

No.

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

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Iona Howard – Petitioner

Vs.

Amica Mutual Insurance Company – Respondent

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**ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF  
APPEALS FOR THE FOURTH CIRCUIT**

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**PETITION FOR A WRIT OF CERTIORARI**

Iona Howard  
10003 Moreland Street  
Fort Washington, Maryland 20744  
Petitioner

**QUESTION(S) PRESENTED**

“It is emphatically the province and duty of the judicial department to say what the law is.” Marbury v Madison. 5 US 137 (1 Cranch) (1803).

Did The United States District Court For The District Of Maryland At Greenbelt and The United States Court Of Appeals For The Fourth Circuit violate my rights protected by 1867 Maryland Constitution Declaration of Rights Article 1, 2, 3, 4, 5, 8, 17, 19, 20, 23, 41, 44, 45, 46, 47 and 1866 Civil Rights Act and committed maladministration against the rights of we the people which is a violation of Virginia Bill of Rights 1864 Section 3?

Also, did The United States District Court For The District Of Maryland At Greenbelt and The United States Court Of Appeals For The Fourth Circuit error ruling under an cooperative agreement (CO-OPTED) allowing an executive and legislative branch program (Comparative Negligence Section 7102 - Title 42) 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 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. Miranda v. Arizona, 384 U.S. 436 (1966)?

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, then when Legislative and Executive branch of government pass a law (Comparative Negligence Section 7102 - Title 42) and respondent used it against we the people, then what Legislative and Executive branch of government participated in act of war against the rights of we the people?

Also, because Iona Howard right's protected by 1867 Maryland Constitution and United States Constitution, and because Iona Howard has the right, and patriotic duty under an implied oath, that we all have "trust protectors", to protect the Constitution and herself against enemies of the Constitution, doesn't this alone sustain Iona Howard Article III standing?

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 of the Constitution?

Also, due to the nature of this case that exposes a serious national security and national emergency threat that is ongoing, and in light of the allegiance to the Oath of Office "Charter", doesn't moot any civil procedure rules, or the Executive and Legislative Branch Programs like Comparative Negligence Section 7102 - Title 42, or other legal theories used to dismiss this case in order to avoid giving aid and comfort to enemies of the Constitution?

**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): 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. 436 June 13, 1966 Morris v. House, 32 Tex. 492 (1870)" Estate of Stonecipher v. Estate of Butts, 591 SW 2d 806, Veterans Service Club v. Sweeney, 252 S.W.2d 25, 27 (Ky.1952)" Radioshack Corp. v. ComSmart, Inc., 222 SW 3d 256 and SEC v. Jarkesy 22-859 November 29, 2023.

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## **PETITION FOR WRIT OF CERTIORARI**

Petitioner Iona Howard respectfully petitions for a writ of certiorari to review the unconstitutional judgment of The United States District Court For The District Of Maryland At Greenbelt and United States Court Of Appeals For The Fourth Circuit.

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### **OPINIONS BELOW**

The United States District Court For The District Of Maryland At Greenbelt December 9, 2022 and United States Court Of Appeals For The Fourth Circuit August 1, 2023 opinion in Iona Howard – Petitioner vs. Amica Mutual Insurance Company is reported (Appendix 1-18) The United States District Court For The District Of Maryland At Greenbelt and United States Court of Appeals, Fourth Circuit 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 Maryland At Greenbelt December 9, 2022 for case number 22-cv-662-PWG and United States Court of Appeals for the Fourth Circuit on August 1, 2023 for case number 22-2321...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.”

## 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.

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 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."

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."

**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.

**Art. 2. of The Constitution Of Maryland**

Declaration of Rights Article; The Constitution of the United States, and the Laws made, or which shall be made, in pursuance thereof, and all Treaties made, or which shall be made, under the authority of the United States, are, and shall be the Supreme Law of the State; and the Judges of this State, and all the People of this State, are, and shall be bound thereby; anything in the Constitution or Law of this State to the contrary notwithstanding.

**Art. 3. The Constitution Of Maryland**

Declaration of Rights Article; The powers not delegated to the United States by the Constitution thereof, nor prohibited by it to the States, are reserved to the States respectively, or to the people thereof.

**Art. 17. of The Constitution Of Maryland**

Declaration of Rights Article; 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.

Art. 19. of The Constitution Of Maryland  
Declaration of Rights Article; 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.

Art. 20. of The Constitution Of Maryland  
Declaration of Rights Article; That the trial of facts, where they arise, is one of the greatest securities of the lives, liberties and estate of the People.

Art. 23. of The Constitution Of Maryland  
Declaration of Rights Article; In the trial of all criminal cases, the Jury shall be the Judges of Law, as well as of fact, except that the Court may pass upon the sufficiency of the evidence to sustain a conviction.

Art. 24. That no man ought to be taken or imprisoned or disseized of his freehold, liberties or privileges, or outlawed, or exiled, or, in any manner, destroyed, or deprived of his life, liberty or property, but by the judgment of his peers, or by the Law of the land.

Art. 44. of The Constitution Of Maryland  
Declaration of Rights Article; That the provisions of

the Constitution of the United States, and of this State, apply, as well in time of war, as in time of peace; and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good Government, and tends to anarchy and despotism.

Art. 45. of The Constitution Of Maryland  
Declaration of Rights Article; This enumeration of Rights shall not be construed to impair or deny others retained by the People.

Art. 46. of The Constitution Of Maryland  
Declaration of Rights Article; Equality of rights under the law shall not be abridged or denied because of sex.

Art. 47. of The Constitution Of Maryland  
Declaration of Rights Article; (a) A victim of crime shall be treated by agents of the State with dignity, respect, and sensitivity during all phases of the criminal justice process.

(b) In a case originating by indictment or information filed in a circuit court, a victim of crime shall have the right to be informed of the rights established in this Article and, upon request and if practicable, to be notified of, to attend, and to be heard at a criminal justice proceeding, as these rights are implemented and the terms "crime", "criminal justice proceeding", and "victim" are specified by law.

(c) Nothing in this Article permits any civil cause of action for monetary damages for violation of any of

its provisions or authorizes a victim of crime to take any action to stay a criminal justice proceeding

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 petitioner Seventh Amendment and Article 24 of the Maryland Constitution Declaration Of Rights "DUE PROCESS" rights being violated by The United States District Court For The District Of Maryland At Greenbelt and UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT,

It's typically understood that federal agencies (Executive and legislative) have no power to act unless congress gives it to them. The Constitution gives Congress ONLY legislative powers. Congress cannot delegate a power it does not have, so it cannot delegate judicial power. Article III's vesting of judicial power in the courts is exclusive and mandatory.

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, not administrative agencies. In setting up administrative tribunals, Congress has unconstitutionally divested the Courts of their judicial Power, Administrative Adjudication violated my Fifth, Sixth, Seventh Amendments and Article 24 of the Maryland Constitution Declaration Of Rights when I, Iona Howard was not granted my rights to DUE PROCESS.

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### **STATEMENT OF THE CASE**

This action is against Amica Mutual Insurance Company (And All Respondents Listed above "Parties"). Respondents have violated their charter (contract) see "In The General Assembly Act Section 1 clause 7, 8, 9, 10, Section 3 clause 4" and used an executives and legislative branch programs "Comparative Negligence Section 7102 - Title 42" to violate my rights protected by constitution see 1867 Maryland Constitution Declaration Of Rights Article 2, and as such they are liable for consequences when they violate their charter and my rights protected thereby such breach constitutes giving aid and comfort to enemies of the Constitution and acting in a capacity of waging war.

I, Iona Howard am the only one who suffered from respondent bad faith insurance practices,

trespass, breach of peace, breach of trust, negligence respondent used a non positive law "comparative negligence Section 7102 - Title 42" as a defense to not pay for all damages, injuries done to my person and property.

I, Iona Howard presently suffer from all the following because of respondent failure to honor their charter (private contract govern under Article I, Section 10, Clause 1 of the United States Constitution) "In The General Assembly Act Section 1 clause 7, 8, 9, 10, Section 3 clause 4", 1866 Civil Rights Act and the common law and the common law see the following;

a. ALTERED MENTAL STATE b. LOW BLOOD PRESSURE c. MOIST SKIN d. SLEEPINESS NIGHTS e. PALE HANDS AND FEET f. WEAK AND RAPID PULSE g. HYPERVENTILATING h. SURGERIES i. BILATERAL LUMBAR INJECTION j. BILATERAL RADIO FREQUENCY k. ABLATION l. NUMBNESS IN MY HANDS m. BODY AND FEET n. NEUROPATHY p. ESSENTIAL q. NEUROGENIC SHOCK r. PSYCHOLOGIC SHOCK s. SPINAL CORD INJURY AUTONOMIC NERVOUS SYSTEM TOXINS t. GUILLAIN-BARRE SYNDROME u. SPINAL ANESTHESIA v. WEAKNESS w. TRANSVERSE MYELITIS.

I, Iona Howard am the only one who suffered from respondent Negligence, breach of peace, breach of trust, bad faith insurance and had to have neck surgery (February 2022) because respondent failure to honor their charter (In The General Assembly Act Section 1 clause 7, 8, 9, 10, Section 3 clause 4) I, was

force to pay for all the following visits, therapy, treatments, surgery, injections done on my back and neck see the following verifiable dates listed below;

a. Dr. Faheem Sandhu-appointment 4-25-2022 and Dr Netsere Tesfayohannes appointments 4-25-2022 “SURGERY CHECK UP” b. 4-28-2022 VISIT c. 5-9-2022 “BILATERAL LUMBAR INJECTION” d. 5-26-2022 “RIGHT SIDE RADIO FREQUENCY ABLATION” e. JUNE 7<sup>th</sup> and 16<sup>th</sup> 2022, “left side radio frequency ablation” f. 8-2-2022 visit g. 8-25-2022 visit h. 8-30-2022 AQUA THERAPY i. 8-31-2022 AQUA THERAPY j. 9-7-2022 VISIT k. 9-9-2022 VISIT l. 9-13-2022 VISIT m. 9-15-2022 VISIT n. 9-20-2022 VISIT o. 9-22-2022 VISIT p. 9-27-2022 q. VISIT 10-4-2022 aqua therapy r. 10-6-22 aqua therapy s. 10-11-22 aqua therapy t. 10-13-22 (1 of 3 \*3 cervical injection recommended from Neuro doctor for neck) u. 10-25-22 visit v. 11-7-22 visit v. 11-10-22 (2 of 3 cervical injection) w. 11-11-22 visit x. 11-14-22 visit y. 11-17-22 aqua therapy z. 11-28-22 (3 of 3 cervical injection) aa. 12-1-22 aqua therapy bb. 12-2-22 aqua therapy cc. 12-5-22 aqua therapy dd. 12-7-22 aqua therapy ee. 12-12-22 4<sup>th</sup> cervical injection ff. 12-15-22 visit gg. 12-20-22 office visit.

Whereas, my rights were violated by respondent bad faith insurance, breach of trust, breach of peace, negligence, malpractice and tortuous interference upon my rights protected by 1867 Maryland Constitution Declaration Of Rights Article 19, Section 10, Clause 1 of the United States Constitution The Obligation Clause of the 1789 United States Constitution, Civil Rights Act 1866 and respondent charter (private contract govern

under Article I, Section 10, Clause 1 of the United States Constitution) In The General Assembly Act Section 1 clause 7, 8, 9, 10, Section 3 clause 4 and all 50 plus states Bills, Declaration of rights (common law) which says I have a exclusive, indefeasible, indubitable and inalienable rights to life, liberty and the pursuit of happiness.

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### **REASONS FOR GRANTING THIS PETITION**

Iona Howard I have spent over \$500.000.00 on medical care because of respondent bad faith insurance practices and The United States District Court For The District Of Maryland At Greenbelt and United States Court Of Appeals For The Fourth Circuit violation of my Fifth, Sixth, Seventh Amendments and Article 24 of the Maryland Constitution Declaration Of Rights, because of these violations done against my rights I have to get a injection, therapy, treatment and doctors visit without any assistants or settlements for the rest of my life.

Whereas, in accordance with 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 therefore respondent have in fact violated my rights protected by 1867 Maryland Constitution Declaration Of Rights Article 19 when respondent chose to used a statutory provision

"comparative negligence Section 7102 - Title 42"  
(policy) violate my rights protected by 1867  
Maryland Constitution and seventh amendment us  
constitution.

Iona Howard complaint alleges violations of my rights protected by 1867 Maryland Constitution, bad faith insurance practices, trespass, breach of peace, breach of trust, negligence which violated my right to life, liberty and the pursuit of happiness touches on acts of insurance and securities fraud committed by the Respondents.

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 Iona Howard liberties and life and pursuit of happiness and consequently they are a continual national security breach and national emergency breach. Therefore, Iona Howard moves this court to grant this petition and to adjudicate it.

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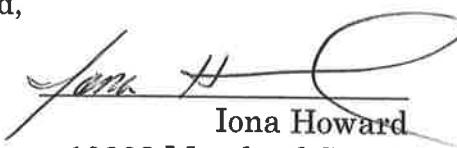
## CONCLUSION

This petition is set forth in the interest of justice in protecting Iona Howard rights protected by United States (Seventh Amendment), 1867 Maryland Constitution Declaration Of Rights Article 1, 2, 3, 17, 19, 20, 23, 46, 46 and 47 Iona Howard right to petition for a redress of grievances that needs this Court's supervisory power to be protected, and to cure the national security breach as stated above, and to ensure the right of due process against the

encroachment of the doctrine of fundamental principles is protected, and charging the Respondents who failed to uphold its charter and its constitution which they sworn to obey which constituted a breach of trust and therefore respondents ought to be made liable for its bad faith and bad faith insurance scam to pay relief sought \$10,000,000.00 without further delay.

Dated: July 8, 2024

Respectfully RE-submitted,

  
Iona Howard

10003 Moreland Street  
Fort Washington, Maryland 20744  
Phone: 202-246-8030 Petitioner

#### JURAT

I state under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. July 8, 2024.

  
Autograph of Affiant Iona Howard  
10003 Moreland Street  
Fort Washington, Maryland 20744

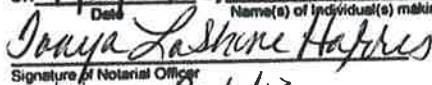
Petitioner

TH

~~STATE OF~~ District of Columbia

Subscribed and sworn to (or affirmed) before me on this 8<sup>th</sup> day of July, 2024 by Iona Howard, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Notary (Seal)      Notary Signature 

District of Columbia  
Signed and sworn to (or affirmed) before me  
on 7/8/24 by Iona Howard  
Date Name(s) of Individual(s) making Statement  
  
Signature of Notarial Officer  
Title of Office  
My commission expires: 08/14/2028

