Zachary Myers are perpetrating a Fraud upon the Seventh Circuit Court by asking the court to ignore the Rule of Law and a self-executing International Treaty. As counsel for the federal defendants U. S. Attorney Zachary Myers appears to not understand that there is no statute of limitations on Jurisdiction or Civil Rights so getting Pohle v Pence dismissed will just result in another case involving the same Subject Matter being filed.

The Seventh Circuit in its decision unknowingly states very clearly Pohle's claims that Pohle v Pence

is a civil rights case about a Breach of Contract case in Jennings County, Indiana between an Australian Corporation, PCM ENVIRO PTY LTD and a United States Corporation, OTTER CREEK TRADING COMPANY INC.

The Seventh Circuit Court sees the United Nations Convention on Contracts for the International Sale of Goods but does not recognize it as a binding self-executing International Treaty and binding law.

The Seventh Circuit Court clearly does not realize the collateral damage to the Petitioner or to the United States of America rule of law.

#### **STANDARD OF REVIEW**

Daniel L. Pohle submits this petition for serious consideration De Novo.

#### **FACTUAL AND PROCEDURAL BACKGROUND**

In 1986 Senator Joseph Robinette Biden Jr. was one of the senators who voted to ratify The Vienna Convention on Contracts for the International Sale of Goods. On January 1, 1988 the Vienna Convention on Contracts for the International Sale of Goods (CISG) became federal law in the United States of America under the Supremacy Clause, Article VI-2 of the United States Constitution.

Ninety five countries are now parties to the CISG Treaty including Australia. International corporate contracts for the sale of goods are governed by the CISG articles if the corporations are based in countries that are parties to the CISG Treaty. CISG Article 1-1(a).

In 2014 Mike Pence was the governor of Indiana and Barak Obama was president of the United States. Petitioner, Daniel L Pohle was debriefing the United States Central Intelligence Agency as to the United States national risk surrounding the Obama / Biden Administration's pursuit of Blood Diamonds with Robert Mugabe the Dictator of Zimbabwe who was selling Uranium to North Korea.

In the summer of 2014 applicant's corporation Otter Creek Trading Co Inc made an agreement to sell a lead smelter containing intellectual property to a family trust doing business as PCM ENVIRO based in Melbourne, Australia. Australia is a party to the CISG Treaty. The Australian's tried to ship the smelter to a third party to be cloned which is a federal crime in the United States. The United States Department of Homeland Security was informed. The third party hired an attorney to file a breach of contract complaint on behalf of the Australians. The international breach of contract lawsuit was filed in Vernon, Indiana (population 220) in the Jennings County Superior Court with the Plaintiff being PCM ENVIRO PTY LTD without an Australian corporation number-(ACN) and the defendant listed as Otter Creek Trading Co Inc and Daniel L Pohle.

Petitioner, Daniel L Pohle as President of Otter Creek Trading Co Inc has customers in more than half of the countries that are parties to the CISG Treaty and understands the CISG Treaty Articles but the United States and Indiana courts have little experience with International law.

The Australian Embassy confirmed that PCM ENVIRO PTY LTD as written was not a legal corporate identification without an ACN number and could not receive payment without one. The embassy also confirmed that PCM ENVIRO PTY LTD was a shell and had never registered a business name under which to do business.

OTTER CREEK filed motions with the Jennings County Court for articles of incorporation of the Australian corporation to confirm the Australian plaintiff's identity but the small town judge got offended and found Otter Creek Trading Company Inc and Daniel L Pohle in default without a hearing. There is not even an order finding Otter Creek Trading Company Inc and Daniel L Pohle in default but instead an order for a hearing to determine damages. OTTER CREEK hired the only attorney that would even get close to the mess. The attorney filed a motion to correct errors that was denied without comment. A hearing was held for damages and a foreign national with a British accent and no identification appeared for PCM ENVIRO PTY LTD and claimed a loss of over one hundred and forty six thousand dollars for not receiving the fifteen thousand dollar machine and a related spare part. The Judgement Order is (APPENDIX -B)

The county court judgement for the Australian shell company was appealed to the Indiana Court of Appeals that failed and then the Indiana Supreme Court refused transfer and proved that an International Ghost can win an international lawsuit in Indiana if Mike Pence is Governor.

There is no county court order finding Otter Creek Trading Company Inc and Daniel L Pohle in default but there is a judgement (APPENDIX -B) on file in the room where Pohle v Pence was filed that now totals with interest well over three hundred thousand dollars.

The attorneys have all given up with money in their pocket. The Pro Se Petitioner has not. In 2017 the petitioner bought a one way ticket to Australia and hired the prestigious KCL law firm in Melbourne. A fifty three page sworn affidavit provided enough evidence to clear the judgement in state court but it proved to be a waste of time.

2018 and 2019 were both wasted in Indiana State Court and Mike Pence was the Vice President of the United States with his thumb on the scales and the political world was impeaching Donald Trump.

United States Customs and Border Patrol, the Federal Bureau of Investigation, the Department of Homeland Security, The Indiana State Police and 3 Jennings County Sheriffs were brought in and viewed the equipment in storage but can do nothing without the United States Attorney for the Southern District of Indiana.

## 6

### ARGUEMENT

**In 1918 a situation arose in the state of Missouri that reached the Supreme Court of the United States in 1920 and established case law confirming that International Treaties Ratified and Signed by a President are Binding even when the treaty conflicts with state law.**

**Missouri v Holland** was filed by the Attorney General of Missouri and answered by the Attorney General of the United States. The subject was migrating birds protected by four migrating bird treaties signed with Canada Mexico and other nations. The birds were not represented by counsel but now enjoy more protection under the United States Constitution while flying through United States air than Daniel L Pohle's two United States Chapter "C" Corporations registered in Indiana do under the United Nations Conventions.

With the case law of **Missouri v Holland** respondent Joshua Minkler, the U.S. Attorney for the Southern District of Indiana or now Zachary Myers current U.S. Attorney for the Southern District of Indiana could have filed a complaint in the Southern District of Indiana against the State of Indiana under the Supremacy Clause.

**The United States must site The Anti-Injunctions Act of 1948- Exceptions 1. (Expressly Authorized by Congress) and 2. (To Preserve the Jurisdiction of the United States) to clean up PCM ENVIRO PTY LTD v OTTER CREEK TRADING INC judgement and establish case law for the 5000**

state courts that do not have a clue as to how to react to matters governed by the United Nations Conventions on Contracts for the International Sale of Goods.... The Rule of Law !

#### REASONS FOR GRANTING THE WRIT

- A. To confirm that that public officials are only persons under the law and lose all immunity when violating federal statutes as they violate the Civil Rights of another person.
- B. To avoid deprivations of rights to Due Process and Equal Protection.
- C. To confirm; 42 U.S. Code 1983, BIVENS and POHLE v PENCE as remedies for the knowing willful violation of rights of persons by public officials while violating the United States Constitution.

#### MOTIVE for KNOWING AND WILFULL

Comes now the Pro Se Petitioner to ask the Court to grant the writ to see and understand the entire "Knowing and Willful" aspect of Pohle v Pence.

The Petitioner has been in business for five decades and for the last several decades has provided Diamond Mining Equipment to criminals seeking Blood Diamonds in failing nations.

In 2012 the Petitioner had the distasteful experience of providing consulting and equipment to

an Obama / Biden / Chicago group to mine Blood Diamonds with Robert Mugabe in Zimbabwe.

The photo below is of the Petitioner washing a Diamond sample in the Save River at the Marange Diamond Field, Zimbabwe. The military detail was compliments of the Mugabe Obama Biden Diamond Cartel.



**"Need to Know" is how "Sources and Methods" of gathering national security intelligence are protected in the United States and effective to the level that president Obama hired an "Intelligence Asset" to watch him commit Treason. The system broke down when the intelligence community became more loyal to the president than to the U.S. Constitution and seeks to destroy the Asset. So be it.**

## CONCLUSION

POHLE v PENCE confirms that it is time for the Supreme Court of the United States to write the obituary of the Rooker-Feldman Doctrine because the doctrine has been successfully used as a tool of Fraud by the Attorney General of the United States Merrick Garland and the Attorney General of the State of Indiana Todd Rokita to conceal from the Seventh Circuit Court the federal jurisdiction of the United Nations Convention on Contracts for the International Sale of Goods and the Applicant's Right to be heard by a court with proper jurisdiction over said United Nations Convention on Contracts for the International Sale of Goods?

Attorney General Merrick Garland now has De Facto Veto Power over a Treaty signed by the United States and ninety four other nations. Is NATO next?

The Supreme Court must grant this petition to restore the Rule of Law in the United States of America,



Daniel L Pohle

February 20 2023

1280 North County Road 500 East  
Butlerville, Indiana 47223  
(812) 873 6349  
Pro Se Petitioner

**TABLE OF APPENDICES**

**APPENDIX. A**

**THE OPINION OF THE UNITED STATES  
COURT OF APPEALS FOR THE SEVENTH  
CIRCUIT, dated JULY 25, 2022**

**APPENDIX. B**

**THE JUDGEMENT FOR INTERNATIONAL  
BREACH OF CONTRACT IN THE JENNINGS  
COUNTY, INDIANA SUPERIOR COURT dated  
JUNE 17, 2015**

App, A

United States Court of Appeals  
for the Seventh Circuit

.....  
No.21-3351

DANIEL L. POHLE

Plaintiff—Appellant,

Versus

MICHAEL PENCE, et al.,

Defendant—Appellee,

.....  
Appeal from the United States District Court for the  
Southern District of Indiana USDC No. 4:20-CV-139

.....  
(Filed July 20, 2022)

Before BRENNAN, SCUDDER, and KIRSCH II

.....  
ORDER

Daniel Pohle sued several high-ranking government officials alleging that they violated his rights by conspiring against him and allowing an allegedly wrongful state court decision to stand. The district court dismissed the suit for lack of jurisdiction under the Rooker-Feldman doctrine, as well as reasoned in

---

the alternative that Pohle failed to state a claim upon which relief could be granted. We agree with the district court that dismissal was proper, so we affirm.

Decided without a hearing July 25, 2022

.....

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

DANIEL L. POHLE, )  
Plaintiff, )  
v. )  
MIKE PENCE, et al. )  
Defendants. )  
No. 4:20-cv-00139-SEB-DML

## JUDGMENT

The Court having this day made its Entry directing the entry of final judgment, the Court now enters FINAL JUDGMENT. The action is dismissed for lack of jurisdiction.

Date: 2/22/2021

Arch. Bruce Barker

SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

App, B

Jennings County Indiana Superior Court  
Case No. 40D01-1410-MI-000049

PCM ENVIRO PTY LTD,  
.Plaintiff

vs

OTTER CREEK TRADING CO INC.,  
DANIEL L. POHLE, individually  
Defendants

.....  
JUDGEMENT FOR DAMAGES  
AND ORDER ON ALL PENDING MOTIONS

Line-4.-----PCM is an Australian company.....

Line-33.....

IT IS THEREFORE ORDERED, ADJUDGED, AND  
DECreed that PCM Enviro PTY LTD, is awarded a  
judgement in the amount of One Hundred Forty-Six  
Thousand Five Hundred Thirty-Seven and 80/100  
Dollars (\$146,537.80) against the defendants Otter  
Creek Trading Co Inc and Daniel L. Pohle. This  
judgement shall bear interest at a statutory rate of  
8% per year.

SO ORDERED: June 17, 2015

Matthew D Bailey--Special Judge

App. - C

Motive

**The Mugabe, Obama, Biden Diamond Cartel**

The worst kept secret in sub-Saharan Africa.

Cartoon in Zimbabwe newspaper below.

