

No. 24-239

**ORIGINAL**

**IN THE SUPREME COURT OF THE UNITED  
STATES**

Kenneth Chloe – Petitioner

FILED  
AUG 29 2024  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Vs.

George Washington University – Respondent

**ON PETITION FOR A WRIT OF CERTIORARI**

**THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA**

**PETITION FOR A WRIT OF CERTIORARI**

Kenneth Chloe  
90 Rittenhouse N.E.  
Washington, D.C. 20001  
Petitioner

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SUPREME COURT, U.S.

# I

## QUESTION(S) PRESENTED

“It is emphatically the province and duty of the judicial department to say what the law is, The United States Supreme Court uses its own understanding of the Constitution in reviewing the legitimacy of acts by other branches of the government.” *See Marbury v Madison. 5 US 137 (1 Cranch) (1803)*, *Chevron v. Natural Resources Defense Council Supreme Court overturned Chevron and Relentless, Inc v. Department of Commerce 22-1219*, setting new limits on the executive branch’s regulatory authority.

Did The United States District Court For The District Of Columbia and United States Court Of Appeals For The District Of Columbia violate my rights protected by United States Constitution Article I, Section 10, Clause 1 of the United States Constitution 1, Article I, Section 9, Clause 3 of the Constitution, Article VI of the Constitution, First Amendment, Fifth Amendment, Seventh Amendment, Fourteenth Amendment Section 1, Article III of the U.S. Constitution, Section 2. Text of Section 2 Kentucky Constitution and Maryland Constitution Declaration Of Rights Article 8, 17 and19 and committed maladministration against the rights of we the people which is a violation of Virginia Bill of Rights 1864 Section 3?

## II

Also, did The United States District Court For The District Of Columbia and The United States Court Of Appeals For The District Of Columbia error (See The Supreme Court's June 28 ruling to overturn the Chevron doctrine) which was shown in two cases challenging the 1984 decision: *Loper Bright Enterprises v. Raimondo, Relentless, Inc v. Department of Commerce and SEC v. Jarkey* *Docket Number: 22-859 Date Argued: 11/29/23*) ruling under an cooperative agreement (TITLE 21, ADMINISTRATIVE PROCEDURES ACT, FDA, EPA and CDC) allowing an executive and legislative branch program (TITLE 21-FOOD AND DRUGS CHAPTER I-FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES SUBCHAPTER A-GENERAL PART 50 -- PROTECTION OF HUMAN SUBJECTS, Subpart B-Informed Consent of Human Subjects Sec. 50.20 General requirements for informed consent) to the bases of its ruling?

Also, isn't the said breach an act of war? Honorable Court has already ruled that one need not pick This up arms in order to "levy

### III

war" in US v Burr (1807) 4 Cranch (8 US) 4669, 2 L.Ed. 684.

Also, isn't my rights secured by the Constitution and therefore, there can be no rulemaking or legislation which would abrogate them? See **Miranda v. Arizona, 384 U.S. 436 (1966)**

Also, isn't *absolute and arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority Kentucky Constitution Bill of Rights: Text of Section 2?* To claim otherwise doesn't that give aid and comfort to enemies (EPA, FDA, APA AND CDC) of the Constitution?

Also, if fraud vitiates everything that it touches, and if giving aid and comfort to enemies of the Constitution is also an act of fraud and maladministration, then when Legislative and Executive branch of government pass a law (**TITLE 21—FOOD AND DRUGS CHAPTER I—FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES SUBCHAPTER A—GENERAL PART 50 -- PROTECTION OF HUMAN SUBJECTS, Subpart B—Informed Consent of Human Subjects Sec. 50.20 General requirements for informed consent**) and respondent used it

## IV

against we the people, then what Legislative and Executive branch of government participated constitutes a act of war, long standing abuse, breach of peace, breach of trust and maladministration against the rights of we the people?

Also, because my rights protected by 1867 Maryland Constitution, Virginia (50 plus States Constitutions Bill and Declaration Of Rights) and United States Constitution its Bills Of Rights, and because Kenneth Chloe has the right, and duty under an implied oath, that we the people are the “trust protectors” of the trust called the United States Constitution against our enemies (unconstitutional governmental agency’s) of the Constitution, doesn’t this alone sustain Kenneth Chloe Article III standing?

Also, due to the nature of this case that exposes a serious breach of peace, bad faith, breach of trust that is ongoing, and in light of the allegiance to the Charter (**George Washington University**) and 28 U.S. Code § 453 - Oaths of justices and judges, doesn’t moot any civil procedure rules, or the Executive and Legislative Branch Programs like **TITLE 21-FOOD AND DRUGS CHAPTER I-FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN**

**SERVICES SUBCHAPTER A—GENERAL PART  
50 -- PROTECTION OF HUMAN SUBJECTS,  
Subpart B—Informed Consent of Human  
Subjects Sec. 50.20 General requirements for  
informed consent, or other legal theories used  
(Administrative Procedures Act Cooperative  
Agreements) to dismiss this case in order to avoid  
giving aid and comfort to enemies (AGENCY'S  
“EPA, APA, FDA and CDC”) of the Constitution?**

Also, isn't the unconstitutional enforcement of **EPA, APA, FDA and CDC** a violation of my rights protected by United States Constitution Article I Section 1 *Vests legislative power in Congress, which consists of the Senate and the House of Representatives. Congress has the power to make laws,* Article II Section 1 *Vests executive power in the President, who is the head of the executive branch. The executive branch is responsible for enforcing laws.,* Article III *Vests judicial power in the Supreme Court and any lower courts created by Congress. The judicial branch is headed by the Supreme Court, which interprets and applies laws in court cases and* Maryland Constitution Declaration Of Rights Article 8 *Legislative, Executive and Judicial powers of Government ought to be forever separate and distinct from each other, Adherence to Chevron deference violates the Constitution separation of powers by allowing the*

## VI

executive branch to usurp both the legislative and judicial powers?

Also, isn't the Chevron deference compromises this separation of powers in two ways? It curbs the judicial power afforded to courts? and simultaneously expands agencies' executive power beyond constitutional limits?

### **STATEMENT OF RELATED PROCEEDINGS**

The following proceedings are directly related to the case in this Court within the meaning of Rule 14.1 (b) (iii): See Loper Bright Enterprises v. Raimondo, Relentless, Inc v. Department of Commerce, SEC v. Jarkey Docket Number: 22-859, U.S. Supreme Court, Marbury v. Madison 5 U.S. 137 (January 1, 1803), United States v Burr Case No 14,693 Circuit Court D Virginia 25 F Cas 55 August 31, 1807, Miranda v. Arizona, 384 U.S., Elrod v. Burns, 427 U. S. 347, 373 (1976), Roman Catholic Diocese, 592 U. S., at \_\_\_-\_\_\_ (slip op., at 5-7) and Yellowbear v. Lampert, 741 F. 3d 48, 57 (CA10 2014) Estate of Stonecipher v. Estate of Butts, 591 SW 2d 806, Morris v. House, 32 Tex. 492 (1870. And "It is a stern but just maxim of law that fraud vitiates everything into which it enters." Veterans Service Club v. Sweeney, 252 S.W.2d 25, 27 (Ky.1952)." Radioshack Corp. v. ComSmart, Inc., 222 SW 3d 256.

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## **PETITION FOR WRIT OF CERTIORARI**

Petitioner Kenneth Chloe respectfully petitions for a writ of certiorari to review the unconstitutional judgment of United States District Court For The District Of Columbia and In United States Court Of Appeals For The District Of Columbia.

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### **OPINIONS BELOW**

The United States District Court For The District Of Columbia September 22, 2023 and United States Court Of Appeals For The District Of Columbia June 6, 2024 opinion in Kenneth Chloe – Petitioner vs. George Washington University is reported (Appendix 1-47) The United States District Court For The District Of Columbia and United States Court of Appeals, District Of Columbia was done in error or maladministration.

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### **JURISDICTION**

**Jurisdiction is found under 28 U.S.C.A.§ 1257(a)**

“Final judgment rendered by The United States District Court For The District Of Columbia September 22, 2023 for case number 20-3090 EGS and United States Court of Appeals for the District Of Columbia on June 6, 2024 for case number 24-7014 may be reviewed by the Supreme Court by writ of certiorari...where any...right [or] privilege...is specially set up or claimed under the...statutes of...the United States.”

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## CONSTITUTIONAL PROVISIONS INVOLVED

Section 2. Text of Section 2 Kentucky Constitution Bill of Rights; Absolute and arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority.

1867 Maryland Constitution Declaration Of Rights Article. 8. That the Legislative, Executive and Judicial powers of Government ought to be forever separate and distinct from each other; and no person exercising the functions of one of said Departments shall assume or discharge the duties of any other.

1867 Maryland Constitution Declaration Of Rights Article 17. That retrospective Laws, punishing acts committed before the existence of such Laws, and by them only declared criminal are oppressive, unjust and incompatible with liberty; wherefore, no *ex post facto* Law ought to be made; nor any retrospective oath or restriction be imposed, or required.

1867 Maryland Constitution Declaration Of Rights "Article 19. That every man, for any injury done to him in his person or property, ought to have remedy by the course of the Law of the Land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to the Law of the Land.

1864 Virginia Bill of Rights Section 3.

Government instituted for common benefit. That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and, whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable, and indefeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

Article I, Section 1 Vests the legislative power of the federal government in Congress, which is made up of the Senate and the House of Representatives. Congress has the power to make certain laws.

Article I, Section 10, Clause 1 of the United States Constitution 1: No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

Article I, Section 9, Clause 3 of the Constitution; No Bill of Attainder or ex post facto Law shall be passed.

Article II, Section 1 Vests the executive power in the President, who is the head of the executive branch. The executive branch has the power to enforce laws.

Article III of the U.S. Constitution

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Article VI of the Constitution, "This Constitution, and the Laws of the United States which shall be made Pursuance thereof; . . . shall be the supreme Law of the land; and the Judges in every State shall be bound thereby." Thing in the Constitution or Laws of any State to the Contrary notwithstanding. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

First Amendment 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.

Fifth Amendment of the United States Constitution: "No person shall...be deprived of life, liberty, or property, without due process of law . . ." Ninth Amendment of the Constitution of the United States; "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

Seventh Amendment In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Fourteenth Amendment to the Constitution of the United States; "... nor shall any state deprive any person of life, liberty, or property, without due process of law. . . nor deny to any person within its jurisdiction the equal protection of the laws."

Fraud vitiates everything that it touches. "Our courts have consistently held that fraud vitiates whatever it touches, *Morris v. House*, 32 Tex. 492 (1870)". *Estate of Stonecipher v. Estate of Butts*, 591 SW 2d 806. And "It is a stern but just maxim of law that fraud vitiates everything into which it enters." *Veterans Service Club v. Sweeney*, 252 S.W.2d 25, 27 (Ky.1952)." *Radioshack Corp. v. ComSmart, Inc.*, 222 SW 3d 256.

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## INTRODUCTION

Petitioner case involved United States Constitution Article I Section 1, Article I Section 10 Clause 1 of the United States Constitution 1 Section 9, Clause 3 of the Constitution, Article II Section 1, Article VI of the Constitution, First Amendment, Fifth Amendment, Seventh Amendment, Fourteenth Amendment, Article III of the U.S. Constitution, Section 2. Text of Section 2 Kentucky Constitution, 1864 Virginia Bill of Rights Section 3 and Maryland Constitution Declaration Of Rights Article 8, 17 and 19 which all rights listed above were violated by respondent, Co-opted Judge Emmet G. Sullivan (The United States District Court For The District Of Columbia) and Co-opted Judge Wilkins, Childs and Pan (United States Court Of Appeals For The District Of Columbia).

It's typically understood that federal agencies (Executive and legislative) have no power to act unless congress gives it to them (See *Loper Bright Enterprises v. Raimondo and Relentless, Inc v. Department of Commerce* “STARE DECISIS”). The Constitution gives Congress ONLY legislative powers. Congress cannot delegate a power it does not have, so it cannot delegate judicial power (See Relentless, Inc v. Department of Commerce 22-1219, Chevron Doctrine Overturn, Overruled And Maxims of Law A delegate cannot delegate; an agent cannot delegate his functions to a subagent without the knowledge or consent of the principal; the person to whom an office or duty is delegated cannot lawfully devolve the duty on another, unless he be expressly authorized so to do. 9 *Coke*, 77; *Broom, Max.* 840; 2

Kent, *Comm.* 633; 2 *Steph. Comm.* 119.). Article III's vesting of judicial power in the courts is exclusive and mandatory.

Whereas, a 6-3 margin, the court overruled Chevron, holding that courts must exercise their independent judgment (Judicial Tribunal) in deciding whether an agency (Legislative Tribunal violation of my rights protected by 1867 Maryland Constitution Declaration Of Rights Article. 8.) has acted within its statutory authority, and that courts are not required to defer to an agency (Administrative Procedures Act "APA", CDC, EPA AND FDA) interpretation of the law simply because a statute is ambiguous.

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. By saying the judicial Power shall be vested, Article III made clear that the location of that Power was mandatory.

It authorizes Congress to locate judicial Power only in inferior Courts (See Article III of the U.S. Constitution), not administrative agencies (APA, FDA, EPA AND CDC). In setting up administrative tribunals, Congress has unconstitutionally divested the Courts of their judicial Power, Administrative Adjudication violated my rights protected by United States Constitution Article I Section 1, Article 1 Section 9, Article II Section 1, Article 6, Article 5, Article 7, Article I Section 10 Clause 1, 1867 Maryland Constitution Declaration Of Rights Article 8, 17 and United States Bill of Rights Amendment I.

I, Kenneth Chloe was denied by both courts (The United States District Court For The District Of Columbia and United States Court Of Appeals For The District Of Columbia) my rights to DUE PROCESS (Fifth and Seventh Amendment), RELIGIOUS LIBERTY (United States Constitution Article VI "COVID-19") with the enforcement of EX POST FACTO LAWS (TITLE 21--FOOD AND DRUGS CHAPTER I--FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES SUBCHAPTER A—GENERAL PART 50 -- PROTECTION OF HUMAN SUBJECTS, Subpart B-- Informed Consent of Human Subjects Sec. 50.20 General requirements for informed consent) which is direct violation of Article I, Section 9, Clause 3.

Whereas, all co-opted judges (Emmet G. Sullivan, Wilkins, Childs and Pan) violated my rights protected by their oath of office (28 U.S. Code § 453 - Oaths of justices and judges, The United States Constitution and Bill Of Rights is the trust INDENTURE (duty) that all judges (trustees) signed (see oath taken) which constitutes a contract whereas Respondent also violated Article I, Section 10, Clause 1 Family and Medical Leave Act "FMLA") which also a violation of my rights protected by Article III of the U.S. Constitution.

### **STATEMENT OF THE CASE**

This action is against George Washington University (And All Parties Listed above "Co-opted Judges"), Respondents have violated their contract see Family and Medical Leave Act "FMLA" and violated my rights protected by United States Constitution

Article I Section 1, Article I Section 2, Article 1 Section 9, Article II Section 1, Article I Section 10 Clause 1, Article VI, 1864 Virginia Bill of Rights Section 3, 1867 Maryland Constitution Declaration Of Rights 8, 17 and 19, United States Bill of Rights First Amendment, Fifth Amendment Seventh Amendment, Article III and as such they are liable for consequences when they violate their contract (oath of office) and my rights protected thereby such breach constitutes long standing abuse and breach of trust...

I, Kenneth Chloe have in fact suffered from respondent torturous interference, bad faith, trespass, breach of peace and Co-opted Judges breach of trust, gross negligence and abuse of power (which is also a violation of my rights protected by 1867 Maryland Constitution Article 17 and 19) respondent use of EX POST FACTO LAWS (COVID-19 testing) non positive law (SEE

[https://uscode.house.gov/codification/term\\_positive\\_law.htm#:~:text=The%20titles%20of%20the%20Code,Code%20are%20compilations%20of%20statutes.\)](https://uscode.house.gov/codification/term_positive_law.htm#:~:text=The%20titles%20of%20the%20Code,Code%20are%20compilations%20of%20statutes.)) Title 21 as a defense to not honor their contract Family and Medical Leave Act “FMLA” in a attempt to change the narrative (COVID-19 AND VACCINES SHOTS) which is a direct violation of my rights protected by the United States Constitution all article listed above, whereas respondent and co-opted judges used agency (Administrative Procedures Act “APA”, CDC, EPA AND FDA) program title 21 and administrative procedures act which both are a violation of the United States Constitution Article I Section 9 Clause 3 which also constitutes a COOPERATIVE AGREEMENT (a contract between two or more parties that outlines the conditions, goals, and

intentions of a working relationship), whereas the Chevron Doctrine speaks to statutory interpretation used by Centers for Disease Control and Prevention (CDC) where the mandate started from.

I, Kenneth Chloe presently suffer from all the following because of respondent's failure to honor their contract Family and Medical Leave Act "FMLA". On October 1, 2020 I was unlawfully terminated by respondent since that time due to requirements (unconstitutional vaccine mandates) I, Kenneth Chloe have not worked a job since October 2020 or been able to provide for my family.

Whereas, respondent violated their own procedures while actively violating my rights protected by the constitution see Sec. 50.24 Exception from informed consent requirements for emergency research (COVID-19). (a) The IRB (independent, institutional review board) responsible for the review, approval, and continuing review of the clinical investigation described in this section may approve that investigation without requiring that informed consent of all research subjects be obtained if the IRB with the concurrence of a **licensed physician who is a member of or consultant to the IRB** and who is not otherwise participating in the clinical investigation finds and documents each of the following:

- A. social distances and
- B. wearing a face mask taking vaccines testing etc is define as a clinical research experiment

(which is clinical research as a defined term under the FDA standard of clinical research)

Whereas, respondent unconstitutional enforcement which was a violation of my rights protected by United States Constitution, whereas vaccine and covid-19 testing without my absolute consent is essential to the moral ethical and equitable consent, respondent nor the medical industry is exempted from liability from being sued for failure to be in compliance with section 50.24. Respondent never had a concurrence of a licensed physician who is a member of or consultant to the independent, institutional review board (which is required under the 50.24 See AND TITLE 21--FOOD AND DRUGS CHAPTER I--FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES SUBCHAPTER A—GENERAL PART 50 -- PROTECTION OF HUMAN SUBJECTS Subpart B-- Informed Consent of Human Subjects Sec. 50.24 Exception from informed consent requirements for emergency research) and who is not otherwise participating in the clinical investigation. (See United States v Burr Case No 14,693 Circuit Court)

Whereas, immunity provided in the PREP Act (Violation Of my rights protected by United States Constitution Article I Section 9 Clause 3) is set forth in Section 247d-6d(a)(1) IS VOID respondent didn't follow procedures. The principles rights protected by United States Constitution have been violated by respondent and co-opted judges (See Yellowbear v. Lampert, 741 F. 3d 48, 57 (CA10 2014)).

I, Kenneth Chloe also currently suffered from CO-OPTED (to take into a group, a style co-opted by advertisers To take or assume for one's own use to choose or elect as a member) Judge Emmet G. Sullivan, Wilkins, Childs and Pan when they all decided to violate my rights protected by United States Constitution Article I Section 1, Article I. Section 10 Clause 1 of the United States Constitution 1, Article I Section 9 Clause 3 of the Constitution, Article VI of the Constitution, First Amendment, Fifth Amendment, Seventh Amendment, Fourteenth Amendment, Article II Section 1, Article III of the U.S. Constitution, Section 2. Text of Section 2 Kentucky Constitution, 1864 Virginia Bill of Rights Section 3 and Maryland Constitution Declaration Of Rights Article 8, 17 and 19.

Whereas I wish to thank Justice Gorsuch for his November 7th Dissent, in which he bravely told, on page 9, how unfair **tribunals (APA, LEGISLATIVE TRIBUNAL, See Marbury v. Madison, 5 U.S. 137 (1803))** have been used against the People. He (JUSTICE GORSUCH) stated this was done in favor of a Federal government (EXECUTIVE BRANCH) that has been used by **bureaucrats** (U.S. Environmental Protection Agency, CDC AND FDA) to interpret the law as they see fit. In place of those in the judicial branch, to whom the People granted authority, these **bureaucrats** have usurped authority that was never to be delegated to any other, and by right could not be delegated.

Whereas, the United States Supreme Court realized that agencies were being given **faux authority** (See The Supreme Court's June 28 ruling

to overturn the Chevron doctrine) which was shown in two cases challenging the 1984 decision: *Loper Bright Enterprises v. Raimondo* and *Relentless, Inc v. Department of Commerce*) to take liberty, property, and rights from the People, without the constitutionally required **due process** (See v. Jarkesy Docket Number: 22-859 Date Argued: 11/29/23) with **courts of record and trials by jury**. The United States Supreme Court have openly (See June 28 ruling to overturn the Chevron doctrine) spoken about these violations of rights and problems with the unlawful practices that have been run by governmental agencies (U.S. Environmental Protection Agency, FDA AND CDC) who have not understood the law.

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### REASONS FOR GRANTING THIS PETITION

I, Kenneth Chloe believe this petition ought to be granted on the followings ground The United States District Court For The District Of Columbia and United States Court Of Appeals For The District Of Columbia violation of my Fifth, Seventh Amendments, United Stated Constitution Article I Section 1, Article I Section 10 Clause 1, Article I Section 9 Clause 3, Article II Section 1, Article III, Article VI of the Constitution, First Amendment, Fifth Amendment, Seventh Amendment, Fourteenth (Bill Of Rights), Section 2. Text of Section 2 Kentucky Constitution which says *Absolute and arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority* 1864 Virginia Bill of Rights Section 3. 1867 Maryland

Constitution Declaration Of Rights Article 8, 17 and 19

Whereas, in accordance with 1867 Maryland Constitution Declaration Of Rights Article 17 *That retrospective Laws, punishing acts committed before the existence of such Laws, and by them only declared criminal are oppressive, unjust and incompatible with liberty; wherefore, no ex post facto Law ought to be made; nor any retrospective oath or restriction be imposed, or required,* 1867 Maryland Constitution Declaration Of Rights Article 19 *That every man, for any injury done to him in his person or property, ought to have remedy by the course of the Law of the Land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to the Law of the Land* And 1789 United States Constitution Article I, Section 9, Clause 3 of the Constitution; *No Bill of Attainder or ex post facto Law shall be passed,* therefore respondent and co-opted judges have in fact violated my rights protected thereby when respondent chose to used a statutory provision (and didn't follow those rule completely) "TITLE 21--FOOD AND DRUGS CHAPTER I--FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES SUBCHAPTER A—GENERAL PART 50 -- PROTECTION OF HUMAN SUBJECTS, Subpart B--Informed Consent of Human Subjects Sec. 50.20 General requirements for informed consent" (policy) violate my rights protected by United States Constitution Article I Section 10 Clause 1, Article I Section 9 Clause 3, Article VI of the United States Constitution, 1864 Virginia Bill of Rights Section 3 and Section 2. Text of Section 2 Kentucky Constitution. (See *Marbury v. Madison*, 5

U.S. 137 (1803), Elrod v. Burns, 427 U. S. 347, 373 (1976), Roman Catholic Diocese, 592 U. S., at \_\_\_-\_\_\_ (slip op., at 5-7))

These serious offenses need to be addressed immediately with the least amount of technical nuances of the law and legal procedures because these offenses are flowing continually against Kenneth Chloe rights, liberties and life and pursuit of happiness and consequently the United States Supreme Court really address this issue (See Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc). Justice Roberts begins with the an examination of the facts of the case; noting that the Court granted this case on a Question Presented, limited to the question of whether to overrule, or clarify.

Under Chevron oversight 2 courts have sometimes been required to defer to a permissible agency interpretation of a statute that those agencies administer, even if the reviewing Court reads the statute differently. Chevron combines case holdings: Loper Bright Enterprises v. Raimondo June 28, 2024 SCOTUS overturned the Chevron doctrine, holding it inconsistent with The Administrative Procedure Act and removed excess authority from unelected government officials (EPA, FDA, CDC).

Whereas, Relentless Incorporated v. Department of Commerce The Administrative Procedure Act requires courts to exercise their independent judgment in deciding whether an agency has acted within its statutory authority, and courts may not defer to an agency interpretation of the law simply because a statute is ambiguous.

Whereas, The Court agreed and issued the following primary holding: The Administrative Procedures Act requires courts to exercise their independent judgment in deciding whether an agency has acted within his statutory Authority and Court's may not defer to an agency (EPA, FDA AND CDC) interpretation of the law, simply because a statute is ambiguous. Chevron is thus overruled (See Article III of the U.S. Constitution). Therefore I, Kenneth Chloe moves this court to grant this petition and relief sought.

Whereas, Marbury v. Madison strengthened the federal judiciary by establishing for it the power of judicial review, by which the federal courts could declare legislation, as well as executive and administrative (APA) actions, inconsistent with the U.S. Constitution ("unconstitutional") and therefore null and void. Congress did not have power to modify the Constitution through regular legislation (SEE Loper Bright Enterprises v. Raimondo June 28, 2024 SCOTUS overturned the Chevron doctrine and Relentless, Inc v. Department of Commerce 22-1219) because Supremacy Clause places the Constitution before the laws (He who is first in time is preferred in right. *Co. Litt. 14a*; *Broom, Max.* 353-362. Priority in time gives preference in law. *4 Coke, 90a*; *1 Story, Eq. fur. s. 64d*; *Story, BaUrn.* s. 312; *Co. Lilt. 347*; *1 Bouv. Inst.* n. 952.). In so holding, Marshall established the principle of judicial review, i.e., the power to declare a law unconstitutional.

Whereas, is also not entirely unworthy of observation that, in declaring what shall be the

supreme law of the land, the Constitution itself is first mentioned, and not the laws of the United States generally (APA, EX POST FACTO LAW, STATUTORY PROVISIONS, COOPARATIVE AGREEMENTS), but those only which shall be made in pursuance of the Constitution, have that rank. Thus, the particular phraseology of the Constitution of the United States confirms and strengthens the principle (FUNDAMENTAL LAW), supposed to be essential to all written Constitutions, that a law repugnant (ADMINISTRATIVE PROCEDURES ACT AND TITLE 21) to the Constitution is void, and that courts, as well as other departments (EPA, FDA AND CDC), are bound by that instrument.

Whereas, Marbury v. Madison case spoke of too much law (APA, EX POST FACTO LAW, STATUTORY PROVISIONS, COOPARATIVE AGREEMENTS) this harms WE THE PEOPLE liberty, liberty certainly consists in the right of WE THE PEOPLE to claim the protection of the laws (Maryland Constitution Declaration Of Rights Article 8, 17 and 19, United States Constitution Article I, Section 1, Article I Section 10 Clause 1 of the United States Constitution, Article I Section 9 Clause 3 of the Constitution, Article II Section 1, Article III, Article VI of the Constitution, First Amendment, Fifth Amendment, Seventh Amendment, Fourteenth Amendment Section 1) whenever WE THE PEOPLE receives an injury. One of the first duties of government is to afford that protection. This theory is essentially attached to a written Constitution, and is consequently to be considered by this Supreme Court as one of the fundamental principles (Principles prove, they are not proved. 3 Coke, 40. Fundamental

principles require no proof; or, in Lord Coke's words, "they ought to be approved, because they cannot be proved.") of our society. It is not, therefore, to be lost sight of in the further consideration of this subject.

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## CONCLUSION

This petition is set forth in the interest of justice in protecting Kenneth Chloe rights protected by United States Constitution Article I Section 1, Article I Section 10 Clause 1 of the United States Constitution Article I Section 1, Article I Section 9 Clause 3 of the Constitution, Article II Section 1, Article III, Article VI of the Constitution, First Amendment, Fifth Amendment, Seventh Amendment, Fourteenth Amendment, Section 1. Text of Section 2 Kentucky Constitution, 1864 Virginia Bill of Rights Section 3 and Maryland Constitution Declaration Of Rights Article 8, 17 and19.

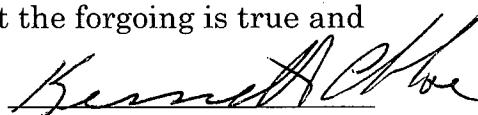
Whereas, Kenneth Chloe right to petition for a redress of grievances (CERTIORARI WRIT) which I am in need this of this Court's supervisory power constitutional powers granted to them by WE THE PEOPLE to protected my rights and to cure all violations, to ensure the right of due process against the encroachment of the doctrine of fundamental principles (United States Constitution) is protected, and charging the Respondents and co-opted judges who failed to uphold their contract and its trust indenture which they sworn to obey which constituted a breach of trust and maladministration (See 1864 Virginia Bill of Rights Section 3) against the rights of WE THE PEOPLE and therefore respondents ought to

be made liable for its breach of peace, bad faith and fallacy, relief sought \$10,000,000.00 without further delay.

Dated: August 29, 2024

Respectfully submitted,

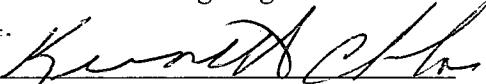
I state under penalty of perjury under the laws of the United States of America that the forgoing is true and correct. August 29, 2024.



Autograph of Affiant Kenneth Chloe  
90 Rittenhouse N.E. Washington, D.C. 20001  
Phone: 240-551-3385  
Petitioner

## JURAT

I state under penalty of perjury under the laws of the United States of America that the forgoing is true and correct. August 29, 2024.

  
Autograph of Affiant Kenneth Chloe  
90 Rittenhouse N.E. Washington, D.C. 20001  
Phone: 240-551-3385  
Petitioner

## STATE OF MARYLAND

Kenneth Chloe came before me Zsarmaine A. Rodriguez<sup>2</sup> <sub>Man. ID</sub> known to me by sharing his United States Passport subscribed and sworn to me and I Zsarmaine A. Rodriguez have the authority to take that oath stated above on this 29<sup>th</sup> day of August, 2024.

Notary (Seal)

Notary Signature Zsarmaine A. Rodriguez