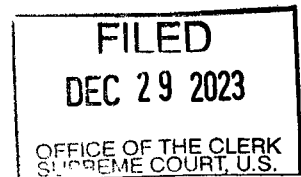


23-7731

ORIGINAL

No. _____



IN THE

SUPREME COURT OF THE UNITED STATES

In Re Jack Carpenter III — PETITIONER
(Your Name)

ON PETITION FOR A WRIT OF HABEAS CORPUS

PETITION FOR WRIT OF HABEAS CORPUS

Jack Carpenter III
(Your Name)

105 fast Ice Dr.
(Address)

Midland, Michigan, 48642
(City, State, Zip Code)

N/A
(Phone Number)

1. Is a challenge to jurisdiction, with or without merit, evidence of incompetence?
1. Are religious beliefs or beliefs founded upon a religious practice evidence of incompetence?
3. Is the right to effective assistance of counsel violated when an attorney with an admitted conflict of interest who refuses to call witnesses in your favor and prevents evidence from entering the record is representing you at an 18 USC § 4247(d) hearing?
1. Is due process violated when the Court places the burden of proving jurisdiction is lacking on the defense, then proceeds as if jurisdiction is proven?
5. Does 28 USC § 1654 supersede a Court's duty to look into jurisdiction at all times by creating a discretion to observe a pro se challenge or does the presumption jurisdiction is lacking preempt the application of 28 USC § 1654? Does the presumption that jurisdiction is lacking pre-empt 18 USC § 4241?
2. Is the right to proceed pro se inhibited when a party moves for competency evaluation or does a person have the right to proceed pro se except for at the 18 USC 4247(d) hearing where the statute only requires representation "During the hearing?" Are you presumed incompetent until proven competent because a party moved for evaluation?
1. Can the court prevent testimony that a person is the Head of State of a self declared government?

3. Do statutes employing the word "threat(s)" inherently exclude lawful behavior such as lawful force in defense of self or others?
1. In a defense of self or others case, can the role of a jury to determine if a reasonable person would believe force was necessary given the circumstances known to the defendant be transferred to the forensic psychologist and the judge in a competency evaluation?
0. Can a competency evaluation be requested "to determine if there is a reasonable belief of incompetence"?
1. If a State Constitution codifies the right to revolt and to "form a new government", can the Federal Courts claim the exercise of that right "seems irrational"? Can Federal Courts interpret the extent of a right, and the circumstances it is lawful under State law?
12. If the government is calling a portion of the citizenry "Insurgents" involved in an "insurrection" granting a qualified war status, acknowledging a state of war, and placing troops in Washington, DC as a display of belligerent occupation, was the Geneva Convention Treaty active? Was it a war crime to require people to take experimental medication licensed under 21 CFR 312 to access the public trust while shaming people based on health status under article 27 and 32?
13. Does the 5th Amendment apply to competency evaluations? Is the exercise of that right "good cause" to request extensions to the evaluation delaying speedy trial rights by months?

14. If government officials call medication a "vaccine", but the manufacturers testify under oath that it was not designed for, licensed to, nor tested to provide immunity for SARS-COV-2, is that fraud?
15. If all Emergency Use Authorized medication is licensed under 21 CFR 312, and the definition of "experimental medication" is "any medication licensed under 21 CFR 312", and 21 CFR 312.7 makes it unlawful to claim medication with that license is "safe" or "effective" by the sponsor, and the sponsor is the U.S. Government under "operation warp speed", is it fraud for a public servant to claim that medication is "safe" or "effective"?
16. If the President says on TV about medication, "What are you waiting for, it's FDA approved," when the manufacturer states they have no intention of manufacturing an FDA approved version, and only the "legally distinct, medically similar" ~~FDA~~ EDA approved version, that is experimental by legal designation, is available, is that an impeachable offense?
17. If former President Trump signs an executive order tasking the National Institute of Health with developing a plan to "manufacture public demand" and "manufacture public funding" of new vaccine technologies, then Eco-Alliance Health requests DARPA funding to release a human engineered coronavirus into the bat population in China, then a pandemic is caused by a novel coronavirus from bats in China, then the government funds new vaccine technology under operation warp speed, is that probable cause of a war crime? Or is it simply International Terrorism? What if it is plan executed by a foreign government that has infiltrated public offices to carry out military, political, and economic goals?

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 of America

Captain Derocher Midland County Jail

RELATED CASES

State of Michigan Circuit Court for County of Wayne

Case No: 09-156542-DS Honorable Helal Farhat Krista Korby v Jack Carpenter

Jurisdiction argument is made in this case, but everytime I am scheduled in front of the judge, I am moved to prevent appearance. This case has also been in limbo for 15 months now.

United States District Court Eastern District of Michigan Southern Division

United States v Jack Eugene Carpenter III

Case No: 23-20152 Honorable Mark A Goldsmith

I have two appeals but the only information I have from them is that they are in the 6th Circuit, one is case No: 23-1661

I have been given no other information regarding them, despite multiple requests in letters

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	4
REASONS FOR GRANTING THE WRIT	8
CONCLUSION.....	9

INDEX TO APPENDICES

APPENDIX A Rule 20.4(a) reason for not Petitioning District Court	11
APPENDIX B Rule 20.1 Exceptional Circumstances	12
APPENDIX C	
APPENDIX D	
APPENDIX E	
APPENDIX F	

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Hudson v. Coleman, 347 F. 3d 138, 141 (6th Cir. 2003)	4.5
Steel Co. v Citizens For a Better Envt, 523 US 83, 94, 118 S. Ct. 1003, 140 L. Ed 2d. 210 (1988)	4.5
Brig. Amy Warwick, 67 U.S. 635, March 10, 1863	5
The Schooner Ench. v. McFaddon, 11 U.S. 116, March 2, 1812	5.5
U.S. v. Palmer, 1818 U.S. LEXIS 380, U.S. Supreme Ct, March 14, 1818	5.5

STATUTES AND RULES

Federal court rule 44
 Federal court rule 12(b)(1)
 Federal court rule 12(b)(2)
 18 USC § 875(c)
 18 USC § 4247(d)
 28 USC § 1654
 21 CFR 312
 21 CFR 312.7
 21 USC 360bbb

OTHER

"International Law" by George Grafton Wilson PhD and George Fox Tucker PhD Copyright 1901.

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF HABEAS CORPUS

Petitioner respectfully prays that a writ of habeas corpus issue.

OPINIONS BELOW

☒ For cases from **federal courts**:

Attorney will not provide documents that have been requested multiple times

The opinion of the United States court of appeals 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 United States district 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.

☐ 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 N/A Attorney will not respond to requests as shown by the record.

☒ No petition for rehearing was timely filed in my case, I have not been provided the opinion as requested, 4 times on record.

☐ 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), and 28 U.S.C. § 2241(c)(1-4)

☐ 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

Michigan Constitution of 1835 Bill of Rights Article 2 (Constitution of 1963 Art 1 § 1)

Referenced in New Hampshire Constitution Part 1 Article 10 - Right to Revolt

US Constitution 1st Amendment

US Constitution 5th Amendment

US Constitution 6th Amendment

US Constitution Article III

Natural Right of Self Defense and Defense of Others

18 USCS § 875(c)

18 USCS § 4247(d)

21 USCS § 360bbb

21 CFR 312 and 312.7

28 USCS § 1654

Statement of the Case

I am being detained by Captain Derocher in midland county jail in Michigan under authority of the Attorney General. I am charged with violating 18 USCS 875(c). I wish to present, among others, two main defenses to this charge. First, that under the Law of Nations I cannot be made subject to a foreign tribunal. Second, even if I was, I did not issue a "threat" under your laws as I used reasonable and lawful force to stop or prevent crimes against persons, and words are the lowest form of force therefore inherently lawful against those committing crimes against persons. The US Attorney has used a motion for competency as a bad faith effort to avoid these defenses, and prevent them from being heard on their merits. The defense attorney assigned to the case prevented the challenge to jurisdiction during an oral hearing on June 6th, 2023. During the hearing the court recognized the challenge of jurisdiction, and requested that the prosecution prove for the record that jurisdiction exists. The US Attorney

stated that they did not understand the challenge, that they were aware that the court struck a motion challenging it, but they did not remember what it said, and since it was struck they could not see it. They asked if defense counsel could re-file it to answer the challenge. Defense counsel told the court that it should exercise jurisdiction to determine competency, then if I am found competent, the court can then look into the issue of jurisdiction to figure out if the court had the authority to look into competency. The court then exercised jurisdiction without the prosecution having to prove it. The court shifted the burden of jurisdiction to the defense, then abandoned the duty to look into jurisdiction.

"Federal courts are courts of limited jurisdiction, possessing only that power authorized by the Constitution and Statute." *Hudson v Coleman*, 347 F.3d 138, 141 (6th Cir. 2003) "Accordingly, it is presumed that a cause lies outside this limited jurisdiction"... "burden of establishing the contrary rests upon the party asserting jurisdiction"... "Without jurisdiction the court cannot proceed at all in any case." *Steel co v. Citizens for a better Env't*, 523 U.S. 83, 94, 118 S. Ct.

1003, 140 L. Ed. 2d. 210 (1988) "The requirement that jurisdiction be established as a threshold matter springs from the nature and the limits of the judicial power of the United States and is inflexible and without exception." *Mansfield C. & L.M.R. Co. v. Swan*, 111 U.S. 379, 382, 4 S. Ct. 510, 511, 28 L. Ed. 462 (1884)

The *de facto* existence of a state or nation is not dependent upon the will or laws of any other state. The internal actions of a state are valid, regardless of the attitude of any other state. Each state is its own judge as to when the characteristics of statehood are met.

"War has been well defined to be, 'That state in which a nation prosecutes its right by force.' The parties belligerent in a public war are Independent nations. But it is not necessary to constitute war, that both parties be acknowledged as independent nations or sovereign states. A war may exist when a belligerent claims sovereign rights against the other"... "A declaration was by one country only, is not a mere challenge to be accepted or refused by the other"... "It is not necessary that the Independence of the revolted province or state be acknowledged in order to constitute it a party belligerent in a war according to the Law of Nations"... "Now, it is a proposition never doubted, that the belligerent party who claims to be sovereign, may exercise both belligerent and sovereign rights." *Brig Amy Warwick*, 67 U.S. 635, March 10, 1863

Belligerency is a question of fact, not theory. The admission of insurgent

status or the recognition of belligerency does not imply anything as to the political status of a nation. In the first place there is a qualified war status, and in the second a full war status.

"Sovereignty is absolute and universal. This is the general rule. But it is contended there is an exception in four cases. 1. As to the person of the Sovereign... 4. As to his property." When "He appears in his sovereign character" ... "no consent to submit to the ordinary tribunals of the country can be implied" ... "If the courts of the United States should exercise such a jurisdiction, it will amount to a judicial declaration of war" ... "If a foreign sovereign be found in the territory, he is not liable to ordinary jurisdiction." *The Schooner Exch v McFadden*, 11 U.S. 116, March 2, 1812

"Persons or Vessels employed in the service of a self declared government, thus acknowledged to be maintaining its separate existence by war, must be permitted to prove the fact of their being actually employed in such service, by the same testimony which would be sufficient to prove that such Vessel or person was employed in the service of an acknowledge state." *US v Palmer*, 1818 U.S. LEXIS 380, US Supreme Court, March 14, 1818

In this case I was denied the ability to prove a legal status due to the US

Attorney and the Court declaring that the exercise of the Law of Nations "seems

impractical" and is a denial of recognition of belligerency not li...

After defense counsel told the court to exercise jurisdiction; and after I am found incompetent, I can prove the court never had jurisdiction Pro se, I filed an appeal arguing: that counsel caused a due process issue; that the court was operating under the presumption that jurisdiction existed without proof; that jurisdiction cannot be used as evidence of incompetency because it was challenged, whether the challenge was meritless or not; that religious beliefs and beliefs inferred from a religious practice cannot be used to deny a trial; and that counsel was ineffective. When the 6th Circuit accepted my appeal counsel wrote a letter stating that there was a conflict of interest in representing me. I sent that letter to the court with a reply telling him to remove himself. He instead delayed my appeal for seven months, and represented me at the 18 USC § 4247(d) hearing despite multiple attempts to have him removed. At the hearing he refused to call witnesses in my favor to confirm events the US Attorney called "delusions" despite being

ovable fact, and prevented evidence from entering the record to support what claimed. He admits to this in his brief. The judge was aware of this, yet never looked into the conflict of interest.

The US Attorney argued that if I was found competent that 18 USC 875(c) does not exclude innocent behavior such as lawful force in defense of self or others. But also that claiming US officials purposefully released SARS-COV-2 to achieve military goals for Israel and launder tax money through corporations controlled by Israeli Jews, like Pfizer, is "common sense" a delusion. They also argued that despite EUA (Emergency Use Authorized) medication is subject to 21 CFR 312.7, that saying it was unlawful to claim the medication was "safe" or "effective" was a delusion. The forensic psychiatrist claimed that my appeal was a delusion as was the presumption that a person can use lawful force, and mis-stating my religious beliefs, concluded that they were evidence of mental illness. All of this resulted in a finding of incompetence. Forth

claim in front of the judge, and the forensic psychologist as a means to usurp the role of the jury, and place it with the judge. Defense attorney preventing evidence to support these claims when it exists left the question of whether these beliefs are delusions or supported by evidence an open question for the judge.

I filed a second appeal arguing that 28 USC § 1654 does not remove the court's duty to look into jurisdiction because the court must assume jurisdiction is lacking, and in that circumstance the court cannot claim that it has discretion to ignore a challenge to jurisdiction citing a statute that can only apply when the court has jurisdiction over the case. Additionally, as 18 USC 4247(d) only required representation "during the hearing", I should have been allowed to pursue the challenge to jurisdiction pro se, regardless of whether or not the prosecution had requested a competency

valuation "to determine if a reasonable belief exists" that I was not competent. The court has deemed me incompetent to stand trial, and now after 15 months of incarceration I am informed that I am too insane for a trial. I expect to be moved to another facility while this petition is in the mail. I do not know where.

It is worthy of note that the US House Intelligence Committee has stated that the US Intelligence Community is hiding facts regarding the origins of SARS-CoV-2, and has requested a special prosecutor investigate. The facts show that it was released with the intent to cause panic to "manufacture public demand" and "manufacture public funding" of new vaccine technologies, and the last two Presidential Administrations participated in this Crime Against Humanity. It is not "paranoia" that the perpetrators of these criminal acts would go to extremes to avoid public knowledge and prosecution for these actions. It is, to quote the prosecution, "common sense" they would. I am

continued to this document

Rule 20.4(a) Reason For not Petitioning District Court

pg. 11

The District Court has ignored the conflict of interest that counsel itself stated in a letter forwarded to the Court. The District Court is operating despite jurisdiction not being proven after acknowledging a challenge to jurisdiction on June 6th, 2023.

It has made several mistakes of fact and law, and attempts to characterize the 6th circuit court of appeals dismissing my claims for lack of jurisdiction as if the claims were dismissed on their merits. It claims my beliefs are evidence of a mental illness, and then mischaracterizes my beliefs or develops its own wild theories of what I believe that are blatantly wrong, for example:

1. I do not claim to be a "Sovereign Citizen" at any point, and defense counsel mentioning that legal theory to disparage my defense under the law of nations was argued in appeal as not a belief I have.
2. I do not claim the COVID "vaccine" is a biological weapon, SARS-COV-2 virus is, and evidence shows it was released on purpose as a Warcrime and/or an act of International terrorism.
3. I did not email Dr. Nybo on an "almost daily basis"
4. 3 military helicopters flew over my house on different days over a period of 2 months, each time witnessed by multiple people.

5. I do not claim the State Dept operates a "Qanon Website"

The Court states that I have "fixed beliefs that are not amenable to change in light of conflicting evidence" but that there is "no legal requirement that Carpenter had to be presented with conflicting evidence," and then completely mischaracterizes what I believe.

The District Court, US Attorney, and defense counsel have been artfully trying to make it appear as if my challenge to jurisdiction has been assessed and deemed invalid when it has not, while trying to portray my defense of others claim as irrational while preventing evidence to support it, and claiming they don't need evidence to dispute it while making me have to defend against accusations having no reasonable relation to my defense. They are unlikely to stop this behavior as it has been ongoing for over 15 months now.

Rule 20.1 Exceptional Circumstances

pg 12

I have already been incarcerated for longer than the maximum recommended sentence while the Court has spent 15 months shifting the role of a jury to the judge and trying to make it appear as if the challenge to jurisdiction has been assessed when it has not. The Court ruled that it can make assumptions without evidence that beliefs are delusions, which in a defense of self or others case is exceptionally problematic as it is the role of the jury to determine if a reasonable person would believe what the defendant believed at the time when force was used. Additionally, "merely believing fringe views does not mean someone cannot cooperate with his lawyer or understand the judicial proceedings around him" US v Coleman, 871 F.3d 470 (6th Circuit)

Defense counsel stated on record that "clearly" I was competent and that my complaints regarding his counsel are legitimate legal concerns, and "defense counsel will often have the best-informed view of the defendant's ability

to participate in his defense." US v. Coleman

District Court has been operating without jurisdiction being proven and the 10th Circuit claims it does not have jurisdiction to review this error. "That the defendant understood the criminal nature of the proceedings is reflected by the fact that he challenged the Court's jurisdiction. He demonstrated his ability to make legal arguments, albeit atypical ones... and cited case law, statutes and Constitutions" US v Coleman

I am being denied a trial because the Court assumes I cannot prove that US officials with loyalty to a foreign country committed war crimes, crimes against humanity and acts of International terrorism, absent evidence to support the Court's assumption. This is because Dr Nybo doesn't believe the people guilty of these crimes would have a vested interest in preventing facts to support that assertion coming to light in a trial. Even despite one of the actors

explicitly referenced in one of my court filings, Dr. Fauci, was told, "You should be prosecuted for Crimes Against Humanity" by Congress on June 3rd, 2024. It stands to reason that ^{WE should be} asking whether the US Attorney, the District Court and Dr. Nybo are able to amend their beliefs in the face of contradicting evidence. But in the meantime, I am unable to get relief from the District Court, the 6th Circuit, and my attorney has a conflict of interest in representing me, won't remove himself, and interferes with my defenses and appeals. This Court, the Supreme Court, is the only option left. Otherwise, I will just be incarcerated for longer than if I was proven guilty without ever receiving a trial, and Public officials who committed War Crimes, Crimes against Humanity, and acts of International terrorism will not be exposed. I will be imprisoned without a trial for an innocent act, and the Court never had jurisdiction over my person nor the subject matter to begin with.

The District Court ruling that a right under State law and the Law of Nations "seems irrational" would seem to be itself an exceptional circumstance. Everything else, like that I can't get an appellate court to review my claims, and defense attorney interferes with my appeals while I am being denied a trial and incarcerated in excess of others in the same circumstances would exceed showing this is an exceptional circumstance. Thank you for your consideration, and hopefully recognizing incompetent people don't know how to file motions, appeals, and figure out how to petition a court for a writ of habeas corpus. Please keep in mind that court rules are for the expedience of Justice, but are able to be waived when they are an impediment, and as a pro se Filing I cannot be held to the same standards typically enforced against those who deal with the courts as a career. I am in need of the Courts assistance.

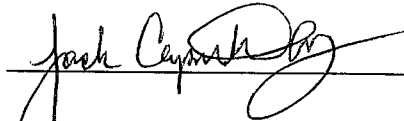
Reasons for Granting Petition

The decisions of the lower court conflict with decisions of the Supreme Court. The decisions of the lower court are contrary to the Law of Nations. There are questions of law that fall within the original jurisdiction of this court. Being denied a trial is not a harmless error. Counsel interferes with all appeals, then refuses to provide documentation from the courts. The lower court is operating without jurisdiction being proven, and the circuit courts are not providing remedy. I am left with no options, but this remedy.

CONCLUSION

The petition for a writ of habeas corpus should be granted.

Respectfully submitted,



Date: May 20, 2024