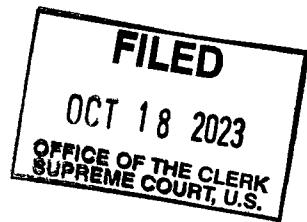


233-5943 Court of Appeals ORIGINAL
No. 22-02946-HMH-KFM * District Court

6:22-CV-02946-HMH-KFM * District Court

IN THE
SUPREME COURT OF THE UNITED STATES



Saria Walker — PETITIONER
(Your Name)

vs.

United States Federal RESPONDENT(S)
Government et al
ON PETITION FOR A WRIT OF CERTIORARI TO

U.S Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Saria Walker
(Your Name)

1900 Boling Rd Ext Apt 26F
(Address)

Taylors SC 29687
(City, State, Zip Code)

864 722 4541
(Phone Number)

QUESTION(S) PRESENTED

- 1.) Why is a Judge Not recusal themselves when they are Named as defendants in the case ?
- 2.) Why is a Civil Conspiracy being overlooked ?
- 3.) Why is Federal and State Public officials ?
Not Upholding the Constitution
- 4.) Do the courts have malice towards me ?
- 5.) Why isn't the constitution being upheld ?
- 6.) Why is irreparable harm being ignored ?
- 7.) Why have my right to due process been violated twice ?
- 8.) Why is judges using the law as a weapon against proSe plaintiffs instead of a tool to protect them ?
- 9.) Why is judicial corruption being ignored by the courts?
- 10.) Why is the courts ignoring obvious conflicts of interest ?
- 11.) Why is the public officials that suppose to protect us acting as criminals and breaking the law and procedures and not following Judicial Code of conduct ?

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: **United States Federal Government, House of Raeford Farm Inc, Prisma Health, Saint Frances Downtown, Saint Frances Eastside, The Carolina Center for Behavioral Health, South Carolina Department of Social Services, Greer Police Department, Greenville police Department, Greenville County Court of Common pleas, Greenlink, Greenville Library System Downtown and Aderson Rd Branches**

RELATED CASES

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CASES

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- ❖ *Stokeling v. United States*, ___ U. S. ___ (20 ___)
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- ❖ *United States v. Stitt*, ___ U. S. ___ (20 ___)
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- *Johnson v. Harmon*, 94 U. S. 371 (1877)
 - *Murray v. Schooner Charming Betsy*, 2 Cranch 64 (1804)
 - *Rutledge v. Pharmaceutical Care Management Assn.*, 592 U. S. ___ (2020)

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-
- *United States v. Circuit Judges*, 3 Wall. 673 (1866)
 - *Ohio Municipal Judges Assn. v. Davis*, 411 U. S. 144 (1973) (*per curiam*)
 - *Parker v. Judges of Circuit Court of Md.*, 12 Wheat. 561 (1827)
 - *Tyler v. Judges of Court of Registration*, 179 U. S. 405 (1900)

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STATUE AND RULES

- ❖ RULE 1.1 Compliance with the Law
- ❖ RULE 2.2 Impartiality and Fairness
- ❖ RULE 2.3 Bias, Prejudice and Harassment
- ❖ RULE 2.11 Disqualification
- 15 U.S. Code § 1116 - Injunctive relief

OTHER

- Judicial Malice Intention

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 25B to the petition and is

reported at 24B; 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 17A to the petition and is

reported at 19A; 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 8/28/2023.

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

- Violated 28 U.S. Code § 455 - Disqualification of justice, judge, or magistrate judge
- Conflict of interest failed to recusal
- Violated impartial conduct
- Judicial Misconduct & Bias

Violation of Washington State Code of Judicial Conduct

- PREAMBLE [1] An independent, fair and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of men and women of integrity, will interpret and apply the law that governs our society. Thus, the judiciary plays a central role in preserving the principles of justice and the rule of law. Inherent in all the Rules contained in this Code are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system.

CANON 1

RULE 1.1 Compliance with the Law

CANON 2

RULE 2.2 Impartiality and Fairness

RULE 2.3 Bias, Prejudice and Harassment

RULE 2.4 External Influences on Judicial Conduct

RULE 2.11 Disqualification

STATEMENT OF THE CASE

Kevin F McDonald and Henry M Herlong Jr did not apply the law in District Federal Court and intentionally overlooked the facts of the law to cover up and dismiss an intentional conspiracy against my rights which violates Provisions against Conspiracies to Deprive Citizens of Rights (18 U.S.C. § 241) they wrote a bias REPORT and OPINION & ORDER in favor of the defendants (which is them also) overlooked all laws that i named and this has subjected me to recurring rights violations Reference case 6:23cv3544-HMH-KFM where i experienced another incident with the defendants and where both judges once again ignored my complaints subjected me to an unlawful bias dismissal and According to State and Federal law and Statues in this case i was kidnapped , held unwarranted confinement ,subjected to Double Jeopardy , experienced denial of Due process TWICE intentionally and provided proof of Civil conspiracy and evidence of all complaints

- 18 U.S. Code § 241 - Conspiracy against rights
 - Provisions against Conspiracies to Deprive Citizens of Rights (18 U.S.C. § 241)
 - 18 U.S. Code § 1201 - Kidnapping
-

This violates Federal codes do my cause should've never been subjected to dismissal according to the law this was suppose to proceed to trial for resolution of any material factual discovery, the process by which parties exchange evidence. Once the factual record is sufficiently developed , the judges ignored the necessary factual findings because they were named in the lawsuit as official members of United States Federal Goverment this led to Judicial bias and misconduct and caused me to be neglected of An independent, fair, and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of judges with integrity, will interpret and apply the law. Which the law was NOT implemented in this case the law demands judges to apply 42 U.S. Code § 1986 - Action for neglect to prevent in relation to 42 U.S. Code § 1985 - Conspiracy to interfere with civil rights which is what i have experienced and 42 U.S. Code § 1986 was NOT applied

-
- **18 U.S. Code § 241 - Conspiracy against rights**
 - **Provisions against Conspiracies to Deprive Citizens of Rights (18 U.S.C. § 241)**
 - **18 U.S. Code § 1201 - Kidnapping**
-

My Objection was specific to the particularized legal recommendations made by the magistrates Judge the whole judgment was bias and unconstitutional and based on bias feelings and not facts of the law that their was facts and evidence presented of every complaint and my complaints contained the three elements (1) show that the court has jurisdiction, (2) set forth plausible allegations that the defendant has violated the law in some way, and (3)request relief that would remedy the plaintiff's harm. In many challenges to government action, the complaint asks the district court to enter an injunction— an order commanding the government either to do or refrain from doing some act. Some examples to what was submitted was Judge Miller committing perjury lying under his judicial oath which judges are always under by falsely stating that i didn't qualify for in forma pauperis to stop me from filing lawsuits against South Carolina Department of Social Services and other defendants which is violating my first amendment right to petition (**The First Amendment guarantees freedoms concerning religion, expression, assembly, and the right to petition**) and also this all started from 2019 when my old job House of Raeford farms Inc conspiring with Greenville Memorial Hospital to falsely diagnose me after a slip and fall and the hospital intentionally didn't take pictures of my Lumbar Spine intentionally and the ambulance workers trying to fight me and also Saint Francis Not telling me i was going to a facility they kidnapped me and took me to an unknown location and didn't notify me or my family allowing R. Castriotta Carolina Center for Behavioral Health and South Carolina Department of Social Services to violate my rights both conspired on me in the hospital and did not allow me to know about my counsel who represented me without my acknowledgement and i was tormented 33 days and didn't know about the hearing held in my absence intentionally and these all these public facilities

Also originally filing this Civil Conspiracy Lawsuit in state Court on 8/2/22 being conspired on again 8/8/22 where my right to due process was violated once again and i was held unwarranted and mobbed and framed by police under false charges All of these public governmental facilities intentionally conspired upon me in order to cover up the intentional violations of my Constitutional Rights my rights have been violated due to conflict of interest by Public officials and Government bodies and Public Facilities have intentionally conspired to intentionally violate my rights and stop me from exercising my 1st Amendment Rights this conflict of interest which have been done in the following ways direct or indirect financial interest ,non-financial or personal interests competing loyalties between an organisation they owe a primary duty to and/or some other person or entity and i have PROOF of it ALL

Due to the amount requested in the case was **Googol** and Also another defendant listed was the United States Federal Goverment which is Executive, Legislative, and Judicial i faced a lot of Judicial bias and Judicial misconduct by Judges due to conflict of interest due to direct financial interest ,personal interests and competing loyalties between an organisation they owe a primary duty to and/or some other person or entity (the competing loyalties is other corrupt Public Officials rather than the Citizens in which the Constitutional oath was taken to) this led to intentional Judicial Bias and misconduct done by Kevin F McDonald and Henry M Herlong Jr whom both have a financial interest in this case by aiding judicial corruption by making unconstitutional Judgements and failing to prevent a civil conspiracy according to federal statute **42 U.S. Code § 1986 - Action for neglect to prevent** in relation to **42 U.S. Code § 1985 - Conspiracy to interfere with civil rights**

Kevin F McDonald and **Henry M Herlong Jr** both are NAMED PERSONALLY in the lawsuits page 139 Memo 10 which was referenced in my **OBJECTION** which they both are aware of and Henry M Herlong Jr made a OPINION & ORDER after seeing his name in the lawsuit he is a direct conflict of interest in the case and Failed to recusal himself from the case this led to Judicial Bias and misconduct and my case being dismissed unconstitutionally despite presenting adequate material before the district court Failure to recusal is a legal mistake that caused me harm by dismissing my case

The Appellate court was also bias and didn't impede to uphold my rights instead they sided with **Kevin F McDonald** and **Henry M Herlong Jr** who are named in the objection page 139 Memo 10 objection and Appellate Court whom said it wasn't specific to the particularized legal recommendations which my objection to the two Judges playing a part in the Civil Conspiracy turns out to be true The REPORT OF MAGISTRATE JUDGE and the OPINION & ORDER their Judgment was UNCONSTITUTIONAL AND BIAS

And was according to their bias feelings and not based on FEDERAL LAWS AND STATUES this was a LEGAL MISTAKE and has caused me recurring irreparable harm reference my NEW case 6:23cv3544-HMH-KFM which they also dismissed due to Judicial Bias and misconduct Appellate court also failed to uphold 42 U.S.

Code § 1986 - Action for neglect to prevent in this violation of federal code 42 U.S. Code § 1985 - Conspiracy to interfere with civil rights which Federal Appellate Court judges and Kevin F McDonald and Henry M Herlong Jr are liable for irreparable harm which continue to happen Reference case 6:23cv3544-HMH-KFM ALL these judges decided to ignore my complaints intentionally in District Court and Federal Appellate Court and according to Federal code 42 U.S. Code § 1986 Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed,

and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding \$5,000 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued. (R.S. § 1981.

The error/ mistake that was made in my objection was Judicial Bias and misconduct which the district federal court was unwilling to correct even after the case was sent back by federal court for objection seeing as the judgements was clearly bias when i submitted 1,422 pages in my objection which was specific to the R&R and his Bias and misconduct he brought up my criminal cases which was brought up in forma pauperis that was denied due to judge Millers perjury he referenced multiple times to go see (doc) in his REPORT what was the difference in me referencing my 10 memos to be look through you can clearly see all of the laws that was broken and unconstitutional by all he defendants including kidnapping , unwarranted confinement , Double Jeopardy denial of Due process and proof of Civil conspiracy which Federal Appellate court decided to ignore also due to Judicial bias and failed to uphold **42 U.S. Code § 1986 - Action for neglect to prevent** No lawful competent Judge would throw out a case with so many civil Rights Violations with the proof of 1,422 pages of evidence provided before them They instead got Appellate court to affirm them based on a objection being specific when the case should have never been subjected to a Dismissal or Objection to began with the Report and Opinion and Order are both in opposition to the Constitutional Rights which they are supposed to uphold according to the State and Federal Laws and statues of the Many Civil rights violations presented in the 1,422 pages in my Objection this is clearly judicial bias and misconduct and unethical to ignore complaints of unconstitutional behaviors such as kidnapping , unwarranted confinement , Double Jeopardy ,denial of Due process TWICE intentionally and proof of Civil conspiracy denying these complaints by citizens are unconstitutional and **When a judge acts intentionally and knowingly to deprive a person of his constitutional rights** he exercises no discretion or individual judgment; **he acts no longer as a judge**, but as a " minister" of his own prejudices. [386 U.S. 547, 568].

A judge is liable for injury caused by a ministerial act; to have immunity the judge must be performing a judicial function. See, e. g., Ex parte Virginia, 100 U.S. 339 ; 2 Harper & James, The Law of Torts 1642-1643 (1956).

The presence of malice and the intention to deprive a person of his civil rights is wholly incompatible with the judicial function

Marshall (2006). Judges' oath of office includes the undertaking to uphold the laws and Constitution of the United States. Any Judge violating such undertakings loses jurisdiction, resulting in his orders being VOID, and he himself commits a treasonable offense against the United States. This is what need to be implemented because Kevin F McDonald and Henry M Herlong Jr had from 9/01/22- 2/02/23 to uphold **42**

U.S. Code § 1986 - Action for neglect to prevent and they intentionally failed to do so and subjected me to irreparable harm and i had another civil rights violation incident and a new case

6:23cv3544-HMH-KFM i am asking for relief and the injunction to be implemented in case **6:23cv3544-HMH-KFM** and also punitive damages , emotional distress , pain and suffering and emegency hearing needs to take place to protect the rights of ProSe citizens from goverment officials and law Fact based material needs to be presented and judges need to receive immediate sanctions for intentional malice behaviors done to citizens as retaliation this affirms as evidence in which prose citizens are going through with public officials and how Appellate court process an recusal is an ineffective remedy for ProSe citizens to get relief and there need to be an immediate remedy in place to hold public officials accountable and provide relief for victims and justice and impartial fair trial without Judicial bias and misconduct which is clear in this case this is a clear legal error and any judge who condones my constitutional rights being intentionally violated orders are VOID, and he himself commits a treasonable offense against the United States.

Fifth Amendment Due Process: Unbiased Judge and Impartial Jury

Action Denying the process that is "due" would be unconstitutional

This has Happened intentionally TWICE to me At the Carolina Center for Behavioral Health kidnapping hostage 33 days without due process

6/10/ 2020 and Prisma Health 8/10/22 - 8/22-22 Double Jeopardy and kidnapping both was done intentionally by public officials and this was brought up to federal Court multiple times in my cases and provided evidence to prove it and ALL complaints have been Dismissed and ignored federal judges intentionally violated my rights

- **18 U.S. Code § 241 - Conspiracy against rights**
 - **Provisions against Conspiracies to Deprive Citizens of Rights (18 U.S.C. § 241)**
 - **18 U.S. Code § 1201 - Kidnapping**
-

There is a Code of Conduct Federal judges must abide by for United States Judges, a set of ethical principles and guidelines adopted by the Judicial Conference of the United States. The Code of Conduct provides guidance for judges on issues of judicial integrity and independence, judicial diligence and impartiality, permissible extra-judicial activities

to Judiciary Policy Vol. 2: Ethics and Judicial Conduct Pt. A: Codes of Conduct Ch. 2: Code of Conduct for United States Judges Introduction Canon 1: A Judge Should Uphold the Integrity and Independence of the Judiciary Canon 2: A Judge Should Avoid Impropriety and the Appearance of Impropriety in All Activities Canon 3: A Judge Should Perform the Duties of the Office Fairly, Impartially and Diligently Canon 4: A Judge May Engage in Extrajudicial Activities That Are Consistent With the Obligations of Judicial Office Canon 5: A Judge Should Refrain From Political Activity Compliance with the Code of Conduct Applicable Date of Compliance

The principle of judicial impartiality is dictated by statutory and common law, is required by the Code of Judicial Conduct, and is essential to due process of law. The Code of Judicial Conduct requires a judge to be disqualified from presiding over any proceeding in which the judge's impartiality might reasonably be questioned. An independent, fair, and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of judges with integrity, will interpret and apply the law.

I Have NOT experienced an independent, impartial, and competent judiciary, composed of judges with integrity, will interpret and apply the law. His judgment are in opposition of the law and my complaints are in compliance with civil rights violations according to the law due to conflict of interest and the United states federal goverment being a defendant "*This Constitution, and the Laws of the United States [and Treaties] which shall be made in Pursuance thereof; . . . shall be the supreme Law of the Land.* +++ Supremacy Clause, Article VI, Clause 2 of the United States Constitution

When a judge acts intentionally and knowingly to deprive a person of his constitutional rights he exercises no discretion or individual judgment; he acts no longer as a judge, but as a " minister" of his own prejudices. [386 U.S. 547, 568].

A judge is liable for injury caused by a ministerial act; to have immunity the judge must be performing a judicial function. See, e. g., *Ex parte Virginia*, 100 U.S. 339 ; 2 Harper & James, *The Law of Torts* 1642-1643 (1956).

The presence of malice and the intention to deprive a person of his civil rights is wholly incompatible with the judicial function.

Fourteenth Amendment, Section 1:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

In this case **Kevin F McDonald** and **Henry M Herlong Jr** Federal District judges twist my complaints to make them appear frivolous or delusional and use them out of context to create false legal arguments in order to Dismiss my case intentionally this is due to a Judicial bias they have against me from suing the United States Federal Government and Naming them personally in my objection as defendants on page 139 Memo 10 Reference case **6:23cv3544-HMH-KFM** and **1:23-CV-2219 Arnold v. Kemp et al** to see the recurring irreparable harm Prose plaintiffs are experiencing intentionally at the hands of governmental public officials and high profile defendants such as big corporations , public facilities whom have influence over the cases due to social connections i am asking that the law is upheld in this case through this writ of certiorari none of the judges that have reviewed this case is competent to make decisions for the American citizens if the obvious constitutional rights violations is not clear in this case that a error has been made **irreparable harm is likely to continue to occur if the court does not grant the preliminary injunction** There is real evidence presented in this case a "a real and immediate threat of future injury by the defendant." *City of Los Angeles v. Lyons*, 461 U.S. 95, 107 n. 8 (1983).

- **42 U.S. Code § 12203 - Prohibition against retaliation and coercion**
- **18 U.S. Code § 1513 - Retaliating against a witness, victim, or an informant**

I have experienced retaliation at the hands of goverment officials intentionally for trying to expose them this cause me to be kidnapped twice framed and held captive which i have evidence of the legal grounds for this lawsuit is adequately presented in my materials before this court for all defendants

The doctrine of sovereign immunity doesn't allow one to sue a government entity without its consent.

A state may expressly consent to being sued in federal court by statute.¹ But the conclusion that there has been consent or a waiver is not lightly inferred; the Court strictly construes statutes alleged to consent to suit. Thus, a state may waive its immunity in its own courts without consenting to suit in federal court,

- A statute is a law enacted by a legislature. Statutes are also called acts, such as the Civil Rights Act of 1964 or the Sarbanes-Oxley Act. Federal laws must be passed by both houses of Congress, the House of Representative and the Senate, and then usually require approval from the President before they can take effect.

The immunity of a state from suit is a privilege which it may waive at its pleasure. A state may expressly consent to being sued in federal court by statute.⁷⁴ But the conclusion that there has been consent or a waiver is not lightly inferred; the Court strictly construes statutes alleged to consent to suit.

- Statutory construction is: a) the act or process of interpreting a statute; and b) the principles developed by courts for interpreting statutes.

Courts may open their doors for relief against government wrongs under the doctrine that sovereign immunity does not prevent a suit, citizens are governed by the Constitution including the officials of the government they are in office to uphold the Constitution and took an oath to do so **28 U.S.**

Code § 453 - Oaths of justices and judges

The oath that every person who becomes a 'Public Servant' in elected office, their appointees, members of the military, and every government employee is obligated to take on their own free will to represent the United States and its citizens, is that they swear:

"...to the best of my ability, 'Support, Preserve, Protect and Defend' the Constitution of the United States..."

The Presidential Oath of Office:

“I, [name], do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and I will to the best of my ability, preserve, protect and defend the Constitution of the United States.”

The Congressional Oath of Office:

At the start of each new Congress, the entire House of Representatives and one-third of the Senate are sworn into office with the following:

“I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: **So help me God.**”

The Oath of Office for Federal Judges:

The Judiciary Act of 1789, established **an additional oath taken by federal judges:**

“I do solemnly swear (or affirm), that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me, according to the best of my abilities and understanding, agreeably to the Constitution, and laws of the United States. **So help me God.**”

The Oath of Office for Civil Service Employees:

(Federal employees take the same oath of office as Congress, by which they swear to support and defend the Constitution of the United States of America.)

"I, [name], do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. **So help me God.**"

5 U.S.C. §3331

The Constitution not only establishes our system of government, it actually defines the work role for Federal employees – "to establish Justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty."

What Does This Oath Mean???

When you swear an oath in court, that oath is intended to insure that you will tell the truth in giving testimony. In addition, this oath is supposed to be considered 'sacred' as the individual taking it is granted with the 'Public Trust' to carry out their duties faithfully. If you break that oath as a 'Public Servant', you have not only violated Constitutional Law, but you can actually be charged additionally with the crime of 'perjury'.

If you took an Oath of Office to 'Support, Preserve, Protect, and Defend the Constitution of the United States of America', and then you go on to repeatedly ignore and violate that Oath which you have sworn in front of the American People, a duly authorized government representative, and God...

...THEN YOU HAVE ALSO VIOLATED THE LAW AND

YOU ACTUALLY NEGATE YOUR AUTHORITY

TO HOLD THAT OFFICE OR POSITION!

GOVERNMENT AGENTS: DO NOT OBEY UNCONSTITUTIONAL AND ILLEGAL LAWS AND ORDERS!

Violating your Oath of Office is a Federal Crime

All public office holders, law enforcement officers and military personnel swear an oath of office to uphold the Constitution.

Federal law regulating oath of office by government officials is divided into four parts along with an executive order which further defines the law for purposes of enforcement. 5 U.S.C. 3331, provides the text of the actual oath of office members of Congress are required to take before assuming office. 5 U.S.C. 3333 requires members of Congress sign an affidavit that they have taken the oath of office required by 5 U.S.C. 3331 and have not or will not violate that oath of office during their tenure of office as defined by the third part of the law, 5 U.S.C. 7311 which explicitly makes it a federal criminal offense (and a violation of oath of office) for anyone employed in the United States Government (including members of Congress) to “advocate the overthrow of our constitutional form of government”. The fourth federal law, 18 U.S.C. 1918 provides penalties for violation of oath of office described in 5 U.S.C. 7311 which include: (1) removal from office and; (2) confinement or a fine.

THE EXECUTIVE BRANCH, CONGRESS, AND THE JUDICIARY NEED TO BE REMOVED FROM OFFICE OR CIVIL SERVICE AND BE PUNISHED. DO YOU JOB CORRECTLY AND EFFICIENTLY OR GET OUT OF OFFICE !

United States of America

Penalties for Treason, Misprision of Treason, Rebellion or Insurrection, Seditious Conspiracy under U.S. Code, Title 18, Part I, Chapter 115, § 2381 - 2384 (2018)

The united states federal Goverment has consented to a Lawsuit by violating statues of oath of office and intentionally and knowling stealing the estate of the American citizens and using it for personal gain by turning the united states federal goverment into a C type cooperation using the Social Security Administration by requiring a birth certificate for citizenship when a Certificate of live birth is only necessary for citizenship and denying citizens resources when they deny to sign a birth certificate The 14th Amendment of the U.S. Constitution guarantees citizenship at birth to almost all individuals born in the United States or in U.S. jurisdictions, based on jus soli. A birth certificate is not necessary to certify citizenship but its necessary to enter into a business agreement to a cooperation where you receive a EIN number or SSN a newborn child does not need an Employee Identification Number nine-digit Social Security number. An employer identification number (EIN) is a nine-digit number assigned by the IRS. It's used to identify the tax accounts of employers and certain others who have no employees. The IRS uses the number to identify taxpayers who are required to file various business tax returns. An Employer Identification Number (EIN) is also known as a Federal Tax Identification Number, and is used to identify a business entity.

This is why children / babies are filed on taxes because they are labeled as property due to The issuing of a Birth Certificate and Social Security Card has created an business agreement between citizens and the goverment who is a C type cooperation using the Social Security Administration citizens are unknowingly signing away their estate to take care of their need as a human and the goverment is aware of it which is why our estate is being traded under in different countries as seen on GMEI utilities which so happens to no longer be applicable for people but i have a copy of the website with my social security number being traded under before the website was taken down this the current website below :

Client Notice

Dear DTCC GMEI Clients,

Please be informed that effective 27th July 2023 at 5pm EDT, Business Entity Data B.V. (a service of DTCC) has terminated all of its LEI services. Business Entity Data B.V. will retire its Global Markets Entity Identifier (GMEI) utility by following a phased approach, driven by the GLEIF, with an end date of August 22, 2023. After that date it will no longer be an accredited issuer of the Legal Entity Identifier (LEI).

Due to the agreement being forced to be signed Birth certificate under false pretenses and citizens not having the option to receive their estates or benefits without signing a agreement with the government through birth certificates **Contract fraud exists when one of the parties involved in the contractual agreement presents information to the other party that is misleading, false, or in any way deceitful.**

- A birth certificate is a vital record that documents the birth of a person. The term "birth certificate" can refer to either the original document certifying the circumstances of the birth or to a certified copy of or representation of the ensuing registration of that birth
- A certificate of live birth is proof of birth from a hospital. Once a baby is born, a certificate of live birth is recorded and issued into a vital records system. The certificate of live birth is an unofficial live birth record that is only used for a hospital's data-keeping purposes

Thirteenth Amendment

Thirteenth Amendment Explained

Section 1

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

Section 2

Congress shall have power to enforce this article by appropriate legislation.

Involuntary servitude or involuntary slavery is a legal and constitutional term for a person laboring against that person's will to benefit another, under some form of coercion, to which it may constitute slavery. While laboring to benefit another occurs also in the condition of slavery, involuntary servitude does not necessarily connote the complete lack of freedom experienced in chattel slavery; involuntary servitude may also refer to other forms of unfree labor. Involuntary servitude is not dependent upon compensation or its amount.

Indentured servitude is a form of labor in which a person is contracted to work without salary for a specific number of years. The contract, called an "indenture", may be entered "voluntarily" for purported eventual compensation or debt repayment, or it may be imposed "involuntarily" as a judicial punishment.

The 13th Amendment states that Neither slavery nor Involuntary servitude EXCEPT as PUNISHMENT for crime where they have been DULY CONVICTED shall exist within the UNITED STATES OR PLACE SUBJECT TO THEIR JURISDICTION so this means the citizens Do NOT have to work and are entitled to Life , Liberty and Property since the united states goverment have been labeling the citizens as property and taxable thats why they have NOT be entitled to receive their estates at 18 years old because they are considered property and NOT entitled to their property which would be their estates which they should inherit at 18 which is sold at birth and they are labeled as chattel property for the C type cooperation which is the Social Security Administration since the citizens have not been informed of their estates and the contract was ensured under false pretenses it cannot uphold lawfully with our estates being stolen from us unknowingly at birth through birth certificates we are labeled as property and property has value due to insurance policies which ALL citizens have these insurance policies are our estates which we as citizens are entitled to

- An Live Certificate Of Birth stated that we are humans born alive on American soil and entitled to an estate
- An Birth Certificate invalidated that by stating we are property not entitled to property

- The Goverment is making us file taxes which is filing our OWN children as our property and giving us thousands a dollar a year for it as a REFUND from their insurance policy estate which they are suppose to receive at 18 which we unknowingly signed away to the goverment to manage by signing a Birth Certificate

If the ID number you need to find is for a property you own, you may already have the number in your files. Look on your last tax bill, the deed to your property, a title report (which may be in your closing documents) or perhaps even on the appraisal report of your property to locate the property ID number.

What is property tax?

Property tax is a levy on certain types of physical property, such as homes, real estate and land. Local governments typically assess property tax, and the property owner pays the tax. The amount of tax due depends on the property's location and how much it's worth.

People often use the terms property tax and real estate tax interchangeably. And it's partially true: Real estate tax is a property tax. However, that's not true the other way around. Not all property taxes are real estate taxes.

As noted above, in addition to real estate, many jurisdictions also levy property taxes against tangible personal property. According to a 2019 report by the Tax Foundation, 43 states tax tangible personal property.³

Tax Foundation. "States Should Continue to Reform Taxes on Tangible Personal Property."

Both types of property are tax deductible if you file Schedule A with your income taxes. However, since the Tax Cuts and Jobs Act, the amount of state and local taxes (SALT) taxpayers could deduct on their federal income taxes fell from no limit to \$10,000 per year for either married couples or single taxpayers. Those in the married filing separately category have a \$5,000 cap.

So here's the difference: Real estate taxes are taxes on real property only; property taxes can include both real property and tangible personal property.

Many lenders will require you to pay an extra amount of money every month that was put in an escrow account to pay your property taxes and homeowners insurance premiums for you. Fortunately, many lenders require you to pay a slightly higher amount every month, so your lender might finally owe you a refund.

What happens when a lender pays back taxes?

When the lender's servicer receives the payments, the amount due to the tax and insurance escrow are separated out and when those bills come due, the lender will pay them. The primary reason your lender holds these funds is to make sure these two bills are paid on time so the insurance policy doesn't lapse and your home isn't sold for back taxes.

What happens if I receive a homeowners insurance premium refund?

- This could cause your lender to raise your mortgage payments down the line. When you receive a homeowners insurance premium refund, it's wise to contact both the insurance company that sent it and your lender to make sure the money gets used how it should.

- This also applies to how we are taxed by the government whom is a C type of cooperation the government is our employer due to a birth certificate which is an business agreement to be chattel property to the cooperation

Forcing citizens to work for the c- type cooperation in the united states and Depriving us of Life Liberty and Property if we DON'T WORK is NOT a choice it's involuntary servitude because there nothing given to sustain life if we decide to NOT work and the governmental programs are ineffective remedies and do not sustain life , liberty and properties if they did then we would have NO homeless people on the streets As citizens we are forced to work in order to obtain Life,Liberty and Property which is violation of the 14th & 13th Amendments depriving them of the right **14th Amendment** which states No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws and **13 Amendment** which states neither Involuntary servitude or indentured servitude unless as punishment of a crime in which you were convicted of a crime which the citizens have NOT been convicted of The government is punishing BOTH free and Duly convicted citizens by making free citizens work INVOLUNTARY SERVITUDE and CONFINING DULY CONVICTED citizens so all the citizens that is forced to sit in a jail / prison is the ONLY people that should be forced to work for the government

Also by the government not offering citizens their estates at 18 they are subjecting them to enter as chattel property to one-sided slave contracts due to big businesses a contact is and agreement between two people and should hold job security for citizens and not be forced nomads and deprived of their property and obtaining stability and the pursuit of happiness which is "Life, **Liberty and the pursuit of Happiness**" is a well-known phrase from the United States Declaration of Independence.^[1] The phrase gives three examples of the unalienable rights which the Declaration says have been given to all humans by their Creator, and which governments are created to protect

Fourteenth Amendment

Fourteenth Amendment Explained

Section 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5

The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

First, both the State and Federal governments have sovereign immunity, according to the Supreme Court. This means that you cannot sue the government unless it has, in some statute, consented to the suit.

In this suit, I have standing. I am suffering mentally ,emotionally and even physically and will continue imminently suffer an actual irreparable harm/ injury mentally ,emotionally and even physically Reference case 6:23cv3544-HMH-KFM as a result of some action on the part of the defendants , and that this irreparable is redressible by a favorable legal decision the defendants is Dangerous and intentionally violated my rights in my material i have demonstrate that i have specifically and will imminently will suffer more irreparable harm and injuries , and can reasonably trace this irreparable harm and injury to government action, i have standing to sue. The Court has required a high degree of specificity and certainty when claiming standing due to imminently impending injury which i have undeniably presented in my material ; see, for example, L.A. v. Lyons 461 U.S. 95 (1983), Lujan v. Defenders of Wildlife 504 U.S. 555 (1992), Clapper v. Amnesty International 568 U.S. _____ (2013).

On the last day of its 2003-2004 term, the United States Supreme ruled in *Sosa v. Álvarez-Machain* that foreign nationals can sue states or individuals in U.S. federal court for violations of human rights. Hailed as a victory by human rights advocates, the Supreme Court was clear that the Alien Tort Claims Act applies only to limited situations such as genocide, slavery, extra-judicial execution, or torture.

For example, victims can sue for offenses of genocide or torture because these acts are universally recognized as "enemies of all mankind," in the same way pirates were in the 18th century.

As codified in Article 7 of the International Criminal Court (ICC) Statute, the following acts are punishable as crimes against humanity when perpetrated by a state actor as part of a systematic or widespread attack against a civilian population:

- murder;
- extermination;
- deportation or forcible transfer;
- **false imprisonment;**
- **torture;**
- rape, sexual slavery, or enforced sterilization;
- ethnic persecution;
- disappearance;
- apartheid;
- **"Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health."**

The United States Federal Goverment is in opposition of the Constitution and is NOT upholding its laws and statues and forcing the citizens to Involuntary servitude and stealing their estates and labeling them as property denying them their FREEDOM as citizens intentionally this is violation of my rights as a citizens which i am also asking that the goverment is indicted under

The Racketeer Influenced and Corrupt Organizations (RICO)

Act

Civil suits

RICO also permits a private individual "damaged in his business or property" by a "racketeer" to file a civil suit. The plaintiff must prove the existence of an "enterprise." The defendant(s) are not the enterprise; in other words, the defendant(s) and the enterprise are not one and the same.

A civil RICO action can be filed in state or federal court.

Both the criminal and the civil components allow the recovery of treble damages (triple the amount of actual/compensatory damages).

RICO offenses

Under the law, the meaning of racketeering activity is set out at 18 U.S.C. § 1961. As currently amended it includes:

- Any violation of state statutes against gambling, murder, kidnapping, extortion, arson, robbery, bribery, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in the Controlled Substances Act);
- Any act of bribery, counterfeiting, theft, embezzlement, fraud, dealing in obscene matter, obstruction of justice, slavery, racketeering, gambling, money laundering, commission of murder-for-hire, and many other offenses covered under the Federal criminal code (Title 18);
- Embezzlement of union funds;
- Bankruptcy fraud or securities fraud;
- Drug trafficking; long-term and elaborate drug networks can also be prosecuted using the Continuing Criminal Enterprise Statute;
- Criminal copyright infringement;
- Money laundering and related offenses;
- Bringing in, aiding or assisting aliens in illegally entering the country (if the action was for financial gain);
- Acts of terrorism.

Also african american Blacks which is really the real jews / iseralites / 12 tribes has Never recieved Repirations for the Alantic slave trade and all of the horrific things we have experiences Repirations the making of amends for a wrong one has done, by paying money to or otherwise helping those who have been wronged:

The united states loaned germany the money for respirations to the false JEWISH people under the Justice for Uncompensated Survivors Today (JUST) Act of 2017 (Pub. L. 115-171 (text) (PDF), S. 447 (and identical H.R. 1226)) is US legislation that requires the State Department to report to Congress on steps that 47 countries in Europe (the signatories of the 2009 non-binding Terezin Declaration) have taken to compensate Holocaust survivors and their heirs for assets seized by Nazi Germany and post-war communist governments.

This is intentional racial discrimination and also the genocide against african american Blacks due to high intentional police brutality and the lack of laws to protect Black lives that are being taken at an alarming high rate and its being ignored and the president is passing laws to protect Aisian lives due to their light skin tones but intentionally NOT passing laws that will protect the systematic genocide which are happening to black / brown colored and indigenous people intentionally because its being ignored we are owed respirations for the genocide of our people and the modern slavery of labeling us as property still through Birth Certificate The United states Federal goverment is systematically racisit and gave reparations to JEWISH whitepeople and passed a law to protect Aisians but Intentionally and systematically ignore Repirations and laws to protect the Black , Brown and indigenouspeople who are experiencing genocide at the hands of white police officers

I would like the court to go through and review the memos due to the memos being too lengthy to be included in the Appendix. I am asking the Supreme Court to accept a separately bound volume or volumes with appropriate covers (rather than annexing the Appendix to the Petition itself) in accordance to Rule 14. Content of a Petition for a Writ of Certiorari (i) An appendix containing, in the order indicated:(vi) any other material the petitioner believes essential to understand the petition. If the material required by this subparagraph is voluminous, it may be presented in a separate volume or volumes with appropriate covers. What will be in my separate volume will be 10 memos contains 1, 213 pages and 11 memos containing 192 pages I would like this case to be reviewed because the judges whom wrote the Opinion and Order was a direct conflict of interest and failed to recusal in accordance to 28 U.S. Code § 455 - Disqualification of justice, judge, or magistrate judge

Section 455

Two sections of Title 28 of the United States Code (the Judicial Code) provide standards for judicial disqualification or recusal. Section 455, captioned "Disqualification of justice, judge, or magistrate judge", provides that a federal judge "shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned".

Section 455

Under 28 U.S. Code § 455, a judge must recuse themselves from presiding over any proceeding in which they, their spouse, or their minor children residing in their household have a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by judge's decision

Due to him being named personally in the objection page 139 Memo 10 this was NOT a fair judgment and all the codes and violations was ignored intentionally due to his judicial bias and intentional misconduct and malice toward me this case has many this was a mistake and has led to another case being filed this is causing me recurring irreparable harm Reference my new case 6:23cv3544-HMH-KFM

REASONS FOR GRANTING WRIT

- Judicial bias
- Judicial misconduct
- Judgement departed from the essential requirement for the law
- Judge failed to recusal himself due to conflict of interest
- Defendants caused intentional Recurring irreparable harm my rights are consistently violated by the defendants Ref new case 6:23cv3544 and future irreparable harm will continue to occur to me mental , emotional and physical injury
- Violates judges obligation of impartial conduct
- falsification of facts due to judicial bias
- Bias Order to dismiss was a true miscarriage of justice
- Judges Failure to uphold 28 U.S. Code § 455 - Disqualification of justice, judge, or magistrate judge and his impartiality is reasonably questioned due to being named personally in the objection as a defendant
- Judicial Conflict of interest
- The Judges Malice intent by intentionally ignoring the violations of citizens Constitutional Rights due to conflict of interest failed to uphold and enforce the Constitution breaking oath of office to citizens
- Defendants conspired to intentionally violate my right to due process

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Saria Walker

Date: 10 / 18 / 2023