

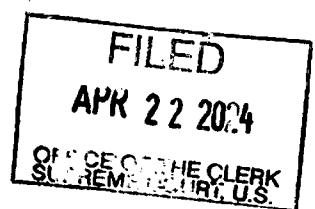
23-7559

Code Red- Emergency File

ORIGINAL

In the
Supreme Court of the United States
Washington D.C

Nickholas Knight Sr.
Petitioner



Vs.

President Joseph R Biden Jr. Et. Al
(President of the United States of America)

Christopher Wray Et Al
(Director for the Federal Bureau of Investigation)

Merrick Garland Et. Al
(Director for the Department of Justice)

Alejandro Mayorkas Et. Al
(Director for the Homeland Security)

Williams Burns Et. Al
(Director for the Central Intelligence Agency)

Daniel Werfel Et. Al
(Director for the Internal Revenue Service)

DEFENDANTS

On Petition for Writ of Certiorari to the Appeal from United States District Court of Appeal
and the D.C Circuit of Washington D.C 1:23-CV-03493-UNA

Petition for Writ of Certiorari

Nickholas Knight Sr.
386-916-0526

I. Tables Of Contents

1. Petition for Writ of Certiorari.....	1
2. Table of Contents.....	2
3. Jurisdictional Statement.....	3
4. Question Presented	4
5. Table of Authorities.....	
<i>Statues of law ,cases etc....</i>	
6. U.S Constitutional Violations	6
7. REASONS FOR GRANTING THE WRIT	7

*To avoid clearly erroneous deprivations of the right to a fair trial, this Court
should clarify the "initiation" standard that applies
when US Government officials invoked coercion on an American citizen who has previously provoked
their right to redress grievances and a fair trial*

Statement of Case

8. Direct Appeal	8-10
9. Conclusion	11
10. Certificate of Compliance	12
11. Certificate of Service	13
12. Appendix	14

U.S DISTRICT COURT OF THE DISTRICT OF COLUMBIA ORDER

II. **Jurisdictional Statement**

"original jurisdiction"

In case 1:23-CV-03493(UNA) cause title 42 1981 civil rights the district court dismiss Mr. Knight title 42 1981 civil rights claims initiating pleading was received on 11/20/2023 on forum and convenes or comity grounds by issuing one paragraph handwritten endorsed order dated on 04/08/2024. The District Court of Columbia had diversity jurisdiction over claim pursuant to FED. R. APP. P 28(a) (4). The court has jurisdiction pursuant to 28. USC §1291 only because the district court's 11/20/2023 and 04/08/2024 orders constitute final order judgments that dispose of all parties' claims in case no. 24-5001 in the court of appeals. The Jurisdiction of this court is invoked under 28 U.S.C §1254(1). Statues Jurisdiction (b)(1)(ii)The Supreme Court has what is called "original jurisdiction" over appeals of cases and controversies that arise under the U.S. Constitution, laws enacted by Congress, cases related to federal admiralty law, cases involving treaties, and cases where the United States itself is a named party. Case was being considered for Treatment Pursuant to rule 34 (j) of the court's rules. This is a consolidated appeal from final orders of the US District Court of Columbia dismissing petitioner claiming action or appeal is frivolous. Related cases arising from the factual circumstances and involving the same parties' petitioner -appellant Nickholas Knight Sr and defendant-appellant President Joe Biden and his official capacity of appellate administration ET.AL along with the above style respondents

III. **Question Presented**

Where President/ Government of the United States of America violate the U.S Constitution has previously invoked the First and Sixth Amendment right to Trial, and freedom to petition government with grievances without redress under what circumstances does the U.S Government "initiate" further Coercion with law enforcement and other government officials thereby purge pragmatically invoking coercion from the state actors violation?

IV. Table of Authorities

Statutes

The Appellants Oral Argument under Rule 431. Briefs may be amended or supplemented at any time when justice requires upon such reasonable terms as the court may prescribe, and if the court shall strike or refuse to consider any part of a brief, the court shall on reasonable terms allow the same to be amended or supplemented. exhaustively outlined all actions taken and the following statutes will be affirmed in accordance with the prescribed standards as follows:

8 U.S. Code § 2441 - War Crimes

Whoever, whether inside or out- side the United States, commits a war crime, in any of the circumstances described in subsection (b), shall be fined under this title or imprisoned for life or any term of years, or both, and if death results to the victim, shall also be subject to the penalty of death.
“war crime” to intentionally kill or inflict serious bodily injury upon innocent civilians during the course of an armed conflict. The law of armed conflict prohibits the intentional targeting of civilians and acts or threats of violence the primary purpose of which is to spread terror among the civilian population.

42 U.S Code § 3617-Interference, coercion, or intimidation

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed 18 U.S Code §610-*Coercion of political activity*
It shall be unlawful for any person to intimidate, threaten, command, or coerce, or attempt to intimidate, threaten, command, or coerce, any employee of the Federal Government as defined in section 7322(1) of title 5, United States Code

18 U.S. Code § 201-Bribery of public officials and witnesses

(b)Whoever—

(1)directly or indirectly, corruptly gives, offers or promises anything of value to any public official or person who has been selected to be a public official, or offers or promises any public official or any person who has been selected to be a public official to give anything of value to any other person or entity, with intent—

(A)
to influence any official act; or

(B)
to influence such public official or person who has been selected to be a public official to commit or aid in committing, or collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

(C)to induce such public official or such person who has been selected to be a public official to do or omit to do any act in violation of the lawful duty of such official or person;

§ 201 prohibits public officials from accepting bribes or gratuities to influence their Government actions.

V. U.S Constitutional Violations

U.S Constitutional Provisions:

United States Constitution, Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

United States Constitution, Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

United States Constitution, Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

United States Constitution, Amendment IV

The accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense, also grants citizens the right to a jury composed of impartial members drawn from the local community.

United States Constitution, Amendment XIV

Prohibits a State from depriving any person of life, liberty, or property without due process of law, and from denying to any person ...

VI. REASONS FOR GRANTING THE WRIT

To avoid clearly erroneous deprivations of the right to a fair trial, this Court should clarify the "initiation" standard that applies when US Government officials invoked coercion on an American citizen who has previously provoked their right to redress grievances and a fair trial without retaliation.

In accordance with the standards set by the U.S. Supreme Court of Washington D.C Rule 14. of the Petition for a Writ of Certiorari, the petitioner.

Comes Now, Nickholas C Knight Sr, who is seeking the intervention of the Supreme Court of the United States to grant certiorari based on an unprecedeted and unconstitutional statutory case. The petitioner asserts that there has been a misjudgment and mishandling of classified information, as well as obstruction of justice, within the lower and appellate courts of the D.C. Circuit. Moreover, the petitioner claims that ambiguous text covering policies in these courts has led to the denial of hearings related to national and international issues, which in turn has had an impact on global markets and has potentially caused human rights violations without a fair trial. The petitioner intends to demonstrate the misconduct of the Court of Appeals of the D.C. Circuit in Washington D.C. and emphasizes that the plea for intervention is not frivolous or malicious, but rather seeks legitimate redress from the United States Government without coercion or retaliatory action.

The petitioner further asserts that the weaponization of the U.S. Government began on January 20, 2021. The CIA, DOJ, DHS, FBI, and the Joe Biden Administration, among others, have exhibited an abuse of power and an overreach of government authorities. The respondents are accused of utilizing coercion, manipulation, and conducting non-consensual studies involving dangerous drugs.

The petitioner emphasizes that they have never made any threats of violence, engaged in obscenity, child pornography, or defamatory speech that would warrant being withheld from expressing their grievances. The petitioner argues that when the government restricts freedom of expression with a high level of scrutiny without a plausible cause, the merits of the case become apparent. Influence peddling and the burden of excessive injury are cited as evidence of the government's violation, and it is that the government and its employees systematically impeded the petitioner from proceeding with a fair trial. The petitioner contends that it is necessary to eliminate ambiguity and rectify policies concerning the integrity of constitutional authorities, specifically regarding the presidential powers of the current Joe Biden administration. It is emphasized that neither Congress nor the President should create laws that impede individuals from petitioning the government for redress of grievances, as protected by the U.S. Constitution.

VII. Statement of Case
Direct Appeal

Case No. 1:23-CV-00492

The petitioner filed a writ of certiorari on November 17, 2022, which was deemed to lack jurisdiction according to the US Supreme Court of the Washington D.C District, resulting in the denial of the writ.

Subsequently, on January 22, 2023, the petitioner proceeded to file a civil grievance related to the lower court's order. On February 8, 2023, a direct appeal was filed, and the lower court issued an order. The petitioner then filed another writ of certiorari with the U.S. Supreme Court of Washington D.C on June 21, 2023, along with a petition for a writ of certiorari and a motion for leave to proceed in forma pauperis. The response to these filings was due on August 7, 2023.

On August 10, 2023, a waiver of the right of the respondent, Biden, Joseph, et AL., to respond was filed. The case was distributed for a conference on September 26, 2023, and ultimately, the petition was denied on October 2, 2023. A petition for rehearing was then filed on October 4, 2023, and the case was distributed for a conference on November 8, 2023, which was later rescheduled for December 1, 2023. However, the request for a rehearing was ultimately denied on December 11, 2023.

Case No. 1:23-CV-03493

This consolidated appeal arises from final orders of the US District Court for the District of Columbia dismissing without prejudice related cases brought by petitioner -appellant Nickholas Knight Sr. against defendant-appellant President Joe Biden in his official capacity and the Biden Administration, et AL. In Case No. 1:23-CV-00492, the district court dismissed Mr. Knight's claims under 42 U.S.C. § 1981 by issuing a one-paragraph handwritten order on March 16, 2023, just over three weeks after the initial pleading was filed on February 23, 2023. The district court had diversity jurisdiction over the § 1981 claims under 28 U.S.C. § 1332. This Court has jurisdiction under 28 U.S.C. § 1291 because the district court's orders constitute final appealable judgments disposing of all claims.

In Case No. 1:23-CV-3493, the district court dismissed the § 1981 claims with prejudice on December 12, 2023, finding insufficient factual evidence. Mr. Knight contends the dismissal was clearly erroneous under Federal Rule of Civil Procedure 52(a) because his affidavit provided factual allegations of misconduct sworn under penalty of perjury. He argues the court should consider his prior pleadings as additional evidence and claims the dismissal shows prejudice against his Fourteenth Amendment rights. Mr. Knight asserts he has key witnesses and discovery to present at trial, and the reason for his complaint is to formally notify the defendants of grievances by compelling their appearance as required by law. He seeks remand for an expedited emergency trial and whistleblower protection under 5 U.S.C. §

1201. Mr. Knight maintains he has suffered due to alleged weaponization of federal power and diversion of the Hunter Biden laptop issue by the Biden administration.

In the matter of case 1:23-CV-3493, the petitioner asserts the presence of ample factual evidence and contests the lower court's decision invoking Federal Rule of Civil Procedure 52(a). This rule stipulates that a finding is deemed "clearly erroneous" when evidence supports it, allowing the appellate court to reverse such findings if they are determined to be clearly erroneous. The affidavit filed during the original submission provided clear and factual evidence, supported by statements made under penalty of perjury, aligning with congressional findings and detailing prosecutorial misconduct by federal agencies. The petitioner argues that past factual findings should be applicable to the current case, 23-CV-00492, and highlights the court's apparent bias against the petitioner's 14th Amendment rights violations.

The petitioner contends that the court, without sufficient basis, has dismissed the presented evidence and engaged in procedural actions that curtail the petitioner's freedom. The civil process was initiated with a complaint to the lower courts against the defendant, addressing the alleged weaponization of federal power, infringement of constitutional rights, and the concealment of the Hunter Biden laptop, further accusing the defendant of war crimes and acts of genocide. The petitioner emphasizes the court's failure to provide a fair hearing before reaching a final judgment, asserting violations of both 1st and 14th Amendment rights. Drawing attention to a previous filing, 23-CV-00492, the petitioner alleges federal misconduct within the government system, backed by key witnesses and discovery material. The purpose of the complaint is to summon the defendant for case 23-CV-3493, submitting a formal, written statement under the force of law and attesting to the veracity of the information. The petitioner argues that the application of Federal Rule of Civil Procedure 52(a) is erroneous in this case, emphasizing that the decision requires review and a reversal, as war crimes have no statute of limitations. The petitioner has established a violation of protection orders and introduces the concept of coercion as a potential defense for committing a criminal act. It specifies that to be found in violation of a temporary protection order, civil protection order, or valid foreign protection order, an individual must have been personally served with or officially received notice of the order. Additionally, the petitioner discusses the criteria under which coercion may excuse the commission of a criminal act, stating that the coercion must be immediate and must induce a well-founded fear of serious bodily injury or death if the act is not carried out. This provision plays a vital role in safeguarding individuals from criminal liability in circumstances where they are compelled to act under duress.

The petitioner contends that since the inception of the Joseph Biden administration, they have experienced significant adversity without safety or security. This legal proceeding seeks to declare the truth, disavowing any falsehood or malicious intent on the petitioner's part. The petitioner alleges misconduct by various agencies, including the DOJ, Merrick Garland, DHS Secretary Mayorkas, CIA William Burns, and FBI Christopher Wray, asserting violations of the FISA court and placing the petitioner in jeopardy. On direct appeal, petitioner renewed their argument that their rights had been violated when the petitioner filed an appeal requesting the review of the lower court; the petitioner initially filed an appeal, that their rights were violated during the lower court proceedings. However, the D.C Circuit of Washington D.C Court of Appeals, in a published order, reasoned that even if the petitioner's right to a fair trial was frivolous or malicious, they did not consider any facts or evidence of

the case being violated. The petitioner has been subjected to unconstitutional violations and daily threats as a result of purported retaliation by the U.S. Government in response to the petitioner seeking redress of grievances through the court system. It is important to note that these violations and threats, if substantiated, would constitute infringements on the petitioner's constitutional rights. Therefore, it is crucial for the petitioner to seek legal recourse and support in order to address these unconstitutional violations and safeguard their rights. Documentation of any instances of threats or retaliation is also advisable to strengthen the petitioner's case and demonstrate the urgency of taking action against these unconstitutional acts.

VIII. **Conclusion**

In conclusion, the denial of a fair trial has failed to satisfy the burden of proof required to establish a fact in court. The government's use of invoking coercion has led to unnatural events aimed at offsetting or delaying trial and has resulted in strong retaliatory actions against amendment violations of the U.S Constitution. This constitutes an abuse of power with viewpoint discrimination. Requesting injunctive relief to suspend the Democratic party affiliation for a period of ten years is deemed appropriate. 1.7 trillion dollars for punitive damages.

The existence of substantial evidence against the respondents warrants a request for the Honorable Justice of the Supreme Court to grant a Writ of Certiorari. Therefore, for the foregoing reasons, the undersigned respectfully requests that this Court issue a writ of certiorari to review the judgment of the Washington D.C District Court of Appeals and the lower court's decision.