No. 23-545

9/27/23

In The Supreme Court of the United States

Achashverosh Adnah Ammiyhuwd Ngola Mbandi
et al,
Petitioners

v.

PANGEA VENTURES LLC et al,
Respondents

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF
APPEALS FOR THE SEVENTH CIRCUIT

PETITION FOR A WRIT OF CERTIORARI

King Achashverosh Adnah Ammiyhuwd
Ngola Mbandi
Hebrew Israelite Kingdom/Nation
King/Chief Ambassador And

Von Maxey
Ambassadors

In c/o 10033 Montery Road Unit B
Non-Domestic-without U.S.
Indianapolis, Indiana Zip Code [46235]
Exempt [DMM 602 1.3e(2)]
Real Land North America
Phone: (443) 350-4567

Joint Petitioners

Question Presented for Review

In judging conduct committed under color of law and in concert, affecting natural transient foreign aliens inherent Hebrew Israelite Kingdom/Nation lawful, biblical, spiritual, prophetic and symbolic expressive speech, origin of ethnicity, identity, character, nationality, national origin, reputation, culture, belief, speech and fundamental International United Nations (UN) Charter (1945), Article I of Chapter 1 self determination permanent, continuing, universal and inalienable right with a peremptory character of self-governing, autonomy to be free from slavery; or servitude and the slave-trade prohibited in all their forms under the Universal Declaration of Human rights (UDHR) Declaration and the International Covenant on Civil and Political Rights (ICCPR) Covenant as interpreted in Article 2 of the 1926 Slavery Covenant as a 28 U.S.C. §§ 1331 federal question subject to interpretation under the provisions of the Alien Tort Statute (ATS) 28 U.S.C. § 1350 (2007), also known as the Alien Tort Claims Act (ATCA). The two questions presented are:

1) Whether aliens of the Hebrew Israelite Kingdom/Nation self-determination, self-governing and autonomy, expressive first amendment retaliatory tort only claims committed in violation of the law of nations or a treaty of the United States inside the United States triggers the ATS/ATCA and/or § 1331 for a deprivation action under 42 U.S.C § 1983.

2) Whether aliens suing for fraud, and the unlawful storage and disposal of an automobile and symbolic property tort only committed inside the United States in violation of the law of nations or a treaty of the United States triggers the ATS/ATCA and/or § 1331 cause of action.

List of Parties to Proceeding

Plaintiffs

1. King/Chief Ambassador Achashverosh Adnah Ammiyhuwd Ngola Mbandi is a natural person of the tribe Of (Yahadah) Judah of the twelve tribes of (Yashar'al) Israel of the Hebrew Israelite Kingdom/Nation, King and heir to the Kingdoms of Ndongo and Matamba, Chief of the (Mbundu) Kimbundu peoples of Angola. A transient foreign alien North America. at App. 26a.
2. Ambassador Maxey is a natural person a transient foreign Kimbundu alien to the Kingdoms of Ndongo and Matamba, currently Angola, to the King and Hebrew Israelite Kingdom/Nation of Yahadah the twelve tribes of Yashar'al. North America. at App. 26a

Defendants

1. CEO Pete Martay,
2. Managing Principal Scott Larson
3. Agent Crystal Ball
4. PANGEA VENTURES LLC – Chicago, Ill
5. PANGEA REAL ESTATE LLC Indianapolis, Indiana
6. Owner John Sluss,
7. Manager Courtney Jaynes,
8. Dispatcher Erynn Naylor, and
9. Corey Sanders
10. ZLJS LLC, INDIANA'S FINEST WRECKER (IFW), Indianapolis, Indiana
11. Chief of police Randal Taylor,
12. Officer Marcus Shields
13. Officer Brennen T. Castro
14. THE CITY OF INDIANAPOLIS. Indiana

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PETITION FOR A WRIT OF CERTIORARI

Petitioners Malak (King) Chief Ambassador Achashverosh Adnah Ammiyhuwd Ngola Mbandi and Ambassador Von Maxey respectfully petitions for a writ of certiorari to review the judgment of the United States Court of Appeals for the Seventh Circuit in this case.

OPINIONS BELOW

Petition for Rehearing and Suggestion for Rehearing En Banc was denied August 17, 2023. Final judgment issued on July 17, 2023. Appeal was dismissed July 12, 2023, *Malak Achashverosh Adnah Ammiyhuwd Ngola Mbandi et al, v. Pangea Ventures LLC et al*, No. 22-3254 (7th Cir. Aug. 17, 2023)(App., *infra*, la-13a).

The district court order is at *Malak Achashverosh Adnah Ammiyhuwd Ngola Mbandi et al, v. PANGEA VENTURES LLC et al*, 1:22-CV-1274 (S.D. Ind. Nov. 18, 2022) (App., *infra,* 14a-19a)[1]

JURISDICTION

The judgment of the district court was entered on November 18, 2022. A joint Notice of Appeal was filed on December 20, 2022, and the case was docketed in the court of appeals on December 21, 2022 (7th Cir. No. 22-3254). The jurisdiction of this Court is invoked under 28 U.S.C. 1254(1).

SEE APPENDIX FOR CONSTITUTIONAL, STATUTORY, AND REGULATORY PROVISIONS INVOLVED

App. 26a-36a, 39a-52a, 54a

INTRODUCTION

The Alien Tort Statute (ATS), also known as the Alien Tort Claims Act (ATCA) 28 U.S.C. § 1350 and/or 28 U.S. Code § 1331 Federal question generally provides original jurisdiction and subject matter jurisdiction to the district courts of any civil action by an alien for a tort only, committed in violation of the law of nations or a treaty of the United States. at App. 33a-34a.

The First Amendment to the United States Constitution generally protects individuals against police officer's and others retaliation, infringement, deprivation discrimination against symbolic expressive origin of ethnicity, identity, character, nationality, national origin, reputation, culture, and belief. *Texas v. Johnson*, 491 U.S. 397 (1989). (forms of "symbolic speech" is protected by the First Amendment). App. 31a.

In recognizing the Free Speech Clause of the First Amendment it prohibits the government from "abridging the freedom of speech." The Court has long interpreted the Clause to protect against government regulation of certain core areas of "protected"speech (including some forms of expressive conduct), where government regulation may implicates political or ideological speech generally receives strict scrutiny in the courts, whereby the government must show that the law is narrowly tailored to achieve a compelling government interest. *Id.* at App. 31a.

Notably, political and ideological speech is at the core of the First Amendment, including speech concerning "politics, nationalism, religion, or other matters of opinion." See *W. Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943). And in *Johnson*, the Court unanimously acknowledged in a 5-4 ruling, that flag burning constitutes "symbolic speech". *Id.* at App. 31a.

Consistent with retaliation, and discrimination against symbolic expressive speech of origin of ethnicity, identity, character, nationality, national origin, reputation, culture, and belief conduct, most circuits has held that Norms such as the United Nations (UN) Charter Self-determination with a permanent, continuing, universal and inalienable right with a peremptory character of self-governing, autonomy and independence from slavery; or servitude and the slave-trade prohibited in all their forms would be a violation of the law of nations or treaty of the United States.

In *Filartiga v. Pena-Irala*, 630 F.2d 876 (2d Cir. 1980) the Second Circuit addressed the case of plaintiffs Dr. Joel Filartiga and his daughter Dolly Filartiga, both citizens of the Republic of Paraguary, appealed from a dismissal of their suit against Americo Norberto Pena Irala, also a Paraguayan citizen, for the wrongful death of Dr. Filartiga's son, *Joelito Filartiga*. brought an action under the ATS also known as ATCA Section 28 U.S.C. § 1350 provision.

The Court found that the Alien Tort Statute provides federal jurisdiction to sue for wrongful death resulting from the use of torture conducted under color of official authority.[2] Regardless of the nationality of the parties, whenever the alleged torturer can be served with process by an alien plaintiff within the borders of the United States, violation of the universally accepted norms of the international law of human rights demands this result. As in petitioners case, Dr. Filartiga's asserted Federal jurisdiction under 28U.S.C. § 1331" and 28 U.S. C. § 1350, 12 the Alien Tort Statute, which states,"The district courts shall have original jurisdiction of any civil action by an alien for a tort only, committed in violation of the law of nations or a treaty of the United States." The Seventh circuit decisions go

against the U.N. significant declarations because they specify with great precision the obligations of member nations (Angola and the United States of America) under the Charter. Review by this court is warranted.

The Ninth and Eleventh Circuits, in contrast, both relied on the plain meaning of the statutory language to hold that ATS also known as ATCA section applies to the district courts original jurisdiction of any civil action by an alien for a tort only, committed in violation of the law of nations or a treaty of the United States completed after the enactment of 28 U.S.C. § 1350 allowing claims only for three historical common-law torts under the ATS—violation of safe-conduct assurances, infringement of the rights of ambassadors, and piracy—even though there is a direct link to U.S. activity.

Since 1984, some defendants have argued that an additional express cause of action should be required for suits under the ATS, but every lower court to address the argument had rejected it, and the Court has consistently denied certiorari in those cases.

The Ninth Circuit reached the same conclusion in *In re Estate of Marcos Human Rights Litig.*, 25 F.3d 1467 (9th Cir.1994). *Marcos* should be understood, however, as a case with international as well as domestic consequences. Like *Filartiga* the Marcos proceedings serve a constitutive or evidentiary role in the formation of international law. In against torture for the purposes of § 1350, the *Filartiga* court helped to clarify the norm itself. Under generally accepted principles of legal interpretation, foreign and international tribunals may appropriately invoke the *Filartiga* decision as evidence of how state actors conceive the status of international norms proscribing

torture and, by extension, other violations of core human rights. The *Marcos* verdict has a similar effect on international law, especially with respect to the standard of self-executed external self-determination, autonomy and prohibition of slavery, slave-trade in all its forms in the absence of consent and against another will, liability, the rules of evidence, and the due process rights committed under color of authority. See In re *Marcos*, 35 F.3d at w1475 (emphasis added) (citing *Filartiga v. Pena-Irala*, 630 F.2d 876, 881 (2d Cir. 1980).

In reaching this conclusion, the Ninth Circuit rejected *Marcos-Manotoc's* assertion that she was entitled to sovereign immunity because her challenged actions were premised on her authority as a government agent. Estate I, 978 F.2d at 497. In *Chuidian v. Philippine Nat'l Bank*, 912 F.2d 1095 (9th Cir. 1990), and had held that FSIA does not immunize a foreign official engaged in acts beyond the scope of his authority: Where the officer's powers are limited by statute, his actions beyond those limitations are considered individual and not sovereign actions. The officer is not doing the business which the sovereign has empowered him to do. In that case, the court held the action is against the estate of an individual official who is accused of engaging in activities outside the scope of his authority. FSIA did not apply. *Ex parte Young* :: 209 U.S. 123 (1908). "[A] jus cogens norm, also known as a peremptory norm of international law, is a norm accepted and recognized by the international community of states as a whole as a norm from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character." *Siderman*, 965 F.2d at 714, quoting Vienna Convention on the Law of Treaties, art. 53, May 23, 1969, 1155 U.N.T.S. 332, 8 I.L.M. 679. This interpretation is

consistent with FSIA's codification of the "restrictive" principle of sovereign immunity in private acts. *Chuidian,* 912 F.2d at 1099-1100. See also *Siderman,* 965 F.2d at 705-06 (reviewing history of foreign state immunity and the enactment of FSIA); *McKeel,* 722 F.2d at 587 n. 6. Immunity is extended to an individual only when acting on behalf of the state because actions against those individuals are "the practical equivalent of a suit against the sovereign directly." *Chuidian, 912 F.2d at 1101.*

In *Abebe-Jira v. Negewo,* 72 F.3d 844 (11th Cir.1996) (suit brought by ex-prisoners against a quondam governmental official of a former Ethiopian military dictatorship for torture). The Eleventh Circuit read that section § 1350 requires the district courts to hear claims "by an alien for a tort only, committed in violation of the law of nations." 28 U.S.C. 1350 (West 1993) (emphasis added). The court read the statute as requiring no more than an allegation of a violation of the law of nations in order to invoke section 1350. See *Kadic,* 70 F.3d at 238 ("[The] statute confers federal subject-matter jurisdiction when the following three Satisfied: (1) an alien sues (2) for a tort (3) committed in violation of the law of nations (i.e., international law); *Marcos,* 25 F.3d at 1475 ("[N]othing more than a violation of the law of nations is required to invoke section 1350.") (quoting *Tel-Oren,* 726 F.2d at 779 (Edwards, J., concurring)); *Xuncax.* 886 F. Supp/ at 180 ("All that the statue requires is that an alien plaintiff allege that a 'Tort' was committed 'in violation' of international law or treaty of the United States."). *Id.*

Moreover, the "committed in violation" language of the statute suggests that Congress did not intend to require an alien plaintiff to invoke a separate enabling statute as a precondition to relief under the Alien Tort Claim

Act. See, e.g., *Handel v. Artukovic,* 601 F. Supp. 1427(C.D.Cal. 1985) ("T]he violation language of Section 1350 may be interpreted as explicity granting a cause of action...."); *Paul*, 812 F.Supp. F.Supp. at 212 (same); *Forti* 672 F. Supp. at 1539 (same). Lastly, the court found support for its holding in the recently enacted Torture Victim Protection Act of 1991 (TVPA), Pub.L.No. 102-256 Stat. 73. sues (2) for a tort (3) committed in violation of the law of nations (i.e., international law). See App. 33a

The Seventh Circuit Court Interpretation it self deviates away from its own interpretation in *Jogi I and Jogi II. Jogi* presented the question whether a foreign national who is not informed of his right to consular notification under Article 36 of the Vienna Convention on Consular Relations (Vienna Convention), Apr. 24, 1963, 21 U.S.T. 77,T.I.A.S. No. 6820, 596 U.N.T.S. 261, has any individual remedy available to him in a U.S. court. The Seventh Circuit original opinion in the case, *Jogi v. Voges*, 425 F.3d 367 (7th Cir.2005), concluded that the answer was yes.

The original opinion, to which we refer here as *Jogi* I, held that the district court had subject matter jurisdiction under both the general federal jurisdiction statute, 28 U.S.C. § 1331, and under the ATS, 28 U.S.C. § 1350. See 425 F.3d at 371-73. See also *Jogi v. Voges*, 480 F.3d 822, 824 (7th Cir. 2007) (*Jogi II*).

The Seventh Circuit failed to arrive at the conclusion that the district courts could hear rebutted presumptions against extraterritorial claims knowing that one of three limits on state power derived from the Dormant Commerce Clause in Plaintiffs case as it did in Jogi that "touches and concerns" the United States with "sufficient force" jurisprudence emphasizing the need to ensure the natural function of the national marketplace for storage and for disposal

of a towed not-for-profit automobile and symbolic automobile tag in disguise as a vehicle and license plates in petitioners' case similar to slavery or servitude slave-trade prohibited under customary international law and an impermissible regulation of interstate and/or intrastate commerce in the Hebrew Israelite Kingdom/Nation. Petitioners displaces the "prudential" exhaustion requirement. See *Fischer v. Magyar Államvasutak ZRT.*, 777 F.3d 847, 859 (7th Cir. 2015), id. n.2; see id. at 859 (explaining that exhaustion is not required when plaintiffs have identified "a legally compelling reason to excuse"the requirement).

The Seventh Circuit's Decision conflicts with the decisions of the Court. In holding that petitioners self-executed, external self-determination, self-governing and autonomy frivolous, wholly insubstantial, and unrelated to the disputes and that plaintiffs have no conceivable claim no matter how they drafted the complaint under 28 U.S.C. § 1350, and ignored three additional principles of statutory construction. (1) an alien, (2) a tort only (3) violation of the law of nations or a treaty of the United States. See App. 8a.

In *Sosa v. Alvarez-Machain,* 542 U.S. 692, 728, 124 S.Ct. 2739, 159 L.Ed.2d 718 (2004) a U.S. Drug Enforcement Agency (DEA) special agent was kidnapped and murdered by a Mexican drug cartel in 1985. After an investigation, the DEA concluded that Humber to *Alvarez-Machain* had participated in the murder. The Court, found that the government could try a person who had been forcibly abducted, that the abduction itself might violate international and provide grounds for a civil suit. *Alvarez-Machain* then filed a civil suits in federal court against the United States and the Mexican nationals who had captured him

under the FTCA, which allows the federal government to be sued on tort claims, and the ATS. When the case went back to the district court for trial, *Alvarez-Machain* was found not guilty for lack of evidence.

The federal district court disagreed with the government's contention that the FCTA claim did not apply, finding that plan to capture *Alvarez-Machain* was developed on U.S. soil and therefore covered. District court however, ruled that the DEA had acted lawfully.

On the ATS claims, the court rejected the argument that private individuals could not bring suit under the Act. The court found that Jose Francisco Sosa, one of the Mexican nationals who kidnapped Alvarez- Machain, had violated international law and was therefore liable under the ATS.

On appeal, the Ninth Circuit Court of Appeals overturned the district court's FTCA decision, ruling that the DEA could not authorize a citizen's arrest of *Alvarez-Machain* in another country and was therefore liable. The appeals court did, however, affirm the lower court's finding on the ATS claim, upholding the judgment against Sosa. On petition for writ of certiorari to the Court, the court held that the ATS did not create a separate ground of suit for violations of the law of nations. Instead, it was intended only to give courts jurisdiction over claims of traditional law of nations case -those involving ambassadors. *Id.*

The Court should grant review to clarify the law governing subject matter jurisdiction of any civil action by an alien for a tort only committed in violation of the law of nations or a treaty of the United States committed inside the United States under 28 U.S.C. § 1331 federal question

subject to interpretation whether it triggers for retaliation the provision of the ATS/ATCA 28 U.S.C. § 1350 (2007), for a deprivation, infringement, hindrance and interference actions against decolonization under color of law is actionable under 42 U.S.C § 1983. *See Sosa,* 542 U.S. at 729 ("[T]he judicial power should be exercised on the understanding that the door is still ajar subject to vigilant doorkeeping, and thus open to a narrow class of international norms today."). *Id.*

STATEMENT OF THE CASE

A. On July 1, 2021, petitioners found published on their HQ unit in bad faith for all to see, a defamatory per se, in the alternative per quod libel, slander, undisputed false, with actual malice and sexual in nature statement negotiable instrument dated June 29, 2021.

The following facts were admitted or undisputed in the lower federal court proceedings. On July 1, 2021, prior to August 9, 2021, and the signing of a negotiable instrument without prejudiced, petitioners found published on their HQ unit in bad faith for all to see, a defamatory per se, in the alternative per quod libel, slander, undisputed false, with actual malice and sexual in nature statement negotiable instrument dated June 29, 2021. Martay, Larson and Ball in violation of Petitioner's biblical, origin of ethnicity belief and expression. Acting under color of law and in concert apparent on the face of the negligent statement itself that petitioners, two spiritual, biblical, and prophetic heterosexual males are "BOYFRIENDS" against their beliefs.

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[1] The Seventh Circuit opinions omits this undisputed fact, which reveals improper statements against Chief Ambassador Mbandi and Ambassador Maxey Under the heightened standard of Rule 9(b) of the Federal Rules of

The First Amendment requires that a plaintiff show that the defendant knew that a statement was false or was reckless in deciding to publish the information without investigating whether it was accurate, causing damage to the joint Petitioners' (plaintiffs') foreign and alien Ndongo and Matamba national origin, Ngola Mbandi and Mbundu blood Hebrew Israelite, biblical, spiritual and prophetic origin of ethnicity. *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964). See App. 31a.

B. State or Private Actors gave Legal and Lawful possession of Unit B as a gift, or rights for their biblical mission of secession, and decolonization.

On August 9, 2021, state or private actors respondents (Defendants), Pangea Ventures LLC, Pangea Real Estate LLC, CEO Martay, Managing Principal Larson and Agent Ball, (respondents) in a colonized country through succession or gift or rights gave petitioners Ambassador Maxey, Chief Ambassador Mbandi and as well as Ambassador Yashiyah Mika'al Yashar'al that is not a party to this matter according to their biblical mission of secession and decolonization lawful and legal right of possession to Unit B, now the Head Quarters (HQ) of the Hebrew Israelite Kingdom/Nation, their Royal flag and private parking spots located at 10033 Montery Road, Indianapolis, Indiana, Zip Code [46235] Exempt pursuant to Domestic Mail Manual (DMM) 602 1.3e(2)], and the United States Post Office Department (USPOD) of the Cabinet department 1872, Non-Domestic without the U.S See App. 36a-55a.

Civil Procedure," alleging fraud with particularity. *Borsellino v. Goldman Sachs Group, Inc.*, 477 F.3d 502, 507 (7th Cir.2007).

On August 9, 2021, Petitioners Ambassador Maxey, Chief Ambassador Mbandi, as well as Ambassador Yashiyah Mika'al Yashar'al, signed a negotiable instrument without prejudice a new negotiable Instrument with Defendants Pangea Real Estate and Agent Ball and took lawful and legal possession of private Unit B and a private parking space under UCC 1-308 reservations of rights without additional consideration and placed no trespassing signs on private Unit B, and raised their Hebrew Israelite national flag. The August 9, 2021, negotiable instrument agreement isn't now nor was it ever subject to termination by the lessee or by the lessor after February 7, 2023 alleged expiration date. See App. 36a-53a

C. State or Private Actors took illegal and unlawful possession of property without consent and without authority.

On May 3, 2022, and on June 1, 2022, State or private actors respondents Pangea Ventures LLC, Pangea Real Estate LLC, Martay, Larson and Ball while acting under color of law and in concert with state or private actors respondents ZLJS LLC, IFW, John Sluss, Courtney Jaynes, Erynn Naylor, and Corey Sanders, used a misleading, fraudulent and void commercial parking addendum to tow Petitioners" Non-Commercial 2004 Red Dodge Stratus automobile Vin 1B3EL36X04N373269 and symbolic speech automobile tag from their private parking spot for storage and for disposal without consent or lawful or legal authority. See App. 28a, 45a-53a.

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[2] Chief Ambassador Mbandi and Ambassador Maxey seeks redress only for conduct occurring after their non-commercial automobile and symbolic automobile tag displaying their Hebrew Israelite Ngola Mbandi and (Mbundu) Kimbundu origin of ethnicity ceased moving and stored for disposal.

On June 2, 2022, while attempting to retrieve their non-commercial automobile and their symbolic automobile tag that displays their Hebrew Israelite Ngola Mbandi and (Mbundu) Kimbundu origin of ethnicity. Manager Jaynes of IFW acting under the color of law and in concert called respondents (Defendants) the City of Indianapolis, Chief of Police Randal Taylor of Indianapolis Metropolitan Police Department (IMPD). However, Chief Taylor aware of the fact there was a pending and similar lawsuit against he, other officers and the City of Indianapolis retaliated against Petitioners. See *Yashiyah Mika'al Yashar'al v, City of Indianapolis.,* 1:20-cv-2988. (S.D. Ind. November 20, 2020). See App. 28a, 45a-54a.

On June 3, 2022, petitioners sent "Notice of Intent To Sue" to the state or private actors Pangea Ventures LLC, Pangea Real Estate LLC, ZLJS LLC, IFW, and political Subdivision City of Indianapolis by email to satisfy the claims against the State actors and political subdivision; notice requirement pursuant to Ind Code § 34-13-3-8 (a)(1) (2017) and I.C. 24-5-0.5-5(a).

[3] Sarah Evans Barker was the presiding judge. over the matter for violation of Vienna Convention on Consular Relations (VCCR) now pending on appeal. See *Yashiyah Mika'al Yashar'al v, City of Indianapolis.,* 1:20-cv-2988. (S.D. Ind. April 20, 2020).

D. Chief Ambassador Ngola Mbandi and Ambassador Maxey sues for infringement, deprivation, discrimination, retaliation, Defamation Per Se or Per Quod with actual malice libel and for fraud against their symbolic expressive speech of origin of ethnicity, identity, character, nationality, national origin, reputation, culture, belief, and hindrance of fundamental UN Charter (1945) Article 1 of Chapter 1 self-determination, self-government for Unjust Enrichment district court dismissed without prejudice with leave to amend.

On June 27, 2022, Chief Ambassador Ngola Mbandi and Ambassador Maxey filed their Joint fifty four (54) page, Verified Complaint for infringement,deprivation, systematic discrimination, retaliation and fraud against their symbolic expressive speech of origin of ethnicity, identity, character, nationality, national origin, reputation, culture, belief, and for hindrance of fundamental self-determination, self-government and independence under 42 U.S,C§ 1983 et seq, ATS 28 U.S.C. §§ 1350 (2007), FSIA provision 28 U.S.C. § 1330, 28 U.S.C. § 1331, 28 U.S.C. 1603, 28 U.S.C. 1605-1607, and 49 U.S.C. 14501(c)(1) and for Defamation Per Se or Per Quod with actual malice libel and in concert fraud under color of law brought under 49 U.S.C. § 14501(c)(1), known as the Federal Aviation Administration Authorization Act ("FAAAA"), for violation of the Deceptive Consumer Sales Act (DCSA) seeking redress only for conduct occurring after the automobile and symbolic automobile tag ceased moving, stored for disposal. See *Dan's City Used Cars, Inc. v. Pelkey*, 569 U.S. 251 (2013) (App., infra, 1a-54a).

E. District court dismissed Third Amended Operative complaint with prejudice for lack of jurisdiction and for failure to state a cause of action and the Seventh Circuit Confirmed.

On November 16, 2022, petitioners filed their joint Third Amended 39 page Verified Complaint ("Operative Complaint") 42 USC § 1983 *et seq,* 28 U.S.C. §§ 1331, 1343, 1367, for Declaratory and/or Injunctive relief pursuant to 28 U.S.C. §§ 2201 and 2202 and for damages under Article II,

[4] The case of *Yashiyah Mika'al Yashar'al v, City of Indianapolis* is currently pending on appeal. See Seven Circuit Court of Appeal Appeal # 23-1839 is also currently on appeal for violations of the Article 36 of the Vienna Convention on Consular Relations (VCCR). See Seven Circuit Court of Appeals, Appeal # 23-1839.

Section 2, the ATS/ATCA, 28 U.S.C. § 1350 (2007),the FSIA and 28 U.S.C. § 1605-1607. 28 U.S.C. § 1331, 28 U.S.C. 1603, 28 U.S.C. 1605-1607, and 49 U.S.C. 14501(c)(1) for infringement, deprivation, Defamation Per Se or Per Quod with actual malice libel, retaliation and in concert fraud under color of law brought under 49 U.S.C. § 14501(c)(1), known as the Federal Aviation Administration Authorization Act ("FAAAA"), for violation of the Deceptive Consumer Sales Act (DCSA), and other causes of actions. (App., infra, 1a-54a).

Chief Ambassador Ngola Mbandi and Ambassador Maxey plead their claims with particularity pursuant to Federal Rule Civil Procedures (FRCP), Rule 9(b) pleading requirement with attached Exhibits inside their joint complaint displaying their Ndongo and Matamba origin of ethnicity and national origin Ngola Mbandi and Mbundu, dual American national republic status to enjoin state or private actors Pangea Ventures LLC, Pangea Real Estate LLC, ZLJS LLC, IFW, agents, employees and political subdivision City of Indianapolis police officer's infringement, deprivation, retaliation and discriminating enforcement of Ordinance Chapter 611 abandon vehicle statute in violation of the UN Charter (1945) Article 1 of Chapter 1 right to self-determination, self-government and inherent, natural inalienable explicit recognized right to be free from retaliation, slavery the slave-trade prohibited under the UDHR, and the ICCPR Covenant in all its forms, subject to interpretation under Article 2 of the 1926 Slavery Convention. District court dismissed the complaint without prejudice. at App. 1a, 36a.

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[5] Petitioners plead the elements of a fraudulent claim with particularity under the DCSA are: (1) "incurable" deceptive act" where the damaged consumer is excused

On November 16, 2022, petitioners filed their joint Third Amended 39 page Verified Complaint ("Operative Complaint") 42 USC § 1983 *et seq,* 28 U.S.C. §§ 1331, 1343, 1367, for Declaratory and/or Injunctive relief pursuant to 28 U.S.C. §§ 2201 and 2202 and for damages under Article II, Section 2, Clause 2, Article III, Section 2, the ATS/ATCA, 28 U.S.C. § 1350 (2007),the FSIA and 28 U.S.C. § 1605-1607. (App. *infra,33a - 54a)*

The Operative Complaint was filed against state or private actors Pangea Ventures LLC, Pangea Real Estate LLC, their agents Martay, Larson and Ball; ZLJS LLC, IFW, its agents and employees John Sluss, Courtney Jaynes, Erynn Naylor, Corey Sanders and political Subdivision City of Indianapolis, its Chief of Police Taylor, Officers Shields, and Castro with a federal question for retaliation and violations of First Amendment to the United States Constitution freedom of speech, symbolic expression to origin of ethnicity position, to their inherent, natural inalienable right of self-determination as interpreted in the Holy Bible Genesis 15:14 (KJV), fundamentally complementing the UN Charter (1945), the UDHR Article 4, Article 19 Covenant treaty, and the ICCPR Article 8(1) (2) and Article 19 to enjoin state or private actors Pangea Ventures LLC, Pangea Real Estate LLC, state actor ZLJS LLC, IFW, political subdivision City of Indianapolis, enforcement of Chapter 611 abandon vehicle IC 9-13-2-1 LLC, ZLJS LLC, IFW, agents,employees and political subdivision City of the Uniform Deceptive Trade Practices Act for false advertising after the unlawfully and

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from giving timely notice to the supplier under I.C. 24-5-0.5-5(a) because the respondents defect is incurable intent to defraud requisite and mislead.

[6] Under the heightened standard of Rule 9(b) of the Federal Rules of Civil Procedure, fraud is stated with particularity the circumstances constituting fraud."

Illegal expropriation of their private property for storage and disposal through a fraudulent, void expired commercial Negotiable instrument. See *Dan's City Used Cars, Inc. v. Pelkey,* 569 U.S. 251 (2013). On November 18, 2022, the district court dismissed Petitioners' (plaintiffs) third amended verified operative complaint with prejudice for lack of jurisdiction and for failure to state a claim pursuant to Rule 12(b)(6). Petitioners joint Notice of Appeal was filed on December 20, 2022, and the case was docketed in the court of appeals on December 21, 2022 (7th Cir. No. 22-3254). See App. 18a-19a, and 24a. -.

The Seventh Circuit refused to recognize violations of "[U]niversally recognized norms of international law providing judicially discoverable and manageable standards for adjudicating suits brought under the ATS and/or 28 U.S.C. § 1331 provisions," and affirmed district court dismissal *Id.* at 3a-4a. The court reasoned that plaintiffs had no conceivable claim under "[U]niversally recognized norms of international law providing judicially discoverable and manageable standards for adjudicating suits no matter how they drafted the complaint with"retaliation." *Id.* at 33a-34a.

REASONS FOR GRANTING THE PETITION

On July 12, 2023, the Seventh Circuit issued a Nonprecedential Disposition order dismissing appeal for want of jurisdiction, a July 17 2023 final judgment, and its August 17, 2023 decision denying petition for rehearing and suggestion rehearing En Banc creating a three separate circuit splits by adopting an entirely new, standard regarding the showing of obtaining subject matter jurisdiction for violation of the law of nations or a treaty of the United States

where a King and his people as aliens after four hundred (400) years (1619 to 2019) of indentured servitude, slavery and captivity have and does now execute full external self-determination, self-governing and independence according to, but is not limited to the Holy Bible prophecy of Genesis 15:14 (KJV), and customary international law. at (App., *infra,* 2a-5a).

Chief Ambassador Mbandi and Ambassador Maxey filed joint petition for rehearing and rehearing en banc arguing the panel's orders conflict with the prior opinion of the Seventh Circuit and other circuits regarding the question of federal courts exercise of jurisdiction for claims brought by aliens for torts only committed "in violation of the law of nations or a treaty of the United States triggering the ATS/ATCA, 28 U.S.C. 1350 and/or 28 U.S.C. §1331 provision.

I. THE COURT SHOULD GRANT REVIEW TO DECIDE WHETHER ALIENS OF THE HEBREW ISRAELITE KINGDOM/NATION SELF DETERMINATION, SELF GOVERNING, AND AUTONOMY EXPRESSIVE FIRST AMENDMENT RETALIATORY TORT CLAIMS COMMITTED IN VIOLATION OF THE LAW OF NATIONS OR A TREATY OF THE UNITED STATES INSIDE THE UNITED STATES TRIGGERS THE ATS/ATCA AND/OR § 1331 AND A CAUSE OF ACTION FOR DEPRIVATION OF RIGHTS UNDER 42 U.S.C § 1983.

The Seventh Circuit orders, indiscriminately forces petitioners of the Hebrew Israelite Kingdom/Nation to demonstrate a higher standard claim than the similarly situated Kingdom of the Netherlands view that the United Nations Charter (1945). The Court

should clarify whether retaliation and violation of Article 1 of Chapter 1 self-executed, self-determination of peoples with a permanent, continuing, universal and inalienable peremptory right to be free from slavery or servitude and the slave trade prohibited in all their forms as interpreted in the 1926 Slavery Convention subject to interpretation trigger the ATS/ACTA and/or 28 U.S.C. § 1331 provision, further review is in order.

1 **The Court Should clarify that the and/or 28 U.S.C.A 1331 apply to retaliatory infringement and deprivation actions against symbolic expressive speech, self-determination, self governing, independence symbolic expressive speech, origin of ethnicity culture.**

Passed by the First Congress as part of the Judiciary Act of 1789, the ATS, also known as the ATCA codified in 1948 as 28 U.S.C. § 1350 provision "unlike any other in American law" and "unknown to any other legal system in the world." The ATS/ATCA Section 28 U.S.C. § 1350 and/or 28 U.S.C. § 1331 apply to transient foreign aliens domiciled in the Hebrew Israelite Kingdom/Nation, blood of the Ndongo-Matamba kingdoms (currently Angola) executing external self-determination with a peremptory character succession in a colonized territory bringing claims against state or private actors color of law actions in concert with a political subdivision for violations of international law. Congress has affirmatively and unmistakably instructed that the 28 U.S.C. § 1350 provision at issue should apply to foreign conduct, that "touch and concern" the territory of the United States with "sufficient force"to displace the extraterritorial presumption. Pangea Ventures LLC, Pangea Real Estate LLC and ZLJS LLC, IFW unlawful actions in concert with the City of Indianapolis in the United States involve enough of a domestic

nexus to overcome the presumption. *Id. See Abitron Austria GmbH et al. v. Hetronic Int'l, Inc.*, 600 U.S. __ (2023).

There is a clear conflict in the circuits and pervasive confusion in the district courts on whether the ATS/ATCA 28 provision apply to transient foreign aliens domiciled in the Hebrew Israelite Kingdom/Nation of heaven right here on earth self-execution external self-determination with a peremptory character in a colonized territory bringing claims against state or private actors acting under color of law in concert with a political subdivision that "touch and concern" the territory of the United States with "sufficient force" to displace the extraterritorial presumption. *Id.* The Seventh Circuit, of course, held in this matter that it does not, and the Second Circuit arguably disagrees.

The necessity of an additional cause of action was, however, the controlling issue in *Alvarez-Machain II*, and the Court held conclusively that no additional statutory cause of action was necessary to bring *Filartiga*-like actions under ATS. This was precisely as the lower courts had uniformly held. Citing *Filartiga* repeatedly with approval, this Court also adopted a strict rule of evidence for proving a "violation of the law of nations or a treaty of the United States that is entirely consistent with the body lower court under the ATS, requiring that the norm be specific, universal, and obligatory." *Id.*

Both the Seventh Circuit and the district court reason for their dismissal for lack of subject matter and failure to state a claim "purported federal claims here are frivolous, wholly insubstantial, and unrelated to the disputes at the heart of the complaint" on that point conflicts with decisions of other courts of appeals. And

that holding misstates the congressional purpose; and disregards the extraterritorial presumptions against self-executed, external self-determination peremptory character and autonomy. None of this reasoning withstands scrutiny. See *Morrison v. National Australia Bank Ltd.,* 561 U.S. 247, 266 (2010)); e.g., *McCulloch v. Sociedad Nacional de Marineros de Hondura*s, 37 2 U. S. 10, 372 U. S. 15, 372 U. S. 19. See also *Steele v. Bulova Watch Co.*, 344 U. S. 280, 344 U. S. 286, distinguished. Pp. 499 U. S. 249-253.

2. The Court should clarify that 28 U.S.C. § 1350 Conflicts with the Court Precedent Regarding Due Process and the Rule of Comity.

The need for review is particularly acute because the Seventh Circuit's analysis is wrong. In the decision below, the Seventh Circuit rejected petitioners' plain sensible approach of Congress's purpose behind the legislation if the statute applies when an asserted focus occurs inside the United States. The Third and Fourth Restatement necessity of dealing with the presumption against extraterritoriality. Comment c to Section 404 of the Fourth Restatement ignores both interpretations of "extraterritorial" discussed in Reporters' Note 1 to Section 402. Instead, Comment c states that whether the application of § 1350 is domestic or extraterritorial depends upon where whatever is the focus" of the ATS/ATCA provision at issue occurred. If it occurred inside the United States, the application is domestic and the presumption

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[7] Article III, Section 2 of the Constitution states in reverent part: The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;— to all cases affecting Ambassadors, other public Ministers and Consuls — to all Cases of admiralty and maritime Jurisdiction;— to Controversies to which the United States

see also *Morrison v. National Australia Bank, Ltd.*, 561 U.S. 247, 259-60 (2010); *RJR Nabisco, Inc. v. European Community*, 579 U.S. 325, 349 (2016).

The Seventh Circuit's decision in respective to comity threatens to supplant more narrowly tailored doctrines of international comity, such as foreign sovereign compulsion and the act of state doctrine. Foreign sovereign compulsion requires that the defendant face severe sanctions for failing to comply with foreign law and has sought to avoid the conflict in good faith. Restatement (Fourth) of the Foreign Relations Law of the United States § 442 (Am. L. Inst. 2018). The act of state doctrine is limited to cases that would require the court to declare invalid the official act of a foreign sovereign. *W.S. Kirkpatrick & Co. v. Envt'l Tectonics Corp., Int'l*, 493 U.S. 400, 405 (1990). The validity of a foreign official act is not at issue. *Ex parte Young*:: 209 U.S. 123 (1908).

The Seventh Circuit disregarded that rule here. Congress chose to use the words "committed in violation" language of the § 1350 statute suggesting that it did not intend to require an alien plaintiff to invoke a separate enabling statute as a precondition to relief under the ATS. One need not look to a dictionary to understand that the common understanding of that word implies present or future action. "Congress' use of a verb tense is significant in construing statutes." *United States v. Wilson*, 503 U.S. 329, 333 (1992).

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shall be a Party;— to Controversies between two or more States;—between a State and Citizens of another State,—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

The Seventh Circuit's reading presumes"to define torture for the purposes of adjudication. 630 F.2d at 884. The court in *Filartiga v. Pena-Irala* "examined the sources from which customary international law is derived," that is,"the usage of nations, judicial opinions and the works of jurists," and concluded that "official torture is now prohibited by the law of nations" and that the "prohibition is clear and unambiguous." *Id.* The decision was a precedent for claims involving an increasing number of internationally recognized rights, such as the right to life, liberty and security of personas well as freedom from torture, slavery, genocide and cruel and inhuman treatment. *Filártiga v. Peña-Irala*, 630 F.2d 876 (2d Cir. 1980).

3. Plain Meaning

The language is clear. In construing a statute, "unless otherwise defined, words will be interpreted as taking their ordinary, contemporary, common meaning." *Perrin v. United States*, 444 U.S. 37, 42 (1979). The extraterritoriality, the constitutional avoidance canon, the rule of comity. See, e.g., *Carcieri v. Salazar*, 129 S. Ct. 1058 (2009).

II. THE COURT SHOULD GRANT REVIEW TO DECIDE WHETHER DECOLONIZED ALIENS OF THE HEBREW ISRAELITE KINGDOM/NATION SUING FOR FRAUD, AND THE UNLAWFUL STORAGE AND DISPOSAL OF AN AUTOMOBILE AND SYMBOLIC PROPERTY TORT ONLY COMMITTED INSIDE THE UNITED STATES IN VIOLATION OF THE LAW OF NATIONS OR A TREATY OF THE UNITED STATES TRIGGERS THE ATS/ATCA AND/OR § 1331 AND A CAUSE OF ACTION AGAINST A CORPORATION AND A POLITICAL SUBDIVISION.

A. Congressional Purpose

First, Congress intended to provide decolonizing transient foreign aliens such as Ambassador Von Maxey and King Achashverosh Adnah Ammiyhuwd Ngola Mbandi, the 20th generational grandson of King Ngola Kiluanji Kia Samba former King of Ndongo, Chief of the (Mbundu) Kimbundu peoples who Ngola Mbandi dormant bloodline, the nephew of Queen Ana Nzinga Mbandi of Ndongo and Matamba kidnapped in the Royal City of Kabasa, the capital of the Kingdoms of Ndongo and Matamba currently Angola, brought to the colony of Virginia in August of 1619 by way of the Portuguese warship the "San Juan Bautista" (St. John the Baptist) intercepted by the warships the "White Lion" and the warship "Treasurer" in which the White Lion then transported the Royal Davidic Ngola Mbandi Kingship to the colony of Virginia for storage and disposal as indentured servants and slaves fulfilling the four hundred (400) years of dormant Davidic Kingship prophecies of Genesis 15:13 (KJV), Deuteronomy 17:15, 28:36 (KJV) and the prophecies of his people according to Deuteronomy 28:68 (KJV) with a remedy to fulfill the currently active prophecies of Genesis 15:14 (KJV), Deuteronomy 17:15, 28:36 (KJV), Isaiah 11:1-3, 11-12, Jeremiah 23:5, 30:9, 33:15 (KJV), Zephaniah 3:15 (KJV), Matthew 24:27 (KJV), Jeremiah 30:17-24, 31:31-34 (KJV) after 2019, based on Article III, Section 2 original diversity that neither a defendant, or the court have, or can prove to the contrary. See App. 26a, App. 30a.

Contrary to the court below decision indiscriminately dismissing petitioners appeal based partially on petitioners belief in G_d, the Court in the *United States v. Seeger*, 380 U.S. 163 (1965) held that a "A person can have conscientious objector status based on a belief

that has a similar position in that person's life to the belief in G_d." Chief Ambassador Mbandi, Ambassador Maxey and those of the Hebrew Israelite Kingdom/Nation beliefs opposes retaliatory coercive, forced participation in colonization. *Id.*

In *Texas v. Johnson case,* Gregory Lee Johnson burned an American flag outside of the convention center where the 1984 Republican National Convention was being held in Dallas, Texas.

Johnson burned the flag to protest the policies of President Ronald Reagan. He was arrested and charged with violating a Texas statute that prevented the desecration of a venerated object, including the American flag, if such action were likely to incite anger in others. A Texas court tried and convicted Johnson. He appealed, arguing that his actions were "symbolic speech" protected by the First Amendment. This Court agreed to hear his case. *Texas v. Johnson,* 491 U.S. 397 (1989).

The issue was whether flag burning constitutes "symbolic speech" protected by the First Amendment. In a 5-4 ruling, held that flag burning constitutes symbolic speech. The majority of the Court, according to Justice William Brennan, agreed with Johnson and held that like Petitioners' symbolic automobile tag, flag burning constitutes a form of symbolic speech that is protected by the First Amendment. *Id.* I at App. 31a.

First, in *Jesner v. Arab Bank, PLC*, No. 16-499, 584 U.S. ___ (2018), the Court held that the ATS may not grant jurisdiction over foreign corporations. Second, in *Nestlé USA, Inc. v. Doe,* 141 S. Ct. 1931, 1933-34 (2021), the Court held that the ATS cannot be used to sue corporations

for overseas conduct simply because a defendant corporation operates within the United States. Rather, there must be some link between the cause of action and the corporation's domestic conduct. Most straightforwardly, the courts apply the *Kiobel v.Royal Dutch Petroleum Co., U.S.*, 133 S. Ct. 1659 (2013) presumption against Extraterritoriality in interpreting federal statutes. Specifically, they use the presumption in determining the applicability of the statute to claims based partially or wholly on conduct that occurred outside United States territory.

Second however, petitioners as transient foreign natural alien nationals domiciled in the Hebrew Israelite Kingdom/Nation of heaven right here on earth who ancestors of Ndongo and Matamba kingdoms currently called Angola were kidnapped and colonized in the United States and other places in the world alleges violations of the law of nations or a treaty of the United States committed by respondents satisfying the two-step framework of *RJR Nabisco, Inc. v. European Community* clear affirmative indication that rebuts the presumption. Second, the Seventh Circuit and district court refused or failed to see that 'the conduct relevant to the statute's focus occurred in the United States constituting "domestic" activity for purposes of presumption against extraterritoriality.

First, the Seventh Circuit failed to adhere to the rule requiring a clear statement from Congress where petitioners self-executed, external self-determination, self-governing and independence are executed. The presumption against applying a statute extraterritorially "is deeply rooted in jurisprudence, and embodies a legal doctrine centuries older than our Republic. *See Morrison v. National Australia Bank, Ltd.*, 561 U.S. 247 (2010). Elementary considerations

of fairness dictate that an individual should have the opportunity to know what the law is and to conform their conduct accordingly; settled expectations should not be lightly disrupted according to the Fifth Amendment's Due process. See *U.S. v. Cruikshank*, 92 U.S. 542 (1875).

Second, the Court should clarify the presumption against extraterritorially because the Seventh Circuit interpreted or failed to correctly interpret as it concerns Petitioners' self-executed, external self-determination, self-governing and decolonization rebutting the presumption against extraterritorially by way of succession, gift or right on August 9, 2021. The Seventh Circuit's decision necessarily but briefly raised the constitutional concerns that according to its decision, justify the presumption instead of petitioners' displacement of the presumption against extraterritorial in the first place, partly to enforce the separation of powers, and partly to protect a plaintiff from activism by requiring courts interpret the law using strict construction,and in cases of ambiguity, ruling in favor of a plaintiff. *United States v. Wiltberger*, 5 Wheat. 76, 95 (1820). Third, Comity also rests "on the tenderness of the law for the rights of individuals." *Id. Kiobel v. Royal Dutch Petroleum Co., U.S.*, 133 S. Ct. 1659 (2013).

The Court, the Second, Eleventh, and the Ninth Circuits, as well as the Seventh Circuit have all held that an alien alleging violation of the law of nations or a treaty of the United States, ATS provides federal jurisdiction found

[8] Article III, Section 2, Clause 2 of the Constitution grants the Supreme Court "original Jurisdiction" over "all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party." 1 When the party may commence litigation in the Supreme Court and have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

and served with process by an alien within the borders of the United States pursuant to recognized international rights in order to prove they are similarly situated. In *Sosa*, the Supreme Court, for the first time, set forth a framework to determine whether a cause of action such as petitioners' ambassador to their Hebrew Israelite Kingdom/Nation decolonizing status falls within the purview of the ATS. *Id.* at 725, 124 S.Ct. 2739. The Court, relying on *Blackstone's Commentaries on the Laws of England,* found that at the time the ATS was enacted only three actions were generally recognized as infractions of the law of nations: piracy, offenses against ambassadors, and violations of safe conducts. *Id.* at 724, 124 S.Ct. 2739 (citing 4 William Blackstone, *Commentaries on the Laws of England* (1769) ("Blackstone's Commentaries").

The *Sosa* majority held that, in addition to these traditional law of nations violations, other causes of action based upon present-day law of sections of a statute should be construed in concert so that "no clause, sentence or word shall be superfluous, void, or insignificant." *TRW Inc. v. Andrews*, 534 U.S. 19, 31 (2001).

[9] The UN Charter (1945) Article 1 of Chapter 1 states in relevant part: The Purposes of the United Nations are: 1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace; 2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace; 3. To achieve international co-operation in solving international co-operation in solving international problems of an economic, social cultural, or or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and 4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

In the context of the advisory proceedings before the International Court of Justice (ICJ) ICJ in accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo, the Kingdom of the Netherlands submitted that under international law a distinction must be made between nations may be cognizable under the ATS if the claim both "rest[s] on a norm of international character accepted by the civilized world and [is]defined with a specificity comparable to the features of the [aforementioned] 18th-century paradigms[.]"paradigms[.]" *Id.* at 725, 124 S.Ct. 2739.

Based on the ICJ understanding of the Kingdom of the Netherlands view that the right of self-determination of peoples is a permanent, continuing, universal and inalienable right with a peremptory character (see also Written Statement of the Kingdom of the Netherlands, April 2009, para. 3.2) that extends beyond situations of decolonization and foreign occupation. The right of self-determination has been included in several international instruments that do not, or do not exclusively, deal with situations of decolonization or foreign occupation. Reference can be made to Articles 1 of the 1966 Covenants, General Assembly Resolution 2625, the African Charter on Human and Peoples' Rights, Section I.2 of the 1993 Vienna Declaration and Programme of Action, as

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[10] In acting the TVPA, Congress endorsed the *Filartiga* line of cases: The TVPA would establish an unambiguous and modern basis for a cause of action that has been successfully maintained under an existing law, section 1350 of the Judiciary Act of 1789 (the Alien Tort Claims Act), which permits federal distict courts to hear claims by aliens for torts committed "in violation of the law of nations."

Adopted by the World Conference on Human Rights, and Part VIII of the Final Act of the Conference on Security and Co-operation in Europe. *Lexecon Inc. v. Milberg Weiss Bershad Hynes & Lerach*, 523 U.S. 26, 36 (1998) included in several international instruments that do not, or do not exclusively, deal with situations of decolonization or foreign occupation. Reference can be made to Articles 1 of the 1966 Covenants, General Assembly Resolution 2625, the African Charter on Human and Peoples' Rights, Section I.2 of the 1993 Vienna Declaration and Programme of Action. Various in which the right of self-Determination: preserves international boundaries (internal self-determination) or in a manner that involves a change of international boundaries (external self-determination)" (Written Statement of the Kingdom of the Netherlands, 17 April 2009, para. 3.5).

III. BOTH OF THE QUESTIONS PRESENTED INVOLVE MATTERS OF EXCEPTIONAL IMPORTANCE.

The two questions in this case are of the considerable practical importance. There has been an enormous volume of federal court Court litigation over the meaning and constitutionality of ATS 28 U.S.C. § 1350 provision applied domestically, and the issues addressed in that litigation will continue to arise until the Court resolves them. Such a decision by the Court would significantly reduce the burden on the lower federal courts by biblical, spiritual, prophetic, legal fundamental and

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[13] The ICCPR states in relevant part: Article 1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development,Article 2, 1 Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to Its

Constitutional right. As such, and as the Court concluded that "judicial power [pursuant to the ATS] should be exercised on the understanding that the door is still ajar subject to vigilant door-keeping, and thus open to a narrow class of international norms today." *Id.* The general common law was the old door. It can't be closed. *Sosa* at 729, 124 S.Ct. 273.

The UDHR states in relevant part: Article 4: No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms, Article 19 Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

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jurisdiction the rights recognized in the present Covenant, language, religion, political or other opinion, national or social origin, property, birth or other status. Article 6, 1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarilydeprived of his life, Article 7 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In property, birth or other status. Article 8, 1 . No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited. 2. No one shall be held in servitude., Article 9, 1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law, Article 12, 1, 1. Everyone lawfully within the territory of a State shall, within that territory,have the right to liberty of movement and freedom to choose his residence, Article 18, 1., 2, 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. 2. No one shall be subject to coercion which would impair his freedom to

Petitioners are sent by their heavenly Father Supreme Being I Am That I Am ("Supreme Ahayah Ashar Ahayah" in Hebrew) Exodus 3:13-14 (KJV), as Hebrew Israelites to claim and to plead for freedom from indentured servitude, slavery, the slave-trade now prohibited in all its form according to biblical prophecies prophesied in the holy bible, discerned in the UDHR, and the ICCPR as interpreted in Article 2 of the 1926 Slavery Covenant.

The 1926 Slavery Covenant, Article 2 states in relevant part: The High Contracting Parties undertake, each in respect of the territories placed under its sovereignty, jurisdiction, protection, suzerainty or tutelage, so far as they have not already taken the necessary steps: (a) To prevent and suppress the slave trade; (b) To bring about, progressively and as soon as possible, the complete abolition of slavery in all its forms.

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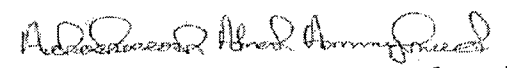
receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. at App. 31a.

CONCLUSION

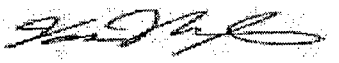
The petition for a writ of certiorari should be granted.

DATED this 14tth day of November 2023

Respectfully Submitted



Achashverosh Adnah Ammiyhuwd
Ngola Mbandi
Hebrew Israelite Kingdom/Nation
King/Chief Ambassador



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