

No. 24-375

ORIGINAL

In The
SUPREME COURT OF THE UNITED STATES

FILED
JUN 03 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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Leonard Carroll Individual,

Stephanie Carroll Individual,

Petitioners,

v

Kendra Ross,

Respondent,

-----◆-----
On Petition For A Writ Of Certiorari To
The United States Court Of Appeals For The Fourth Circuit
-----◆-----

PETITION FOR A WRIT OF CERTIORARI
-----◆-----

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QUESTIONS PRESENTED

Does The Private Citizen Have Standing In Court

The Question becomes can the Private Citizen as a non-bar attorney bring a claim into a District Court when evidence of false misleading allegations are made by a Law Firm and the District Court conspires to deny the Private Citizen the right to bring their claim as a Private Citizen to expose these facts because they are not members of the Bar.

To have the district Court refuse or deny subject matter and Jurisdiction when a private Citizen is given jurisdiction under Article III section 2 Citizens of Different States, 28 USC 1332 (1) Citizens of Different States and 28 USC chapter 5 District Court Section 129 West Virginia to be told the District Court has no jurisdiction.

The Question also becomes when a Law Firm conspires to misrepresent the facts in order to deprive the Private Citizen of any defense knowing the claim is not against the Private Citizen but against their Franchise name and their way of denying the Private Citizen the right to a defense on the grounds, they are not members of the Bar.

Does this not violate the 14th Amendment of Due Process of law, The 7th Amendment the Right to a Trial and the 1st Amendment the right to freedom of speech and the right for Redress and the equal protection due process clause.

The Private Citizen are being denied the right to Burden of Proof because they are not members of the Bar and because the evidence would be so overwhelming that it exposes the Law Firms misleading false claims.

The general rule in civil cases is that the party charged with the task of maintaining the burden of proof must establish his case by a preponderance of the evidence.

Most presumptions are based upon a logical inference a reasonable probability as the truth of the fact is presumed, it has been held that, insofar as criminal liability is concerned, a statutory has been held that, a statutory presumption may run afoul on constitutional provisions (due process) unless there is a "rational connection " between the established fact and the presumed fact flowing therefrom. See Totv. U.S. Delia., 1943, 319 US 463, 63 S. Ct. 1241

When the district court has claimed no subject matter or jurisdiction does this conclude a dismissal of this case. Even when Subject matter and jurisdiction both are given pursuant to Article III section 2 Citizens of Different States, 28 U.S.C 1332 (1) Citizen of Different States and 28 USC chapter 5 District Court Section 129 West Virginia to be told the District Court has no Jurisdiction.

The point on jurisdiction posed, can the court just refuse jurisdiction because a Private Citizen is controversial and in bad taste to members of the Bar against a non-Bar member who has or feels they have a legitimate course of action when facts and conclusions could support the Court Jurisdiction.

The question becomes can the Court refuse jurisdiction when it is a Private Citizen/non Bar member that has come before the Court on the grounds of non – membership to defend themselves.

When jurisdiction has been addressed under the Constitution, Federal Statutes and court procedures and in the venue of the district court overrules the foundation of jurisdiction and refuse jurisdiction to avoid Due Process.

On the process of services upon the defendant under the Rules of Court. The first point becomes a real issue does the defendant have to be served in person.

As Rules point out any one over 18 in the household or place of employment can have people accept service.

Can the serve be placed on the porch or between the door and is "This" proper serve Considered" Proper" by the Courts.

The question become the rights of a Private Citizen representation of the defendant being served when the law firm has their client in an undisclosed location and no known address when the plaintiff is being targeted for a lawsuit.

The question of serving a defendant or serving any form of legal document now comes into question, if the serves is done by the Private Citizen non – Bar member to serve a defendant in a case decides to refuse any form of service.

This question now brings into question of the default Rules and Default ruling when the defendant fails to answer just on the grounds I decided not to agree to service because it is a Private Citizen bringing the claim.

This brings up the point that unless served in person the default Rule of failing to respond becomes invalidated and obsolete, as no default can be awarded because a Private Citizen has brought the action.

The Court has held that Rule 4 and Rule 5 is enforceable until the Supreme Court and the Federal Legislation re – writes the Rule. No where can we find Private Citizens are barred.

The plaintiffs are Private Citizens non – Bar Attorneys have addressed the right to an open hearing and the right to a trial by jury and has addressed both the federal and State Constitution and the Rules of Court to a trial by jury.

The real question becomes can any Court override protected rights that are guaranteed by the Constitution and under the Rules of Court when requested or even not re-questioned, can the Court take it upon itself to deny the Private Citizens the right to a fair impartial non – biased trial before a jury of their peers because they refuse to hire a Barred Attorney.

The question now becomes does the Court stand above the Constitution the Rules of Court and the rights of the Private Citizens when the plaintiff are non – bar members and can this district court deny Due Process to non – bar members for a Trial by jury.

We the Carroll's have concerns and our point before this Supreme Court is, the district Court did deny having jurisdiction over this case because we have come in as Private Citizens and not with a Bar Attorney.

If Attorney Brooks H. Spears can show how this Court would not have jurisdiction After dismissing jurisdiction, then she will be required to bring her client before this Court for an open Court hearing and we set for trial by jury, so We the Carroll's due Process is upheld.

v

PARTIES

The Plaintiffs Leonard Carroll, Stephanie Carroll individuals. The Defendant is Kendra Ross

RELATED PROCEEDINGS

Leonard Carroll as an individual and Stephanie as individual v. Kendra Ross No. 1:23-C-57
In the U.S. District Court for The Northern District of West Virginia Clarksburg, judgment
entered October 30, 2023.

Leonard Carroll as an individual and Stephanie Carroll as an individual v. Kendra Ross No.
23-22-67(1:23-cv-00057-TSK-MJA) United States Court of Appeals For The Fourth Circuit,
Judgment entered April, 11, 2024

TABLE OF CONTENTS

	PAGE
Questions Presented	I - iv
Parties	v
Related Proceedings	v
Table of Content	vi - vii
Supreme Court Rulings	viii
Granting Writ of Certiorari	ix
Grounds on which Jurisdiction is Invoked	ix
Introduction	1
Case of Nation Importance and Public Interest	5
Remedy of the People	7
History of the Case	7
Case Law	12
Why this is of National Interest	13
Conclusion	15
Appendix Table of Context	i

TABLE OF CONTENT

Appendix Table of Context

	Page
Order 4.11.2024 by the U.S. Court of Appeals Fourth Circuit.....	1a-2a
Judgment 4.11.2024 by the U.S. Court of Appeals Fourth Circuit.....	3a
Temporary Stay of Mandate 5.20.2024, Under Fed. R. App. 41(b) by the U.S. Court of Appeals Fourth Circuit.....	4a
ORDER 5.10.2024 Denies the Petition for Rehearing and Rehearing en banc. By the U.S. Court of Appeals Fourth Circuit	5a
Mandate 4.11.2024 Entered Judgment by this Court U.S. Court of Appeals Fourth Circuit.....	6a
Omnibus Report and Recommendation 10.30.2023 U.S. Court for the Northern District of West Virginia, Clarksburg, Magistrate Judge (Michael John Aloï).....	7a- 23a

SUPREME COURT RULLING

The practice of Law CAN NOT be licensed by any STATE, (Schware v. Board of Examiners, 353 U.S. 238,239)

The practice of Law AN OCCUPATION OF COMMOM RIGHT (Sims v. Aherns, 271 S.W. 720 (1925)

Trinsey v. Pagliaro, D.C. Pa. 1964,229 F. Supp. 647 “ Statements of Counsel in brief or in arguments are not facts before the court and are therefore insufficient for a motion to dismiss or for summary judgment. “Pro Per and pro se litigants should therefore always Remember that the majority of the time, the motion to dismiss a case is only argued by the opposing attorney, who is not allowed to testify on the facts of the case, the motion to dismiss is never argued by the real party in interest.

Frunzar v. Allied Property and Casualty Ins. Co., (Iowa 1996) 548 N.W. 2d 880. Professional Statements of litigants attorney are treated as affidavits, and Attorney ,making statements may be cross-examined regarding substance of statement.

Porter v. Porter, (N.D. 1979) 274 N.W. 2d 235

The practice of an attorney filing An affidavit on behalf of his client asserting the status of that Client is not approved Inasmuch as not only does the affidavit become hearsay, but it places the Attorney In a position of witness thus compromising his role as advocate.

TRANSUNION LLC, v. RAMIREZ the Court ruled that only those that can show concrete Harm have standing to seek damages against private defendants.

ARTICLE III section 2 Citizens of Different States, 28 U.S.C 1332 (1) Citizens of Different States 28 USC chapter 5 District Court Section 129 West Virginia to be told the District Court has no jurisdiction.

GRANTING WRIT OF CERTIORARI

Petitioner Leonard and Stephanie Carroll Respectfully Extend Our Will That This Court Grant a Writ of Certiorari to Review The Judgment and Opinion of The United States Court of Appeals Fourth Circuit Entered on April 11, 2024.

GROUND ON WHICH JURISDICTION IS INVOKED

Rule 14.1 (e)

Article III Clause, 2 of the Constitution defines the Supreme Court's jurisdiction. The Supreme Court has held its original jurisdiction flows directly from the Constitution and is therefore self – executing without Further action by Congress. Jurisdiction is between citizens of different states, 28 U.S. code §1332 Diversity of citizenship, amount in controversy; costs.

28U.S. §1251 – ORIGINAL JURISDICTION

- (a) The Supreme Court shall have original and exclusive jurisdiction of all controversies between two or more States.
- (b) The Supreme Court shall have original but no exclusive jurisdiction of;
 - (1) All actions or proceedings to which ambassadors, other public ministers, consults or vice consuls of foreign states are parties.
 - (2) All controversies between the United States;
 - (3) All actions or proceedings by a State against the citizen of another State or against aliens.

INTRODUCTION

The action against the Petitioners Leonard and Stephanie Carroll stem from a Court action out of Kansas City where a young Female known as Kendra Ross, where her mother and her children and Kendra Ross being one of the minor children came into our community assistance.

This Community was very unique in the manner it was set up. It was an all – Volunteer and a cashless society with exchange for all your living Essentials.

Our Community accepted widows with children and provided them with homes, food, medical, education, all the necessities of living free of charge under the agreement that the parent volunteered in one of the many businesses that our Community provided in exchange for wages.

What was also special and unique about our community it was open to the public to buy what was being sold such as in restaurants, gas stations, repair business and other businesses of like manner in the local community, it was not exclusive to Community members but to the open public to buy and shop.

Only members were permitted to have volunteer Duty in the businesses.

What was also different about our Community it was in 14 (fourteen) other States besides Kansas with satellite Communities, with a membership of just over 3,000 that was set up in the same fashion with its own businesses, but with different schooling for trade and education such as Culinary, Cooking, Construction, Auto Mechanics, Baking and other trades were offered at no cost to the members children

The local Community in the city of Kansas City Kansas did give awards and grants to our Community for working with the community, to assist homeless families and homeless mothers, we assisted with youth programs and assisted the local police department to rid the community of drugs and crime. The people outside our Community were allowed to send their children to attend the school within our Community as it was a private school system.

Kendra Ross and her mother Cheryl Ross continued to live within our community until Kendra became of age and moved from our community, to the world outside of our community. This is where the issue came in that Kendra Ross had not been brought up outside of our community where, everything within our community was given to the parent in exchange for duties.

From our understanding Kendra Ross mother Cheryl Ross threw Kendra out of the home do to issues not sure what. Kendra Ross ended up in a city shelter and it is assumed the people at the shelter questioned her and she explained how our Community ran, to which the authorities got involved and the law firm McGuire Wood contacted Kendra Ross and told her she was involved in Human Trafficking and slave labor.

This action caused our community to be sued in Federal Court in Kansas by McGuire Wood Law firm on behalf of Kendra Ross. When summons were served upon Members of our Community in the name of The United Nation of Islam where the head of the Community was not served only members. The Head of the community Royall Jenkins himself was never served it was posted on a building.

The members served were listed as defendants to The United Nation of Islam they're by barring them to be able to represent their interest in the Community. The members who held offices made the effort to reach out to other Law Firms to be

turned down. McGuire Wood was pretty much assured that the members could or would not be able to find any representation due to the allegations of this case.

One reason as the members of the Community had no income as the Community provided the needs of the people homes, food, medical, etc. So McGuire Wood would be a safe bet of no Attorney interference and the Court would Rule because of it being sued under the Name of The United Nation of Islam. The Court would not allow any members to stand before the Court and represent the Community unless by a Bar Attorney.

This would guarantee no resistance and allow for a fraudulent default by McGuire Wood Law firm against the Community, to cause irreparable harm and concrete harm and would stop any member from bringing a claim, as it was the Community being sued under the name of The United Nation Islam, and not the head of the Community and the members.

The default claim for 8 million dollars encompassed All property of all members and thereby barring any member from bringing a claim to save their own Personal property due to the suite in the name of The United Nation of Islam.

As Private individuals as Petitioners one of the People "We" are being denied The right to a fair open hearing. We the Carroll's have been trying to get a court Hearing that involves our personal property, and the Courts and members of the Bar are not allowing us to prove our claim against Kendra Ross. This in itself can cause Irreparable harm and concrete harm and damage that would put Us out homeless at our age.

The problem with each of these court actions brought by We the Carroll's is the willful misconduct of members of the Bar as they have a monopoly over the Courts

The one main claim was improper service to Kendra Ross. It is an established fact McGuire Wood has Kendra Ross under protection to avoid service. But the Rules of Court state that the Attorney can be served, but the Law Firm refused service to avoid proper service. As pointed out the head of The United Nation of Islam was never served, it was posted on a pole and building. The Court granted an 8 million- dollar claim.

In our case and the 9 other cases was dismissed on the grounds of improper service by the law firm McGuire Wood who defaulted nine (9) times. McGuire Wood was served on behalf of Kendra Ross as the law firm had Kendra Ross in hiding.

There have been 9 other attempts to address this in 2 other States and County Courts to have Kendra Ross defaulted by over a 110 days and to have law firms moved this action to Federal Court to get it dismissed. To have the same issue suppressed and have Kendra Ross in hiding by the law firms to avoid her being questioned and served with a summons.

Had the members of The United Nation of Islam been able to confront and address Kendra Ross on a witness stand and been allowed to bring forth witnesses and videos showing the Positive deeds of The United Nation of Islam, to this fact the irreparable harm and concrete harm would have never come about, and by denying this evidence has caused all members to lose everything that our Community was set up for. We would not be before the Supreme Court now.

CASE IS OF NATIONAL IMPORTANCE AND PUBLIC INTEREST

Petitioners Leonard and Stephanie Carroll come before the Supreme Court not as Attorneys or with a law degree but as one of the people of this Country. We come before The Supreme Court as defined in the original choice of law of 1787 and the 1791 Bill Of Rights and Article III Supreme Court as this is of National Importance and a Public Interest due to the judicial misconduct of members of a Profession "Aka Bar" in conjunction with the Courts that have misused and have run a strict monopoly over the Justice system.

Irreparable harm and concrete harm have been caused. We don't know all the Rules and stipulation as we are the common people who live to survive from day to day.

The Courts are no longer for the people to air their injuries unless they hire a Bar Member and the Courts aid in this philosophy. It is said that there is a 97 to 98 percent conviction against the people. The question becomes out of that amount convicted how many were forced to hire a Bar Attorney?

Why would you want a Professional that has a 97 or 98 lossage in criminal cases or in a case like ours where facts are suppressed by the Courts, and to allow Bar members to misuse and abuse their Law Skills against non – bar members ? Where are the people's right to a fair non-biased hearing.

We ask the Supreme Court to hear our case as one of the people not as attorneys not as people educated in the law but, as one of the many people of this Country who have been discriminated against on the grounds of not hiring a Bar member. It is said in case law that Attorneys can only speak hearsay and what is said cannot be taken as fact, but the real party who has been injured can speak to the facts of the case.

Petitioners Leonard and Stephanie Carroll petition the Supreme Court to be heard as to our claim of Irreparable harm and concrete harm from McGuire Wood law firm/s as Kendra Ross has been in hiding all this time.

We ask that this Supreme Court wave the stringent rules but allow "Us" the Carroll's as one of the people with someone who is familiar with our case to assist US under the 6th Amendment to help explain our case and act as a Private Attorney General not just for US but on behalf of a community with a 3,000 population who has been injury by this action.

We are addressing Article III section (1) of the Constitution as our right to appear before this Supreme Court it implies that the people are to come before the Supreme Court. This "Now" has come out of reach of the people unless you hire a Bar member. The Question becomes how any Court can hold people accountable, if only Bar members had to represent the people and if the 97 or 98 percent loss rate is correct why hire a Bar member when the Courts have denied the peoples filings.

Article III clause (1) is the foundation to the original 1787 choice of law along with the 1791 Bill of Rights to how the Supreme Court is founded; The juridical power of the United States shall be vested in one Supreme Court, and 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 behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

The Petitioners come before this Supreme Court with a difficult request, but we ask for a fair justice hearing to have the peoples side heard as guaranteed under both 1787 Federal Constitutions and State guaranteeing the Right to a trial. As it is now a monopoly and Extortion by a Private Profession which entails the same rate of lossage and conviction as The people's rights being denied to a fair unbiased hearing.

Remedy for the People

Whereas the Supreme Courts have created and endorsed Bar Attorneys. The Supreme Court can Endorsed and Empower the Authority and the use of a Private Attorney General as a means for accountability, when the People are being denied the Right to a fair hearing. The Private Attorney General has prosecution powers under a "Tort" to enforce the sworn Oath to the public trust as this position is by Congressional Legislation and supported under Case law.

HISTORY OF THE CASE

The action against the Petitioners Leonard and Stephanie Carroll stem from a Court action out of Kansas City Kansas where a young Female known as Kendra Ross was raised in our community where her mother and her children and Kendra Ross being one of the minor children came into our community assistance.

This Community was very unique in the manner of how it was set up. It was an all –

volunteer and a cashless society with exchange for all your living essentials.

Our Community accepted widows with children and provided them with homes, food, medical, education, and all the necessities of living free of charge under the agreement that the parent volunteered in one of the many businesses that our Community provided in exchange for wages.

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What was also different about our Community it was in 14 (fourteen) other States besides Kansas City Kansas with satellite Communities, with a membership of just over 3,000 that was set up in the same fashion with its own businesses, but with different schooling for trades and education such as Culinary, Cooking, Construction, Auto Mechanic, Baking and other trades were offered at no cost to the members and their children.

The local Community in Kansas City Kansas did give awards and grants to our Community for the work of assisting homeless families and homeless mothers, assisting with the community youth programs and assisted the local police department to rid the community of drugs and crime. Some of the people outside of the community sent their children to attend the school within our Community as it was a private school system.

Kendra Ross and her mother Cheryl Ross continued to live within our community until Kendra Ross became of age and moved from our Community to the world outside of our Community.

This is where the issue came about that Kendra Ross was not brought up outside of our community where, everything within our community, was given to the parent in exchange for duties.

Now, for a Minute, Compare this to the old coal mines, textile factories with company stores. Where you work and go to the company store to buy your needs and supplies as this business pay's you in company scrip, not outside cash but company scrip.

(Until the late 1950's, when changes in Federal and State laws, along with changing economic realities doomed the practices, many companies issued tokens, or scrip, for use by their employees in company run stores.

This was especially widespread in the coal fields of Appalachia, where many miners also lived in company owned towns. In these company towns, or "coal camps" the only store in town was usually owned or run on behalf of the coal company. ' Hopefully this gives you a better understanding of the issue to how our Community operated.

From our understanding Kendra Ross mother Cheryl Ross threw Kendra out of the home due to issues not sure what. Kendra ended up in a city shelter and it is assumed the people at the shelter questioned her, and she explained how our Community ran, to which the city authority got involved and the law firm McGuire Wood contacted Kendra Ross and told her she was involved in human trafficking and slave labor.

This action caused our Community to be sued in Federal Court in Kansas by McGuire Wood Law firm on behalf of Kendra Ross. When summons were served upon members of our community in the name of The United Nation of Islam, where the head of the Community was not served only members. The head of the Community Royall Jenkins himself was never served it was posted on a post or on a building.

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The members who held offices made the effort to reach out to other Law Firms to be turned down. McGuire Wood was pretty much assured that the members could or would not be able to find any representation due to the allegations of the case.

One reason as the members of the Community had no income as the Community provided the needs of the people homes, food, medical, etc.

So, McGuire Wood would be a safe bet of no Attorney interference and the Court would rule because of it being sued under the Name of The United Nation of Islam, the court would not allow any member to stand before the court and represent the Community unless by a Bar Attorney.

This would guarantee no resistance and allow for a fraudulent default by McGuire Wood Law firm against the Community to cause irreparable harm and concrete harm and would stop any member from bringing a claim, as it was the Community being sued under the name The United Nation of Islam and not the head of the Community and the members.

The default claim for 8 million dollars encompassed ALL property of all members and thereby barring any member from bringing a claim to save their own personal property due to the suite in the name of The United Nation of Islam.

The Petitioners Leonard Carroll, Stephanie Carroll, Individuals file this Petition for a Writ of Certiorari to come before the United States Supreme Court as a matter of National Interest and Public Importance as the Private Individual, as one of the People having no remedy in the legal system.

As Private Individuals as Petitioners one of the People "We" are being denied the right to a fair open hearing. We the Carroll's have been trying to get a court hearing that involves our Personal Property, and the Courts and members of the Bar are not allowing us to prove our claim against Kendra Ross. This in itself can cause irreparable harm and concrete harm and damages that would put us out homeless at our age.

The problem with each of these court action brought by the Carroll's is the willful misconduct of members of the Bar as they have a monopoly over the Courts. The one main claim was improper service to Kendra Ross. It is an established fact McGuire Wood has Kendra Ross under protection to avoid service. But the Rules of Court states that the Attorney can be served, but the Law Firm refuses service to avoid proper service. As we pointed out the head of The United Nation of Islam was never served it was posted on a pole and a building. The Court granted an 8 million – dollar claim.

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Had the members of The United Nation of Islam been able to confront and address Kendra Ross on a witness stand and ~~x~~ been allowed to bring forth witnesses and videos showing the positive deeds of The United Nation of Islam , to this fact the irreparable harm and concrete harm would have never come about and by denying this evidence, has caused all members to lose everything that our Community was set up for. We would not be before the Supreme Court now.

The Petitioners point to this decision below why we should be heard.

CASE LAW

Before we go further, We want to point to Supreme Court case law that would have allowed "US" with the help of a 6th Amendment counsel to address our point of this case.

The practice of Law is AN OCCUPATION OF COMMON RIGHT! (Sims v. Aherns, 271 S.W. 720 (1925)

Trinsey v. Pagliaro, D.C. Pa. 1964, 229 F. Supp. 647, "Statements of counsel in brief or in argument are not facts before the court and are therefore insufficient for a motion to dismiss or for summary judgment. "Pro Per and pro se litigants should therefore always remember that the majority of the time, the motion to dismiss a case is only argued by the opposing attorney, who is not allowed to testify on the facts of the case, the motion to dismiss is never argued by the real party in interest.

Frunzar v. Allied Property and Casualty Ins. Co., (Iowa 1996)† 548 N.W. 2d 880 Professional statements of litigants attorney are treated as affidavits, and attorneys making statements

may be cross-examined regarding substances of statement.

Porter, v. Porter, (N.D. 1979) 274 N.W. 2d 235 ̄ The practice of an attorney filing an Affidavit on behalf of his client asserting the statues of that client is not approved, Inasmuch as not only does the affidavit become hearsay, but it places the attorney in A position of witness thus compromising his role as advocate.

TRANSUNION LLC v. RAMIREZ, the Court ruled that only those that can show concrete Harm have standing to seek damages against private defendants.

WHY THIS CASE IS OF NATIONAL IMPORTANCE

Why this is a National Interest and Public Importance is that Members of the Bar and the Courts have refused the Private Individuals who represent themselves the right to confront the accuser in open court or in any manner.

This Petitioner as well as 9 other members of the Community have been denied the Right to remedy on the grounds that the Community Name "The United Nation of Islam" is used as the suing party and the members served were used as the **Serving Agents** barring them from speaking or bringing their own claim of injury.

The Court and members of the Bar are aware that if the Business name that now denied any members to bring their own claim of action "Unless " you hire a Bar member to act as an agent for the Business name.

This trickery and misrepresentation of facts and misuse of the Court and laws has displaced over 3,000 Community members and have barred "US" as members from self representation.

If this point could be address with or without witnesses in front of the Supreme Court,
The Supreme court would agree that this is of National Importance and Public Interest as a whole Community has been denied the Right to Justice, and that the Courts and Law Firms are misusing their Profession.

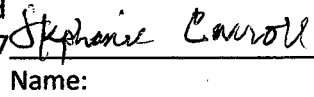
We the Carroll's as far as we understand the Supreme Court has only Allowed Private Association members to come before the Supreme Court, and our understanding of Article III the People are to be heard.

What the Petitioners are looking for is our day in a court , a fair hearing before a non-Biased non – prejudice jury and the right , to self representation and the, assistance of counsel not a Bar Attorney but, use of a Private Attorney General to assist.

The Supreme Court has endorsed Bar members and to our knowledge, which if it can be proven wrong Bar Attorneys have no legal legislation standing but is a Private Profession. Then this Supreme Court should endorse the right to a Private Attorney General, which has Congressional legislation and Court decisions and law reviews of the usage.

Whereas it appears Private Attorney Generals have been used in tort actions when the system fails to protect a class of people.

We Motion this Court to remand this case back to the lower Court to grant us a fair hearing and the use of a Private Attorney General as a conflict to using Barred Attorneys to get a fair unbiased hearing.

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Date:**Stephanie Carroll**1213 Cash Valley Road
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