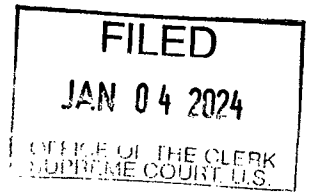


23 - 6780



UNITED STATES SUPREME COURT

George A. Teacherson,
Appellant

versus

FROM APPEALS CASE NO. 23-11647-F

Commissioner of Internal Revenue
Appellees

The Lower Courts: 11th Circuit Court of Appeals
23-11647-F

Southern District of Florida
9:23-cv-80722-RLR,

PETITION FOR A WRIT OF CERTIORARI

George Teacherson
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West Palm Beach, FL 33409
561-290-6426

QUESTION(S) PRESENTED:

Must any court fully address the actual wording of the founding documents, originalism of Declaration of Independence and Constitution of the United States, if still in force, when the entire case is based upon exactly such specific original wording and nothing else?

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

RELATED CASES

District Court Judge Rosenberg, 113C-9 : 9:23-cv-80722-RLR, Southern District of Florida, jurisdiction by government respondent,

leading to CASE NO. 23-11647-F, 11th Circuit, and jurisdiction of the instant appeal to the United States Supreme Court is from same. 28 U. S. C. § 1254(1).

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<u>Calder v. Bull</u> , 3 U.S. (3 Dall.) 386, 388 (1798)	7
<i>Flora v. United States</i> , 362 US 145, 1959	8

STATUTES AND RULES

CITATIONS: Appellant's civil rights under 42 USC 1985. 28 U. S. C. § 1254(1).

Declaration of Independence. Constitution of the United States VI, 2; 1,8,18; 1,1; 1,8 1; 4, 4; Amendments 4, 5, 9, 10

Constitution of the United States is the Supreme Law of the Land.” [VI, 2].

This is a nation of Law and not the opinions of men.

Original Brief, Count 5; - Entire Original Brief

11th Cir. 41-1 rehearing stays mandate. Timely under Rule 13.3

In the U. S. Court of Appeals, 11th Circuit, CIVIL APPEAL DOCKETED. Notice of appeal filed by Appellant George A. Teacherson on 05/15/2023. Fee Status: IFP Granted. 05/15/2023 Awaiting Appellant's Certificate of Interested Persons due on or before 06/01/2023 as to Appellant George A. Teacherson [Entered: 05/18/2023 01:01 PM], PACER Document (Doc) 1

In Forma Pauperis Granted, PACER Doc. 1, 05/18/2023; District PACER 3, 6 grants

Order, Motion to Expedite, Denied, Doc. 22, [Entered: 08/03/2023 12:57 PM]

Opinion issued by court, Doc. 26 [Entered: 09/08/2023 03:07 PM]

Judgment entered as to Appellant George A. Teacherson. [Entered: 09/08/2023 03:08 PM], Doc 27

****ERROR***Petition for rehearing en banc filed by George A. Teacherson. Opposition to Motion is Unknown. [28]-[Edited 09/25/2023 by EBL- to correct document from motion to petition] [28] [23-11647] [28]- (ECF: George Teacherson) [Entered: 09/14/2023 08:18 AM] Doc 28, 29*

Mandate issued as to Appellant George A. Teacherson. [Entered: 11/15/2023 10:50 AM] Doc 34

Judgment 09/08/2023 with Mandate on 11/15/2023. The Petition for Rehearing *En Banc* is DENIED [32] [Entered: 11/07/2023].

Response filed by George A. Teacherson pursuant to court order dated 11/07/2023.

[23-11647] (ECF: George Teacherson) [Entered: 11/20/2023 04:25 PM] Doc 35

Jurisdiction of Supreme Court arises from District Court Judge Rosenberg, 113C-9

: 9:23-cv-80722-RLR, Southern District of Florida, jurisdiction by government

respondent, leading to CASE NO. 23-11647-F, 11th Circuit, and appeal from same.

CONSTITUTIONAL PROVISIONS DECLARATION OF INDEPENDENCE,

John Hancock said that the Declaration is to provide “the Ground and Foundation of a future Government”: Congressional vote of June 11, 1776. - Randy E. Barnett, *Our Republican Constitution* (NY, Broadside Books, 2016) p. 32.

Declaration of Independence lists many civil rights which the British King violated. “For imposing Taxes on us without our Consent.” And IRS, like the King, “destroyed the Lives of our People.” They sent “Swarms of officers to harass our People and eat out their Substance.” “Invasions on the Rights of the People.” “Introducing absolute Rule.” All these violations of Appellant’s civil rights under 42 USC 1985 are all Constitutional Rights under the 9th Article of Amendments.

“a free People” “the Pursuit of Happiness”, “Safety” and “Substance”, “are endowed by their Creator” yet under the agency “become destructive of these Ends”: Fruits of their Labor, Substance, Security, Happiness, Life, Liberty, Property, Safety

"Rights, property and immunities which we enjoyed prior to the United States Constitution (at common law) can NOT be regulated nor taxed by any government, State, Federal or local." *Murdock v. Penn.*, 319 US 480-487 (1943)

“The individual may stand upon his rights as a citizen... His rights are such as existed by the law of the land long antecedent to the organization of the state.” *Hale v Henkel*, 201 US 43 (1906).

Constitution of the United States is the Supreme Law of the Land.” [VI, 2].

Article 4, Section 4. The United States shall guarantee... a republican form of government.

Amendment IX (1791) The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X (1791) The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Secure in their persons, houses, papers, and effects, 4th Amendment, against unreasonable searches and seizures **shall not be violated**"

life, liberty, or property, 5th Amendment

"It could hardly be denied that a tax laid specifically on the exercise of those freedoms would be unconstitutional." *Murdock v Penn.*, 319 US 480-487 (1943)

Calder v. Bull, 3 U.S. (3 Dall.) 386, 388 (1798) "...a law that takes property from A. and gives it to B: It is against all reason and justice, for a people to entrust a Legislature with SUCH powers; and, therefore, it cannot be presumed that they have done it.

It's "An ACT of the Legislature (for I cannot call it a law).

"The Legislature ... cannot ... violate ... the right of private property.

"To maintain that our Federal, or State, Legislature possesses such powers, [even] if they had not been expressly restrained; would, [3 U.S. 386, 389] in my opinion, be a political heresy, altogether inadmissible in our free republican governments."

I, 8, 18, "To make all laws which are necessary and PROPER

Count 5 of the Brief, Declaration of Independence: "For imposing taxes on us without our Consent." The entire Original Brief: Count 5 expands upon this.

The full Brief, originally filed in the District Court, expands upon all of the above.

"The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the state or to his neighbors to divulge..." Hale v. Henkel, 201 U.S. 43, 74, 1906

"...the Constitution of the framer's design and the judges' role in it." Supreme Court Justice Neil Gorsuch, A Republic, If You Can Keep It, (NY, Crown Forum, 2019) p. 8. Statement requiring originalism by judges.

The personal income tax is unconstitutional under I,8,18, 1,1, 1,8,1 and is improper for Liberty or Consent, cannot constitutionally provide for harassment and is VOID *ab initio*. IRS cannot violate the exact wording of the Declaration of Independence.

What does make IRS constitutional is the W4 Form which gets signed Consent from all taxed individuals. Without constitutional Consent the personal tax cannot stand.

Flora v. United States, 362 US 145, 1959. *“Our system of taxation is based upon voluntary assessment and payment, not upon distraint.”*

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

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

OPINIONS BELOW [] For cases from federal courts:

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

The opinion of the United States district court appears at Appendix A to the petition and [] is unpublished.

JURISDICTION

For cases from federal courts: The date on which the United States Court of Appeals decided my case was 09/08/2023 [] A timely petition for rehearing was

denied by the United States Court of Appeals on the following date: 11/07/2023 ,
and a copy of the order denying rehearing appears at Appendix A.

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

Judgment 09/08/2023 with Mandate on 11/15/2023. The Petition for Rehearing *En Banc* is DENIED[32] [Entered: 11/07/2023].

11th Cir. 41-1 rehearing stays mandate. Timely under Rule 13.3

District Court jurisdiction is from government respondent.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

CONCISE STATEMENT OF THE CASE

This is a constitutional cause of action based upon appellees' failure to follow the exact wording of the Declaration of Independence which listing of Rights becomes Constitutional Rights via its 9th Amendment. This case is further exasperated by lower court judiciary deliberately failing to perform their duty to uphold the Constitution and the Declaration.

Injury to Appellant lies in that appellees' W4 Form is the only thing making their power constitutional. Title 26 is NOT conforming to the Constitution. I refuse to give appellees that power. That situation has caused my IFP from lost jobs and lost wages. And lost wages which would be increased yearly, multiplied by lack of funds to invest for profit over a full lifetime is properly \$172 Million.

Appellant has suffered mightily under appellees' harassment.

Declaration of Independence and Constitution of the United States original wording is at stake. All must be upheld.

IRS cannot violate the exact wording of the Declaration of Independence.

United States court of appeals has improperly decided an important question of federal law that has not been, but should be, settled by this Court. It is the refusal by both lower courts to even address nor Honor the *founding documents* and their exact wording upon which the appellant stands. The instant case stands or falls upon the exact wording of the founding documents which have not even been addressed by the lower courts. All *stare decisis* completely misses the Declaration of Independence wording and thus, do not apply to the instant case. Yet, the lower courts used said immaterial *stare decisis* to deny the founding documents themselves and thus, also the win to Appellant.

No reliance by past cases upon the Declaration's original wording means the so-called *stare decisis* is importantly **immaterial** to the instant case.

DIRECT AND CONCISE ARGUMENT

Judiciary made false statements about the case, about me, and about my arguments going to the falsities made about and simply ignoring the Founding Documents.

Does a judge violate one's Oath of Office by ignoring the original wording of the Declaration of Independence when the entire case before him is based upon said original wording of the founding documents? Specifically, IRS' supposed power to

tax any individual, and many other wrongs are also detailed. The Declaration of Independence brought freedom to a future country. The Constitution was created to rein in the government it created in its potential future assault on individual Rights. The original 47-page Brief was completely ignored by the lower courts. The Brief shows how government assaulted the Petitioner/Appellant's individual Rights. Where do Rights come from. They come from the "Laws of Nature and Nature's God." (Declaration) Rights listed in the original wording of the Declaration become Constitutional Rights via the Articles of Amendment, the 9th.

Appellant stands on the Founding Documents. The Declaration says the following:

We individuals hold these Truths of Life, Liberty and Happiness which may not be removed unless signed IRS Form W4s are presented, giving Constitutional Consent.

What prior opinion talked about Constitutional Consent? If none, Teacherson wins. As does the Declaration and Constitution. One of the Rights in the Declaration is an individual's Consent to be taxed. IRS thus does not derive any power where any individual refuses Consent to their power. Especially true of removing Substance.

Invasions on the Rights of the individuals as the People; it sent swarms of Officers to harass our individual People and eat out their Substance; for imposing taxes on us individuals without our individual Consent; destroyed the individual Lives of our People: all define a tyrant unfit to be a Ruler of a Free People of individuals. (Decl.)

We the People establish this Constitution to Secure the Blessings of Liberty for ourselves as individuals and our Posterity. I am an individual part of our Posterity.

“We” indicates a collection of individuals. By definition. Rights are individual Rights. Rights are not group Rights.

My life here in the USA has been Destroyed by appellees via the W4 Form. I am *IFP* because I never subjugated myself as an individual signing that IRS W4 Form. No signature on the W4 leads to no employment, and in my case, leading to my *in forma pauperis* status.

The IRS is acting unconstitutionally in my case because it imposes taxes upon me as an individual without my giving them Constitutional Consent to do so. I did not give Consent thus appellees have no power over me due to my objection of having my Substance unconstitutionally (9th Amendment, Declaration) eaten out by the IRS and its harassment and unconstitutional theft. Which they indeed did perform.

Theft is defined as the unconsented removal of money or property or both from any individual. This they have done and I stopped giving unconsented, but wrongly assumed by appellees', Consent to be taxed. Consent to be taxed is fully constitutional and the W4 Form gets that Consent to be taxed in writing from every individual signer. Thus, since Title 26 sources the W4 Form, it is also constitutional. And it is ONLY by signed W4 Forms that the IRS gets Constitutional Consent to tax an individual or his/her Substance. Whether direct or excise, W4, or any similarly causative paper form, is required to give IRS power to tax individuals. The IRS does NOT have power over individuals and their owned businesses until the governed voluntarily give them that power. IRS wishes to wield absolute rule over all citizens. Absolute rule is unconstitutional. It is the stuff of tyrants.

IRS power to tax any individual who Consents still destroys individual Substance. Lower courts wrongfully ignored these words which actually form the basis of the case, yet deliberately have not been adjudicated. And they need to be adjudicated.

No signature is NO Consent; gives no power to tax individuals. Taking taxes without Constitutional Consent to be taxed is theft. The Declaration puts the powers of government secondary to the individual Rights of the Governed.

If I sign the W4 Form, I give up my Right to retain my Substance. This is the basis for this case. This does NOT appear in the *stare decisis*. This is what caused my *in forma pauperis* status. Without a signed W4, no jobs get offered. My Life gets destroyed. And this basis is deliberately IGNORED by the lower court judges.

The IRS is destructive of these ends: to retain one's individual Substance and to be personally taxed only by one's Consent such that individual Lives are not destroyed.

The Life of Appellant is destroyed by lack of income caused by the appellees' W4 form. I did not Consent to it. But it was done to me anyway via harassment (and presumed IRS harassment of employers). Appellees never disputed Appellant's contention that the W4 has destroyed his Life. Employment is not possible without signing a W4. I, the Appellant, did not sign for the sake of Freedom and the validity of the Founding Documents.

The Rights found in the Declaration of Independence become Constitutional Rights via the 9th Article of Amendments to the Constitution. Lower judges made no effort at all to honor the Founding Documents. This ignoring of Founding Words also /

further gives Injuries and Usurpations (Declaration of Independence) against the Appellant.

No other tax case relies totally upon the Declaration of Independence. The instant Brief is 47 pages long. It was wrongfully totally ignored by the lower courts. The judges all said, "Oh, IRS. They're government. They win." That violates the Founding Documents. And judges' actions violate their Oaths of Office.

Must a court fully address the wording of the founding documents when the entire case is based upon such specific wording? It is this court that must make a final decision upon such a question.

Is it a violation of a judge's Oath of Office to deliberately ignore without specifically upholding the founding documents, especially when they alone form the entire case?

This is a clear-cut case of Appellant wins by judges violating Article III, Good Behaviour, of the U. S. Constitution by simply ignoring same. Ignoring the original wording of the U.S.

Constitution and the Declaration of Independence in favor of honoring a mere agency is solid grounds for FIRING or impeaching the judges that performed such an act. Teacherson wins. What does Teacherson win? \$172 million, and full protection from harassment by IRS. As stated in the original Brief; and Appeals court statements.

OPINIONS, ORDERS, CONCLUSIONS OF LAW

"Well settled" law becomes well settled lies about the founding documents.

There is no "Well settled" law about the Declaration of Independence. The document and its carefully-chosen wording stands for all time.

Prior Judgments the court relied upon are found in PACER Doc 26 and are *Stubbs*, facts admitted lead to decision [here Constitution facts ignored]; *Scarpon*, journalist privilege [Teacherson not a journalist]; *Groendyke*, frivolous [so reliance upon the Constitution is frivolous? see *Hale v Henkel, supra.*]; *Bierman*, wages are not income, no income defined [not present herein, immaterial]; *Stubbs*, disregard revenue laws [Constitution does not go to wages nor subject revenue laws]; *Motes*, only public servants have tax liability [no appearance here, immaterial]. Not a single one of the citations, per the summary, goes to the Declaration; and thus all are fully immaterial to the instant case. WHERE is “For imposing Taxes on us without our Consent” in the prior court cases? It and “Substance” is not even known to the prior cases. Lower judges made no effort at all to honor the Founding Documents. Nor to even address same.

Yet, these cases were used as excuses to ignore the founding documents and what they both said. And also to lie about and ignore what Complainant said and the positions he solidly maintains; solely upon the Founding Documents - What THEY say are important. Not prior decisions of courts. This is a Nation of Law and not opinions of men.

“wages are not taxable”! Doc. 26. Where did that come up? I wrote the Brief. I never said that. That is only 1 of the flat-out lies the lower courts made up so to deny the win to Teacherson. The Declaration is about WE the People, us, individuals have the individual Right NOT to CONSENT to direct or excise taxes upon “us”. So that I may retain my Substance *without* having “swarms of officers to harass” me; Declaration. I clearly have mentioned that only the W4 form makes appellees constitutional in their actions. And I do NOT SIGN the W4 forms. No signature means NO Consent. It further means that appellees may NOT wield power over Appellant. Where does the prior cases discuss that? This Constitutional position MUST BE adjudicated right down to the Declaration of Independence.

REASONS FOR GRANTING THE PETITION


This is a matter of national importance. It affects everyone from the government itself to all individuals who are expected to pay income taxes to the government, to the judges who took Oaths of Office to uphold the Founding Documents. Both lower courts' decisions are erroneous due to the judges' ignoring the founding documents and their exact wording. Lower judges wrongly made no effort at all to honor the words of the Founding Documents. Nor even address the Founding Documents.

Declaration of Independence was totally ignored by judges who took oaths of office to uphold the Founding Documents. Yet in the instant case, they did not do so.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,


George Teacherson

Date: 1/31/2024