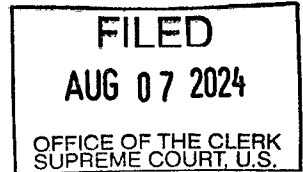


No. 24-

157

ORIGINAL

In the  
Supreme Court of the United States



ROY CHARLES DERKSEN,

*Petitioner,*

v.

STATE OF WISCONSIN, ET AL.,

*Respondents.*

On Petition for a Writ of Certiorari to the  
United States Court of Appeals for the Seventh Circuit

PETITION FOR A WRIT OF CERTIORARI

Roy Charles Derksen

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August 8, 2024

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BOSTON, MASSACHUSETTS

## QUESTIONS PRESENTED

1. Did the Federal District court, and the 7th circuit court of appeals court err in summarily dismissing my lawsuit, without addressing the questions of law, in calling the questions “frivolous” “sovereign citizen type arguments”? The summary dismissal seems a conspiracy to avoid answering the constitutional questions that go against present practice.

2. Are all executive branch administrative laws, quasi laws? I was charged with a felony under administrative code and jailed.

3. Do the people have the right to a Grand Jury review before being charged with a felony/capital crime? No Grand Jury was held in the matter.

4. Does the 6th Amendment right to demand the “Nature and cause” of charges from the accuser include revealing the type of law jurisdiction attempted? I demanded the nature and cause, not answered as to type of jurisdiction, etc.

5. Is an accuser required to reveal their standing to sue, status, and Nexus with the accused as part of the Nature and cause of the charges? My accuser is named as “THE STATE OF WISCONSIN”, a fictitious entity of unknown standing and nexus, which I need revealed to defend.

6. Is the STATE OF WISCONSIN violating my federal rights by attempting forcing me, a living natural man, into subjection to administrative law without my consent or agreement and over my objection?

I didn’t consent or agree and did strongly object.

7. Does an administrative tribunal hearing an administrative accusation, have jurisdiction over those who do not consent to the jurisdiction and are not of a status subject to the administrative law being used to intrude into a living man's pursuit of happiness? The tribunal claimed to have jurisdiction without evidence placed on the record as to administrative nexus.

8. Did the framers of our Constitution establish states as sovereign entities, immune from responsibility and suit? I stand on *Chisolm v. Georgia*, ruled on by Justices who were constitutional framers, who ruled against that idea.

9. Did the 11th Amendment establish states immunity from being sued by its masters, the citizens of the same state, when the 11th Amendment does not say that?

States are servants of the citizen not sovereign masters like the king of England was-when they cause damages, they are to be held responsible.

10. Do Wisconsin State officials have immunity from suit for damages when acting in ministerial capacity over administrative quasi law? I was arrested at gunpoint, jailed by state actors, forced to pay bail in something other than gold and silver coin to get out from behind the bars.

I posted bail, which payment was paid without prejudice, and signed without prejudice.

11. Can rights be deprived to me because I am regarded by the district court and 7th circuit as part of a certain group or type of people? The District court, and 7th circuit labeled me as a "sovereign citizen type" making "frivolous sovereign citizen type argu-

ments" that don't need to be dealt with. The questions arise from direct quotes from the constitutions of our great nation, and some have been dealt with before, leaving contradictions and opposing rulings are in effect that need to be resolved by the Supreme Court.

12. If an entity has something against me, do they need to follow constitution judicial due process to interfere in my pursuit of happiness? I am not a licensee, and claim to be free from administrative law subjection and involuntary servitude. I realize I am responsible under common law and judicial law.

13. Right to a competent atty? The attorney I had retained refused to ask foundational questions telling me he didn't understand the constitution. I have been unable to get a commitment from an attorney who is willing to assist asking the questions. The administrative court judge ruled I had to find an attorney or I would be, by being unable to retain one, by inaction, waiving my right to an attorney and I would be forced to go to trial on my own.

14. Should the 7th circuit order for sanctions, punishing me for seeking redress, be overturned? The 7th Circuit ordered sanctions of 1000 against me for frivolous case being filed.

## **PARTIES TO THE PROCEEDINGS**

### **Petitioner and Plaintiff-Appellant below**

- Roy Charles Derksen

### **Respondents and Defendants-Appellees below**

- Fond Du Lac County, Wisconsin
- Tony Evers, Wisconsin Governor
- Josh Kaul, Wisconsin Attorney General
- Tricia L. Walker, Magistrate Judge
- Eric Tony, Fond du lac County District Atty
- Ramona M. Geib, Fond du Lac County Clerk
- Fond du Lac County Sheriff and Officers
- Ryan Waldschmidt, Fond du Lac County Sheriff
- Benjamin Bigelbach, Fond du Lac County Officer
- Brennan Wagner, Fond du Lac County Officer
- Chris Randall, Fond du Lac County Officer
- Lucas Olsen, Fond du Lac County Officer
- John Doe 1 to 30
- Jane Doe 1 to 30

## LIST OF PROCEEDINGS

U.S. Court of Appeals for the Seventh Circuit

No. 23-3194

Roy C. Derksen, *Plaintiff-Appellant*, v. State of Wisconsin, et al., *Defendants-Appellees*.

Date of Final Order: May 10, 2024

Date of Sanctions Order: July 11, 2024

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U.S. District Court Eastern District of Wisconsin

No. 23-C-0997

Roy Charles Derksen, *Plaintiff*, v. State of Wisconsin, et al., *Defendants*.

Date of Final Order: October 27, 2023

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## OPINIONS BELOW

The Order of the United States Court of Appeals for the Seventh Circuit, No. 23-3194, is included at App.1a. A follow up order on sanctions was issued on July 11, 2024. App.3a. The Order of the United States District Court Eastern District of Wisconsin, Case No. 23-C-0997, is included at App.5a. These opinions and orders were not designated for publication.



## JURISDICTION

This matter is brought under common law and art III judicial law nature, standing on jurisdiction challenge grounds, and on Federal constitutional questions, according to my right to redress of grievance per Article I of the Federal Constitution, as well as title 18, 241 and 242, as well as title 42 § 1983.

The final order of the Seventh Circuit was issued on May 10, 2024. This Court has jurisdiction under 28 U.S.C. § 1254(1).



## CONSTITUTIONAL PROVISIONS INVOLVED

### U.S. Const. amend. 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

*Redress*-Compensation for injuries sustained; recovery  
or restitution for harm or injury; damages or equitable  
relief. Access to the courts to gain reparation for a  
wrong.



## STATEMENT OF THE CASE

### A. Statement of Facts.

1. This case is a directly related collateral proceeding, seeking redress, and declaratory relief, the central issue being administrative jurisdiction forced upon me without consent.

2. I, Roy Derksen, one of the people, speaking for myself, claiming all rights and waiving none, hereby moves and petitions the Supreme court for **Redress of Grievances** by authority and jurisdiction given by Article 1 of the American constitution, and sues the defendants for deprivation of rights under mere color of law, for actual damages, and for conspiracy to deprive constitutional rights, under common law, and, if applicable, Title 42 U.S.C. § 1883. And such other relief as is appropriate that at this time is beyond my understanding.

3. I was arrested and jailed apparently under the erroneous presumption I was a licensee, subject to the conditions of the administrative "Traffic rules". Quoted below, the Wisconsin Supreme court ruled plainly that the right to assert administrative traffic rules is base on the subject being of a licensee status, and not

on culpability. *State v. Stehlek*, 262 Wis. 642, 56 N.W.2d 514 (Wis. 1953)

4. I demanded to know the “Nature, and Cause of the charges”. The demand was not answered as to nature of law, status, standing, and nexus of the Accuser, believed to be a de-facto entity, THE STATE OF WISCONSIN.

5. The issue of the right to demand the nature of the charges is one that is incredibly important for the preservation of liberty for the people. The framers of our constitution knew firsthand the machination of the King of England with different types of law used to subjugate the people. It is happening with the administrative quasi law overcoming constitutional protections. This needs clarification by the Supreme court to protect the rights of the people.

6. No Grand Jury true bill was issued for the felony charge, but a hearsay “information” used as a charging instrument of administrative quasi law,

7. My challenge to jurisdiction was not proven with evidence by the accuser, but denied by mere declaration of the administrative hearing officer.

8. The matter gives rise the questions above.

## **B. Procedural History.**

1. I filed a lawsuit, Captioned; Roy Charles Derksen v. THE STATE OF WISCONSIN, et al. case no 23-C-0997, Filed in Eastern District of Wisconsin on 7/26/2023, seeking redress of grievance for the damages done to me.

2. The Federal Eastern District Court summarily dismissed the case on October 27, 2023, mainly on the

grounds that they regarded me as a part of a "sovereign citizen" group of people making frivolous "sovereign citizen" type arguments which should be summarily dismissed without dealing with the substance of the questions and issues raised. Appendix exhibit A.

3. I timely filed an appeal to the 7th circuit Appeals court, Captioned *Roy Charles Derksen, Plaintiff v. The State of Wisconsin et al.* case no. 23-3194,

4. The 7th Circuit summarily dismissed on May 10th, 2024, without requiring the defendants deal with the substance of the issues, calling the questions I raised "frivolous sovereign citizen type arguments" not meriting a substantive response to the questions and issues of law. Appendix exhibit B.

5. The attack upon me for which I seek redress started in Fond du Lac County in Wisconsin on 09/11/2021.

Captioned;

THE STATE OF WISCONSIN v. Roy Derksen

Case numbers 2021TR6256, 2021TR6257, 2021TR6258, 2021CF734.

6. September 11, 2021, while a passenger in a car, I was arrested and jailed, on suspicion of having violated some administrative traffic rules, one of which I later found out, is called eluding, a felony under Traffic rules.

7. After 4 days in Jail, on Sept 15th, I paid 500 FRNs to get out of jail, signing the bail form without prejudice.

8. 9/15/21 I was charged by an "information complaint" written by an police officer not present at the arrest.

9. 9/29/21; I served a bill for particulars on the Fond du Lac County District attorney, demanding the Nature of law and lawful cause of the charges. (never answered, treated as a motion and denied.)

10. 12/01/21 I served affidavits to the administrative officials stating they were depriving me of rights under mere color of law. Sworn to facts, which as I understood, required refutation by affidavit of stated facts to avoid admission.

11. The affidavits were not responded to, equaling tacit admission of unlawful deprivation.

12. The affidavits were filed on the record 12/14/21 by the District attorney. The unanswered affidavits constitute tacit admission of quasi law attack on my pursuit of happiness, which the administrative tribunal ignored.

13. 12/14/21 At Arraignment, I challenged jurisdiction, and the Administrative tribunal Official entered plea on courts behalf over my objection.

14. I demanded that jurisdiction be proven with evidence that proved I was subject to the administrative law.

15. Without evidence presented, or other proof, the presiding official ruled they had jurisdiction because I lived in the area.

16. 03/02/22 I filed demand for dismissal. Court official refused to set a hearing, reason given, the motion was not filed by an attorney.

17. 3/15/22 I sought injunctive relief from Wisconsin appeals court relief. Summarily Denied by appeals court.

18. On 07/20/22 Seeking resolution, I filed a Notice of abatement with the Clerk of Courts, to which I received no response.

19. I had retained assistance of counsel who at first claimed he would help, but refused to ask constitutional jurisdiction questions, and on 11/23/2022 he asked the court to withdraw as counsel, and it was granted.

20. I filed another motion to dismiss for lack of jurisdiction, grounds of me not being of administrative subject status and on 03/24/23, a Hearing on my motion resulted in denial, reason given by the court official as I understood, was that being charged with a crime under administrative code was different., which the official ruled forced me into subjection to administrative traffic law, not requiring my agreement.

21. Appeal to the 7th per above.

22. Complaint filed in Eastern District of Wisconsin, summarily dismissed on November 27, 2023 Exhibit A

23. 7th circuit Dismissal order signed on May 10th, 2024. Exhibit B.

24. The state administrative traffic court has set a trial for November of 24. Exhibit C

25. The seventh circuit issued a sanction fine against me for 1000 Federal Reserve Notes for filing a frivolous lawsuit. Exhibit D



**C. Why This Matter Is Important and Should Be Heard.**

1. This case is about constitutional protections being deprived through proliferation of administrative law encroaching on constitutional protections and God given liberty.

2. It is the first duty of the courts to protect the rights of the people, and obey the constitution.

3. Failing to disclose the "Nature of the law" when demanded, is a violation of the public servant's oath to obey the constitutions. These are not "frivolous sovereign citizen type" matters, but foundational constitutional issues that the courts have the duty to protect the people with.

4. The administrative tribunal moving forward against me without the administrative jurisdiction being proven with evidence, when challenged, is part of a gradual destruction of the liberty our constitutions established.

5. Courts have ruled that administrative officials do not have immunity for damages they cause especially when they move forward without jurisdiction being proven.

6. This stealthy encroachment on constitutional protections has become policy and practice in Wisconsin, and other states, which is depriving me and many other people of liberty our forefathers established. The half million plus people who love liberty enough to do what they can to be free from quasi administrative law are classified as a group, and discriminated against, even to death.

7. In March of 2023 in Utah, Chase Allen, a 25 year old man was pulled over for having a homemade license plate, declaring his liberty from administrative law. He ended up shot to death!

Compare;

“Ah, you are a black person wanting God given liberty?” *United States v. Price*, 383 U.S. 787 (1966) A group of people discriminated against unlawfully, ending in murder of some.

“Ah, you are one of those ‘Sovereign Citizen types’?” *Utah police v. Chase Allen*. Shot to death because of administrative overreach?

“Sovereign Citizen type of People” discriminated against ended in death of a young man. Chase was not a criminal, stealing or damaging others, he was a man who loved freedom, like our forefathers did, wanting to be free from the involuntary servitude to administrative law.

8. Many people over recent years, who took a stand to be free from administrative law, have ended up dead or with their lives turned upside down like mine, by police enforcing administrative law as if it were constitutional judicial law. And sometimes resulting in the death of public servants as well, when frustrated liberty seekers turned violent.

9. The liberty our forefathers recognized and protected is a republican form of government where the people are the masters, and are not to be intruded upon unless they cause harm. Simplistic, but true, and as the internet makes information widely available, more and more people are seeing and resisting the administrative law overreach by public servants, who act more

and more like the king of England, treading upon the rights of people.

10. Philip Hamburger, Columbia Law Professor, wrote an enlightening treatise on the history, danger and unconstitutionality of the administrative law power. Philip Hamburger, *The History and Danger of Administrative Law*, IMPRIMIS, September 2014.

Some of those who are harming no one, just wanting to be free from government overreach, become so frustrated at the untoward intrusion in their lives that they turn violent. The flag of our nation at one time said "Don't tread on me". Are our rights being tread on by quasi law presumptions?

11. The central issue in this matter is the jurisdiction of administrative courts and administrative rules, quasi law in nature.

12. The administrative law is justly applied to those who are licensees, but when someone is not a licensee, he can only be attacked/dragged into court under constitutional judicial due process law.

13. It seems the courts have lost understanding of the difference, or understand, but do not want to reveal the true nature of the law system being used, even though the constitutions require the Nature be revealed.

14. The Wisconsin Supreme court exposed the truth that the people have a choice to get privilege by agreeing to be subject to the administrative quasi law, or not. Enforcing administrative traffic laws is based on the subject being of the status of a licensee, whereby one agrees and consents to be subject to the quasi law, which may waive his right to common law and

Constitutional judicial protections. *State v. Stehlek*, 262 Wis. 642, 56 N.W.2d 514 (Wis. 1953).

“In *People v. Thompson*, 259 Mich. 109, 123, we said: ‘In accepting the license (of operating a motor vehicle upon the public highways) from the state, one must also accept all reasonable conditions imposed by the state in granting the license. . . . It is elementary law, where special privileges are granted by the state, special duties in connection therewith may be exacted without providing compensation therefor. . . . The right to impose the condition is not based upon culpability, but instead it is incident to his status as a licensee.’”

It is plain that administrative rules of the road conditions have authority and power over licensees, those who have sought some type of privilege from the state, but do not have power over non-licensees.

If we the people have a right to do something, then the State doesn’t have the authority to change it to a privilege.

However, if there is damages done by one of the people, we have constitutional judicial law for dispensing justice when there is no administrative nexus.

15. The police need to be trained to find out the status first of the man or woman, who’s pursuit of happiness they intrude upon, to see if they are subject to the administrative rules. Is not anything else tyranny, involuntary servitude and perversion of the constitution? Would not Chase Allen be alive today, if the police had abided by their constitutional limitations?

“We the people are the rightful masters of

both Congress and the courts, not to overthrow the Constitution but to overthrow the men who pervert the Constitution." *Abe Lincoln*

16. The Grand Jury protection has been civilized law since the Magna Charta, for infamous or capital crimes. I have been charged with a felony, which translates to a capital crime. Yet no grand jury protection. I am damaged in reputation and standing in the community, while being damaged through administrative law that I am not of subject licensee status.

- a. It seems this deprivation is founded in administrative quasi law, thereby circumventing the protections of the Constitutions, which plainly establishes the protection of the grand jury. The grand jury process was in practice throughout the states for infamous crimes, but since the protection barrier was broken with the advent of administrative law, the chains of the constitution are broken and there are more and more deprivations.



## REASONS FOR GRANTING THE PETITION

1. I am bringing this case in the interest of preserving liberty for our posterity, for my own freedom, and for stopping the erosion of our God given liberty, It would have been much easier and less expensive to make a deal with the local administrative officers. I have spent thousands of hours and a lot of money to fight against the encroachment on the American constitution.

2. In America, a government of the people, by the people and for the people, the powers that be get their powers from the consent of the governed people. Far different from having a king claiming sovereign immunity, able to do harm to the people.

3. The purpose of government in America is to protect the rights and liberty of the people.

4. The constitution was written mainly to limit the powers of government, as the framers knew the propensity of men to be selfish, subject to corruption by power.

Nothing in the constitution establishes executive branch administrative quasi law. It exists only by the power of the people to contract, license for privilege. The principle exposed in *State v. Stehlec*, 262 Wis. 642.

#### 5. RIGHT TO KNOW THE NATURE AND CAUSE.

Either the tribunals do not comprehend that the "Nature" of the charges is more than the allegations in the charges, or they don't want to understand.

It is important that this issue be clarified by the supreme court, that the "nature" of the charges is about the type of law used, the status and standing of the accuser, the foundation of the intrusion into the pursuit of happiness of the people.

Refusing to reveal the Nature of the law and accuser of the charge upon demand should be grounds for immediate dismissal, depriving jurisdiction.

6. RIGHT TO A COMPETENT ATTORNEY? I have found it hard to find an attorney who is willing to be my counsel on these issues. "I am an officer of

the court and I will be ostracized by the law community” one said. “I don’t understand the constitution and, no one in the courthouse does”, another said.

I have reached out to several “Constitutional Rights” attorneys, Philip Hamburger for one, they have not returned my calls or answered my inquiries. The administrative tribunal magistrate, Tricia Walker, has ruled that if I can’t find a competent attorney, I lose the right to one, and trial will happen in November of 24, depriving me of competent council, I will have to handle the matter, untrained in the procedures and strategies.

Even the Federal district court seems to be so caught up in the administrative law, that they seemed to think I created the term “quasi law”. They didn’t seem to understand that administrative law is quasi in nature.

7. The questions are straightforward, brought up in the Federal complaint, which they ruled as frivolous, and the lawful answers will clarify administrative powers, putting the brakes on the administrative coup of the constitution of our great nation.

8. Justice Harlan spoke of quasi law encroachment of liberty in 1901.

“The idea prevails with some—indeed, it found expression in arguments at the bar—that we have in this country substantially or practically two national governments; one to be maintained under the Constitution, with all its restrictions; the other to be maintained by Congress outside and independently of that instrument, by exercising such powers as other nations of the earth

are accustomed to exercise. . . . It is quite different thing to say that Congress may, if it so elects, proceed outside of the Constitution. The glory of our American system of government is that it was created by a written constitution which protects the people against the exercise of arbitrary, unlimited power, and the limits of which instrument may not passed by the government it created, or by any branch of it, or even by the people who ordained it, except by Amendment or change of its provisions. "To what purpose," Chief Justice Marshall said in *Marbury v. Madison*, 1 Cranch, 137, 176, 2 L.Ed. 60, 73, "are powers limited, and to what purpose is that limitation committed to writing, if these limits may, at any time, be passed by those intended to be restrained? The distinction between a government with limited and unlimited powers is abolished if those limits do not confine the persons on whom they are imposed, and if acts prohibited and acts allowed are of equal obligation."

9. GRAND JURY; The Grand Jury is designed to protect people from being unlawfully charged, etc. for infamous crimes, felonies, a protection in existence for a long time.

Erskine, in his speech delivered in 1784 in defense of the Dean of St. Asaph, said, in the presence of the judges of the King's Bench:

"If a man were to commit a capital offence in the face of all the judges of England, their united authority could not put him upon his trial; they could file no complaint against



him, even upon the records of the supreme criminal court, but could only commit him for safe custody, which is equally competent to every common justice of the peace. The grand jury alone could arraign him, and, in their discretion, might likewise finally discharge him by throwing out the bill, with the names of all your lordships as witnesses on the back of it. If it be said that this exclusive power of the grand jury does not extend to lesser misdemeanors, which may be prosecuted by information, I answer that, for that reason, it becomes doubly necessary to preserve the power of the other jury which is left

*State v. Barker*, 107 N.C. 913, 12 S.E. 115 (N.C. 1890)

10. First established in the Magna Charta, the 13 original states wrote into their constitutions nearly identical wording establishing the right to Grand Jury protection.

11. Supreme Court Justice Harland stated. In *Hurtado v. California*, 110 U.S. 516 (1884),

“Does not the fact that the people of the original States required an amendment of the national Constitution, securing exemption from prosecution, for a capital offence, except upon the indictment or presentment of a grand jury, prove that, in their judgment, such an exemption was essential to protection against accusation and unfounded prosecution, and, therefore, was a fundamental principle in liberty and justice?”

12. 5th Amendment—

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury,

### 13. STATES DO NOT HAVE SOVEREIGN IMMUNITY!

14. It is a well-established maxim that the intent of the founders of the Constitution is the law.

15. The first supreme court, which had, I believe, four of the signers of the constitution on it, ruled in *Chisholm v. Georgia*, 2 U.S. 419 (1793) that the states do not have sovereign immunity like the king of England did. Later, congress passed the 11th Amendment that precluded a state from being sued by someone who was not a citizen of the state. But congress stopped short of saying that a state had sovereign immunity from being sued by its masters, the citizens of the subject state. This stood for 100 years, when the supreme court, none who were framers, in *Hans v. Louisiana*, ruled that the 11th Amendment gave states sovereign immunity from being sued by its own citizens. Original intent tells us that ruling wrong. And the 11th Amendment does not say states have sovereign immunity from being sued by its masters, the people of the state by who's consent they exist.

16. In *Cohens v. Virginia*, 19 U.S. 264 (1821), Chief Justice Marshall ruled that the Eleventh Amendment did not bar suits against the states under federal question jurisdiction and did not in any case reach suits against a state by its own citizens.

17. Randy Barnett, law professor at Georgetown did a lecture on the topic. Randy Barnett, *The People*

*or the State?: Chisholm v. Georgia and Popular Sovereignty*, 93 VA. L. REV. 1729-1758 (2007)

When a state institutes a practice where it violates rights as a practice through administrative quasi law, without full disclosure, that certainly should be reviewable by the Supreme Court. At the least in an injunctive area of law.

I move this Court clarify and grant appropriate relief.

- a. Public officials who are bound by oath of office should be at least as responsible to know the law as the citizen is, (ignorance of the law is no excuse) otherwise we have a nobility class in violation of the constitution who care little about their oath.
- b. If states and official are immune from suit, it destroys the Article 1 right to redress of grievance. How can one get redress remedy if the public servants and government entities have sovereign or qualified immunity?

18. James Wilson, a signer of both the declaration of independence and the constitution, was also on the first Supreme court. John Jay, another founding father was chief justice of the supreme court when they issued the ruling on *Chisholm v. Georgia*, 2 U.S. 419. Georgia claimed they could not be sued because of sovereign immunity. Wilson and Jay clearly ruled against that idea, as that was similar to what the revolution was all about, getting free from the King of England's deprivations by his claim to sovereignty.

19. In 1795, the 11th Amendment was passed which narrowly stated that States could not be sued

by people from other states, or aliens. Nothing was said about states having sovereign immunity like the king, or that States had sovereign immunity from suit brought by citizens of the home state. State entities are servants to the masters, the citizens of that state, and the 11th Amendment left that right untouched.

20. About a hundred years later, the Supreme court in *Hans v. Louisiana*, 134 U.S. 1 (1890), read into the 11th Amendment that the States had sovereign immunity. I don't know the motivation to rule against Chisolm, but it is plain the court did not have the same understanding of the intent of the founders as did Wilson, Jay, and the other original Justices.

21. America was set up so that the people are the masters, and government exists by their consent. It seems plain that sovereign immunity of the states is not what the founders intended. The de-jure states are accountable to the people living in the state. Is not sovereign immunity one of the of the things we rebelled against England for? The rulings in Chisolm vs Georgia should be reinstated, and opposing rulings be overturned. Whenever one part of our liberty is abrogated, It has effect on many others. We the people set up the government and the courts for protecting the liberty our forefathers fought so hard for.

22. When an official of any kind takes an oath to obey the constitution, and then fail to do so, it is a travesty of justice, and maybe even treason. I believe Thomas Jefferson would have thrown out the existing, and established new guardians of our liberty in the face of such abrogation of the constitution.

23. GOD IS THE ONLY SOVEREIGN; Though citizens are masters in America, the only Sovereign is

the Almighty God, the creator of the Earth and all that in there is. America was established on Christian principles. We can only request mercy, but we cannot sue the Sovereign God. States are not God.

### FOUNDING FATHER QUOTES

24. "Is it not that in the chain of human events, the birthday of the nation is indissolubly linked with the birthday of the Savior?—that it forms a leading event in the progress of the Gospel dispensation? Is it not that the Declaration of Independence first organized the social compact on the foundation of the Redeemer's mission upon earth?—that it laid the cornerstone of human government upon the first precepts of Christianity?"—John Quincy Adams

25. "Before any man can be considered as a member of civil society, he must be considered as a subject of the Governor of the Universe."—James Madison

26. "And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath? Indeed I tremble for my country when I reflect that God is just; that his justice cannot sleep forever."—Thomas Jefferson

27. "Righteousness alone can exalt [America] as a nation. Reader! Whoever thou art, remember this; and in thy sphere practice virtue thyself, and encourage it in others . . . [T]he great pillars of all government and of social life: I mean virtue, morality, and religion. This is the armor, my friend, and this alone, that renders us invincible."—Patrick Henry

28. "To the kindly influence of Christianity we owe that degree of civil freedom, and political and social happiness, which mankind now enjoys . . . Whenever the pillars of Christianity shall be overthrown, our present republican forms of government—and all blessings which flow from them—must fall with them."—Jedidiah Morse

29. No matter the stature of man on the earth, or how much power they have or how rich they are, all will stand before the righteous judge, the sovereign of the universe at their passing out of this world.

30. 1 Peter 4: 5-6 KJV Bible Who shall give account to him that is ready to judge the quick and the dead.

31. The erroneous sovereign and qualified immunity allows public servants to violate rights with impunity, and commit horrendous acts against their masters, the people. If they are held accountable, America would be a better place, instead of more and more a police state.

32. LET US REASON TOGETHER. If convicted, the effect of the administrative charge would be the same as if I were convicted under Constitutional Judicial law process.

33. Again, the state administrative tribunal moved forward with the accusations without producing any evidence that Derksen had, with full disclosure of the negative consequences thereto, subjected himself to the said Administrative code. DISPOSITIVE?



## CONCLUSION AND REQUEST FOR RELIEF

I move the court for declaratory, injunctive and other redress and relief.

a. Declare the meaning of the right to demand the "Nature of the charges, as meaning revealing standing, status, nexus, and type of law.

b. Immediate Temporary Injunction converting to permanent stopping the state action from further damages to Derksen in the State case, ordering the compliance with judicial law protections.

c. STATE OF WISCONSIN-as fictitious entity in commerce, ruled liable for unlawful arrest, 4 days in jail, and deprivation under mere color of law; title 42-2 Million for damages to Derksen. PUNATIVE DAMAGES; 10 million, or as the court decides effective for punitive damages, to be used to train all public servants to understand their oath to obey the constitution, and better understand the limits of their police power, and how they are to protect rights rather than abrogate them.

d. Tricia Walker, magistrate defendant;

1. Find she had and has the power and duty to stop the damaging action but failed to do so, under mere color of law, violating Derksen's rights to constitutional due process, in opposition to her oath of office, conspiring with the others.

2. Claim of Damages to Derksen \$175,000.

e. Josh Kaul, Attorney General Wisconsin. Failed to stop color of law attack when he was given notice by affidavit. \$50,000.

f. Eric Tony, as Fond du lac County District Atty. Has the power to stop violating Derksen's right to due process, but failed to do so. Damages sought \$80,000.

g. Ryan Waldschmidt, as Fond du Lac County Sheriff. Conspiring against Derksen under mere color of law, perjuring oath, failing to stop color of law attack on Derksen, admitting it is his duty by failing to rebut the affidavit served on him. Damages sought, \$50,000

h. Ramona M. Geib, as Fond du Lac County Clerk of Court. Failed to stop the attack on Derksen, by granting Derksen's demanded abatement. She is a willing part of the State system conspiring against Derksen under mere color of law, perjuring oath. Damages sought \$20,000.

i. Sargent Gregory Andersen, official capacity, conspiring against Derksen under mere color of law, false arrest and incarceration perjuring oath. Damages sought \$25,000

j. Benjamin Bigelbach, as Fond du Lac County Sheriff's officer; official capacity, conspiring against Derksen under mere color of law, false arrest and incarceration perjuring oath. Damages sought \$25,000

k. Brennan Wagner, as Fond du Lac County Sheriff's officer. official capacity, conspiring against Derksen under mere color of law, false arrest and incarceration perjuring oath. Damages sought \$25,000

l. Chris Randall, as Fond du Lac County Sheriff's officer official capacity, conspiring against Derksen



under mere color of law, false arrest and incarceration perjurying oath. Damages sought \$25,000.

m. Lucas Olsen, as Fond du Lac County Sheriff's officer. official capacity, conspiring against Derksen under mere color of law, false arrest and incarceration perjurying oath. Damages sought \$25,000.

WHEREFORE, Derksen respectfully MOVES this Court

1. Take jurisdiction of this cause and give judgment on the merits, or set it for a hearing.
2. Declare that the defendants have violated the rights of Derksen for the reasons specified above under mere color of law.
3. Issue a preliminary injunction, later to be made permanent, forbidding continuing attacking Derksen under mere color of law with a non-judicial action.
4. Declare that The STATE OF WISCONSIN must prove all elements of jurisdiction before proceeding further against Derksen, standing, nexus, proof Derksen is subject to the type of law being asserted against him.
5. Enjoining the defendants from enforcing quasi law against Derksen without proof of nexus.
6. Award the Derksen redress for damages done under mere color of law, as specified above in the above CLAIMS AGAINST DEFENDANTS.
7. Award Punitive damages as specified above under claims.
8. 7th circuit order for sanctions be reversed, or otherwise nullified.

9. Award further relief that will further justice, protecting the rights of the people, preserving liberty and rule of law, and as the court deems appropriate, as is lawful and just.

Respectfully submitted,

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