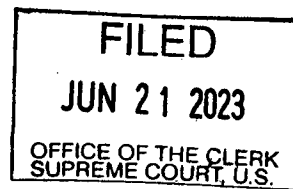


No. **23 - 5051**



IN THE
SUPREME COURT OF THE UNITED STATES

Andrew Valles, — PETITIONER
(Your Name)

vs.
Attorney General of the
United States, et al., — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals for the Tenth Circuit (Denver)
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Andrew Valles
(Your Name) COCR No. B50191
Fed. Reg. No. 86990-054
California Institution for Men
C-A-2124P, P.O. Box 500
(Address)

Chino, California 91708
(City, State, Zip Code)

USA
(Phone Number)

QUESTION(S) PRESENTED

1. Does the resort of 28 U.S.C. § 1915(b)(4) — a safety-valve created by Congress — succumb entirely to and find defeat in § 1915(g) — a seeming deterrent created by Congress, but evidently used as the outright absolute bar of access to courts and due process — when an indigent appellant or petitioner seeks to advance a court action of imperative public/national importance for the purpose to resolve questions of federal law — per Supreme Court Rule 10 and/or 11 — *In Forma Pauperis*?
2. Does 34 U.S.C. § 20913(d) violate the separation-of-powers and/or nondelegation doctrine?
3. Defined as government compelled speech, given their administrative activity and operation, do 28 U.S.C. § 2254(a) and/or SORNA in general violate the First Amendment?
4. Does Petitioner have to consent to any civil contract of adhesion for any purpose that opposes his interests in freedom of speech (expression) (even if — for privacy — he chooses to express nothing), AND does the Government have any standing to compel any person to authorize and/or execute any contract of adhesion (regardless of motive or means of inducement), AND are contracts of adhesion with the Government, that compel Petitioner to speak against his own interests, valid and/or enforceable?
5. Per *Leary, et seq.*, is SORNA constitutional, and, therefore, is SORNA a law any citizen must be compliant to when it (and its state-level counterparts) violate separation-of-powers and/or the First Amendment (in whole or part)?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[✓] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

- Attorney General of the United States
- Attorney General of the State of California
- Attorney General of the State of Utah

RELATED CASES

- Valles v. Atty. Gen., et al., No. 22-cv-595, U.S. District Court for the District of Utah. Order entered Dec. 20, 2022.
- Valles v. Atty. Gen., et al., No. 23-4066, U.S. Court of Appeals for the Tenth Circuit. Judgment entered Jun. 07, 2023.

also see: Valles v. Atty. Gen., et al.,

No. 22-cv-7870 (U.S.D.C., S.D.N.Y.)

No. 22-cv-6954 (U.S.D.C., C.D. Cal.)

No. 22-cv-1375 (U.S.D.C., S.D. Cal.)

No. 23-55441 (U.S.C.A., 9th Cir.)

No. 23-55445 (U.S.C.A., 9th Cir.)

1 RELATED CASES

2 (CONTINUED)

3
4 further see:
5 mmmm

6 Valles v. Calif. Dep't. of Corr. & Rehab. (Hill), et al.,

7 No. 20-CV-0774 (U.S.D.C., D.Ut.)

8 Valles v. United States, / United States v. Valles,

9 No. 20-CV-7835 / 19-CR-0672 (U.S.D.C., S.D.N.Y.)

10
11 Valles v. Allison, et al.,

12 No. 21-CV-0819 (U.S.D.C., S.D.Cal.)

13 No. 23-55264 (U.S.C.A., 9th Cir.)

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- APPENDIX C - Decision of Federal District Court.
- APPENDIX D - Original District Court complaint.
- APPENDIX E - Supreme Court Advisory and Prior Filing Excerpt Attempt.
- APPENDIX F - Inmate Statement Report
- APPENDIX G - Opposition Motions and Notices Filed in lower courts, Excerpts.

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☐ reported at _____; or,
☒ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix C to the petition and is

☐ reported at _____; or,
☒ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 07 June 2023.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. U.S. Constitution, Article I, Section 1.
2. U.S. Constitution, Amendment I.
3. 121 L.Ed.2d 817 (at Tit. I, §2, subd. b; "Practice Pointers")
4. 28 U.S.C. §§ 1291, 1292, 1915(b)(4), 1915(g), 2101(e),
and 2250(a).
5. 34 U.S.C. § 20913(d).
6. *Bruce v. Samuels*, 577 U.S. 82 (2016), 136 S.Ct. 627 (2016)
(per curiam).
7. *Gundy v. United States*, 139 S.Ct. 2116 (2019) (at concurrence
and dissent thereof).
8. *Gentala v. City of Tucson*, 213 F.3d 1055 (9th Cir. 2000).
9. *Lerman v. Board of Elections in City of New York*,
232 F.3d 135 (2d Cir. 2000).
10. *American Amusement Machine Ass'n. v. Kendrick*, 244 F.3d 572
(7th Cir. 2001).
11. *Keenan v. Tejeda*, 290 F.3d 252 (5th Cir. 2002).
12. *Lewis v. Cohen*, 165 F.3d 154 (2d Cir. 1999).
13. *Thorburn v. Austin*, 231 F.3d 1114 (8th Cir. 2000).
14. *Citizens United v. FEC*, 130 S.Ct. 876 (2010).
15. *Leary v. United States*, 395 U.S. 6, 89 S.Ct. 1532 (1969).
16. *AMG Capital Management v. FEC*, ___ S.Ct. ___ (2021) (per
curiam).
- ★ 17. Supreme Court Rule 11.
18. Sex Offender Registration and Notification Act of 2006
("SORNA").

STATEMENT OF THE CASE

Petitioner challenges the constitutionality of his alleged retroactive designation under federal law, and his alleged requirement to register under federal law, as a sex offender.

Petitioner challenges the constitutionality of SORNA on the basis that it is government compelled speech in violation of free speech protections under the First Amendment

Petitioner challenges the constitutionality of SORNA's scheme to require him to honor and be held liable to a contract of adhesion that is enforced by way of civil law compliance (post imprisonment) and penalized by way of criminal law for noncompliance, entirely against his freedom of speech interests, to submit to government compelled speech demands.

Petitioner challenges all lower court decisions that sought to absolutely bar his access to courts and due process because of "three strikes" rather than justly acknowledge his obvious indigent status and that the separation-of-powers violation alleged (and more) in his complaint is an imperative matter of public/national importance, in the interests 4 of justice.

REASONS FOR GRANTING THE PETITION

1. Grant of certiorari would resolve and establish law about how:

- (a) 28 U.S.C. § 1915(b)(4), and § 1915(g), are to operate and be applied to and for the indigent when their complaints involve federal questions of law that meet the high standard of Supreme Court Rules 10 and/or 11; as opposed to being abusive of the court process.
- (b) Pre-SORNA retroactivity questions shall be settled.
- (c) SORNA constitutionality, and administrative state of operations, are to be addressed.
- (d) impacted and affected case litigants may seek relevant and/or retroactive relief pursuant to the above.

2. Grant of certiorari would lead to the relief Petitioner seeks in his complaint, and it would benefit pending habeas petition proceedings elsewhere.

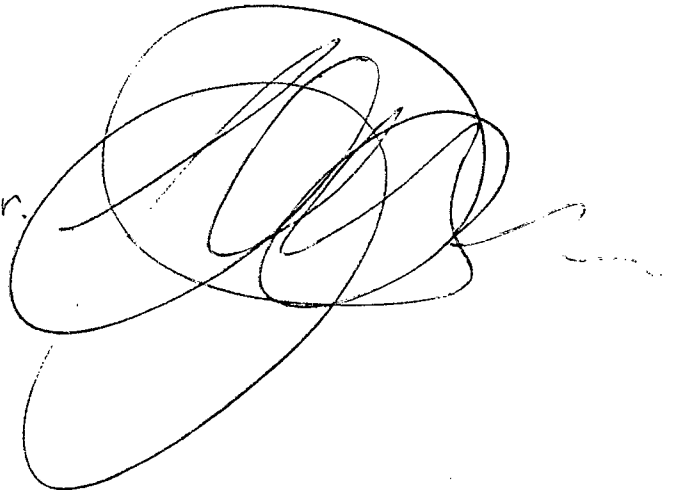
CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Andrew Valles, Petitioner.

Date: 17 June 2023

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