

No. \_\_\_\_\_

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IN THE  
**Supreme Court of the United States**

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Dale Scott Heineman.

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondents.*

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On Petition for Writ of Certiorari  
To The United States Court Of Appeals  
For The Ninth Circuit

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**PETITION FOR A WRIT OF CERTIORARI**

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Dale Scott Heineman  
2775 Fremont Street, #2008  
Las Vegas, Nevada 89104  
Phone: 510-265-9836  
*Petitioner in pro se*

## **QUESTIONS PRESENTED**

A serious conflict exists between decisions rendered from this Court and lower appeal courts, along with constitutional provisions and statutes, in deciding whether or not the trial court or the circuit court has jurisdiction to try the merits of this case.

This case involves a sitting United States District Court Judge and certain government prosecutors whose acts and actions show a failure of faithful allegiance to the law and process have violated and continue to violate Petitioners protected due process right for a redress of grievances by and through the First Amendment of the Constitution of the United States of America and in violation of their respective Oaths of Office.

Furthermore, there are two doctrines that conflict with each other found in this case affecting every court in this country. These doctrines are known as the doctrine of equitable maxim and the doctrine of the object principle of justice. Equitable maxim created by this court, which the lower court used to dismiss this case, sits in direct violation of the object principle of justice also partially created by this Court and supported by other appeal courts and constitutional provisions.

These conflicts call for the supervisory power of this Court to resolve these conflicts, which has not, but should be, settled by this Court without delay.

## **PARTIES TO THE PROCEEDING**

Petitioner Dale Scott Heineman is a people representing himself and is a Defendant in a criminal proceeding in the trial court.

Respondents are a party to this action as Plaintiffs specifically:

William H. Alsup, Senior Judge for the Northern District of California, San Francisco Division

Merrick Garland, U.S. Attorney General

Ismail Ramsey, U.S. Attorney

David Hall, Assistant U.S. Attorney

James E. Keller, Assistant U.S. Attorney

Nikhil Bhagat, Assistant U.S. Attorney

Case Number 05-cr-00611WHA

**TABLE OF CONTENTS**

QUESTIONS PRESENTED.....	i
PARTIES TO THE PROCEEDING.....	ii
TABLE OF CONTENTS.....	iii
TABLE OF AUTHORITIES.....	iv
LIST OF PROCEEDINGS.....	1
JURISDICTION.....	1
CONSTITUTIONAL PROVISIONS.....	1
STATEMENT OF THE CASE.....	4
CONCLUSION.....	20

**APPENDIX TABLE OF CONTENTS**

<b>Appendix A:</b> Ninth Circuit Order, September 17, 2024.....	1a
---	----

<b>Appendix B:</b> Further Notice of In Person Hearing District Court Orders, August 28, 2024.....	App 2a
--	--------

<b>Appendix C:</b> Order Re Defendant's Notice of Appeal, August 30, 2024.....	App 3a
--	--------

<b>Appendix D:</b> Findings of Fact and Conclusions of Law, September 11, 2024.....	App 5a
---	--------

<b>Appendix E:</b> Petitioner's Notice of Non-Responsive Order issued on September 11, 2024, Regarding Demand for Proof of Jurisdiction Regarding Case Number 05-cr-00611WHA, September 14, 2024.....	App 27a
---	---------

**Appendix F:** Notice for Demand for Proof of Jurisdiction Regarding Case Number 05-cr-00611WHA, September 14, 2024.....App 35a

**Appendix G:** Complaint for Show Cause, filed in the Northern District Court of California, September 3, 2024.....App 46a

**Attachments for Appendix G**.....App 119a

**TABLE OF AUTHORITIES**

Executor Dale Scott Heineman native inhabitant of the original jurisdiction; one of the creators of government “by” “for” and “of” the People, one of the We the People.

Declaration of Independence.....Cert. pg. 10

Articles of Confederation the Enabling Act 7 Stat 13 documented, accepted, and established by the Continental Congress of 1778.....App pgs. 37a, 39a  
Northwest Territorial Ordinance #1  
.....App pgs. 23a,38a,39a,50a,52a,53a,113a

**Constitution of the United States 1787 (original-organic-national-charter):**

Article I, Sec. 9, Cl. 3

.....Cert. pg. 1; App pgs. 37a,50a,52a,56a

Article III, Sec. 1

.....Cert. pg. 2; App pgs. 38a,50a,52a,56a

Article III, Sec. 2

.....Cert. pg. 2; App pgs. 38a,50a,52a,56a

Article III, Sec. 3

.....Cert. pg. 3; App pgs. 38a,50a,52a,56a

Article IV, Sec. 4

.....Cert. pg. 3; App pgs. 38a,50a,52a,56a

Article VI, Sec. 2

.....Cert. pgs. 3,8,10; App pgs. 38a,50a,52a,56a

**Bill of Rights:**

Amendment 1	.....Cert. pgs. i,1,18; App pgs. 38a,50a,52a,56a
Amendment 2	.....App pgs. 38a,50a,52a,56a
Amendment 4	.....Cert. pg.3; .....App pgs. 38a 50a,52a,56a,81a,88a,89a, 98a
Amendment 9	.....Cert. pgs. 10,11,17; App pgs. 38a,50a,52a,56a
Amendment 10	.....App pgs. 38a,50a,52a,56a
Black's Revised 4 <sup>th</sup> Edition, (pgs.788,789 )	.....App pg. 64a
Pomeroy, Equity Jurisprudence sec. 379-399 (5 <sup>th</sup> Ed.)	.....Cert. pg. 7

**Creation of THE UNITED STATES Inc.**

DC Organic Act of 1871, 41 Stat 419 (2 <sup>nd</sup> Constitution)	.....created THE UNITED STATES, Inc., a municipal corporation for the District of Columbia and its territories, possessions, enclaves, States, February 21, 1871.....App pgs. 114a
--	--

**Acts of Congress**

Americans with Disabilities Act (ADA)	104 Stat 327
.....	.....App pgs. 38a,50a,52a
Administrative Procedures Act (APA)	60 Stat. 237
.....	.....Cert. pg. 5; App pg. 58a
Mandatory Victims' Rights Act	110 Stat. 1227
.....	.....App pgs. 48a,70a
Jury Selection and Service Act of 1968, 82 Stat. 59, 28 U.S.C. §§ 1867(e),(f)	.....App pg. 63a

Freedom of Information Act (FOIA) 100 Stat 3207  
.....App pg. 58a

**Doctrines**

Object Principle of Justice.....Cert. pgs. i,8,13,15,20  
Doctrine of Equitable Maxim.....Cert. pgs. i,18,20

**Rules and Procedure**

**Federal Rules of Criminal Procedure (FRCrP):**

FRCrP Rule 6(f).....Cert. pg. 5; App pgs. 59a,60a  
FRCrP Rule 6(c).....Cert. pg. 5; App pgs. 59a,61a  
FRCrP Rule 6(b)(1).....Cert. pg. 5; App pgs. 59a,62a  
FRCrP Rule 6(e)(F)(ii)....Cert. pg. 5; App pgs. 59a,63a  
FRCrP Rule 7(c).....Cert. pg. 5; App pgs. 48a,79a

**Federal Rules of Evidence (FRE)**

FRE Rule 901.....App pgs. 66a

**Regulations**

**Code of Federal Regulations**

5 CFR Ch. XVI, Subch. A, Pt. 2604  
.....App pgs. 60a,65a  
28 CFR part 35.....App pg. 87a  
28 CFR section 42.1(b)(2).....App pg. 87a  
28 CFR section 42.203(e).....App pg. 87a  
28 CFR part 35 (Title II Department of Justice)  
.....App pg. 87a  
28 C.F.R. sec. 36.206.....App pg. 87a  
29 CFR, Part 18 Subpart B.....App pgs. 60a,65a

## **United States Code Service**

- 5 U.S. Code sec. 552  
.....Cert. pg.5; App pgs. 38a,50a,52a,58a,60a,65a
- 5 U.S. Code sec. 552a  
.....Cert. pg.5; App pgs. 50a,52a,58a,60a,65a
- 5 U.S. Code sec. 7311.....App pg. 82a
- 18 U.S. Code sec. 20.....App pg. 68a,85a
- 18 U.S. Code sec. 241.....App G, *passim*
- 18 U.S. Code sec. 242.....App G, *passim*
- 18 U.S. Code sec. 371.....App G, *passim*
- 18 U.S. Code sec. 401(3).....App pg. 57a
- 18 U.S. Code sec. 1001.....App G, *passim*
- 18 U.S. Code sec. 1201.....App 84a
- 18 U.S. Code sec. 1341.....App G, *passim*
- 18 U.S. Code sec. 1343.....App pg. 57a
- 18 U.S. Code sec. 1344.....App pg. 57a
- 18 U.S. Code sec. 1349.....App G, *passim*
- 18 U.S. Code sec. 1512.....App pgs.73a,74a
- 18 U.S. Code sec. 1918.....App G, *passim*
- 18 U.S. Code sec. 2072.....App pgs. 46a,58a,85a,115a
- 28 U.S. Code sec. 544.....App pg. 82a
- 28 U.S. Code 1867(e).....App pg. 63a
- 28 U.S. Code sec. 1867(f).....App pg. 63a
- 42 U.S. Code sec. 12203.....App pg. 87a

## **Supreme Court**

Connecticut v. Teal, 457 U.S. 440 (1982)  
.....App pg. 87a

Gowdy v. Baltimore & Ohio R.R. Co., 385 Ill. 86, 92,  
52 N.E.2d 255 (1943).....App pgs. 38a,51a,53a

Greg's v. Duke Power Company, 401 U.S. 424 (1971)  
.....App pg. 87a

Hagans v. Lavine, 415 U.S. 533, 94 S. Ct. 1372 (1974)  
.....Cert. pg. 5; App pg. 67a

Hale v. Henkel, 201 U.S. 43 (1906)  
.....App pgs. 38a,51a,52a

Johnson v. Yellow Cab Co., 321 U.S. 383, 387  
.....Cert. pg. 7

Joint Refugee Committee v. McGrath National  
Council Of Friendship, 341 U.S. 123, 71 5.Ct. 624, 95  
L.Ed. 817 (1951).....Cert. pg. 19

Keystone Driller Co. v. General Excavator Co., 290  
U.S. 240, 245.....Cert. pg. 7

Marbury v. Madison 5 U.S. 137, 1 Cranch 137, 2 L.  
Ed. 60, (1803)  
.....App pgs. 20a,38a,39a,51a,52a,56a,82a83a

Old Wayne Mut. I. Assoc. v. McDonough, 204 U.S. 8,  
27 S.Ct. 236 (1907).....App pgs. 38a,51a,52a

Penhallow v. Doane's Administrators, 3 U.S. 3 Dall.  
54 (1795).....App pgs. 38a,51a,52a,54a

Precision Co. v. Automotive Co.  
.....Cert. pg. 5,6

Rose v. Himely, 4 Cranch 241, 269, 2 L.Ed. 608, 617 (1808).....App pgs. 38a,51a,53a

Steinfeld v. Hoddick, 513 U.S. 809, (IL 1994).....App pg. 94a

Vallely v. Northern Fire & Marine Ins. Co., 254 U.S. 348, 41 S.Ct. 116 (1920).....App pgs. 30a,38a,40a,51a,52a

Williamson v. Berry, 8 How. 495, 540, 12 L.Ed. 1170, 1189 (1850).....App pgs. 38a,51a,52a

### **Circuit Court**

Basso v. Utah Power and Light Company, 495 F.2d 906, 909 (10th Cir. 1974).....App G, *passim*

Council Of Federated Organizations v. MIZE, 339 F.2d 898 (5th Cir. 1964).....Cert. pg. 19

Lubben v. Selective Service System Local Bd. No. 27, 453 F.2d 645, 14 A.L.R. Fed. 298 (C.A. 1 Mass. 1972).....App pg. 97a

Holstein v. City of Chicago, 29 F.3d 1145 (N.D. Ill. 1992).....App pg. 98a

United States v. Bennett, 621 F.3d 1131,1137-1139 (9th Cir. 2010).....App pg. 68a

United States v. Bullock, 448 F.2d 728, 729 (5th Cir. 1971).....App pgs. 38a,52a,53a,60a,115a

United States v. Holzer, 816 F.2d 304, 307 (9<sup>th</sup> Cir.1987).....App pgs. 51a,53a,56a

### **District Court**

Hobbs v. U.S. Office of Personnel Management, 485 F.Supp. 456 (M.D. Fla. 1980).....App pg. 97a

Holstein v. City of Chicago, 803 F. Supp. 205  
.....App pg. 98a

Klugh v. U.S., 620 F.Supp. 892 (D.S.C. 1985)  
.....App pgs. 99a

Tirad Energy Corp. v. McNell, 110 F.RD. 382  
(S.D.N.Y. 1986).....App pg. 98a

**State Supreme Court**

Automatic Feeder Co. v. Tobey, 221 Kan. 17, 558 P.2d  
101, 104 (1976).....Cert. pg. 19

Brainerd Dispatch Newspaper Co. v Crow Wing  
County, 196 Minn. 194, 264 N.W. 779, 780 Sup.Ct. of  
Mn (1936).....App pg. 64a,65a

Brent Brown Dealerships v. Tax Com 'n, MVED,  
2006 UT App.....Cert. pg. 19,20

Brimhall v. Mecham, 27 Utah 2d 222, 224, 494 P.2d  
525, 526 (1972).....Cert. pg. 19

Capital Federal Savings Bank v. Bewley, 795 P.2d  
1051 (Okla. 1990).....App pg. 107a

Cockerham v. Zikratch, 619 P.2d 739 (Ariz. 1980)  
.....App pg. 111a

Davidson Chevrolet, Inc. v. City and County of  
Denver, 330 P.2d 1116 (1958).....App pg. 100a

Georgia Department v. Sistrunk, 291 S.E. 2d 524,  
526, 249 Ga. SupCt, 543 (1982)  
.....App pgs. 38a,52a,53a

Hallford v. Industrial Commission, (1945) 63 Ariz. 40,  
159 P.2d 305 .....App pg. 96a

Henderson v. Henderson, 59 S.E. 2d 227, (N.C. 1950)  
.....App pg. 106a

In Re Estate of Jones, 858 P.2d 983, 985 (Utah 1993)  
.....Cert pg. 19

In re Worthen, 926 P.2d at 876 (Utah 1996)  
.....Cert pg. 19

Johnson v. McDonald, 170 Okla. 117, 39 P.2d 150  
SupCt of Ok (1934) .....App pg. 65a

Lange v. Johnson, 204 N.W.2d 205 (Minn. 1973)  
.....App pg. 105a

Matson v. Matson, 310 N.W.2d 502 (Minn. 1981)  
.....App pg. 105a

Mills v. Richardson, 81 S.E.2d 409, (N.C. 1954)  
.....App pg. 106a

People v. Wade, 506 N.W.2d 954 (Ill. 1987)  
.....App pg. 101a

Rook v. Rook, 353 S.E. 2d 756, (Va. 1987)  
.....App pg. 91a,110a

State v. Richie, 20 S.W.3d 624 (Tenn. 2000)  
.....App pg. 107a

State ex rel. Dawson v. Bomar, 354 S.W.2d 763,  
certiorari denied (Tenn. 1962)  
.....App pg. 108a

State v. Walker, 267 P.3d 210, 217-218 (Utah 2011)  
.....Cert pg. 15

State ex rel Nagle v. Sullivan, 40 P. 2d 995, 997,  
SupCt of Mt (1935).....App pgs. 38a,52a,53a

State Ex Rel. Z.C., 2007 UT 54.....Cert pg. 14

Underwood v. Brown, 244 S.W. 2d 168 (Tenn. 1951)  
.....App pg. 108a

Ward v. Terdere, 386 P.2d 352 (Colo. 1963)  
.....App pg. 100a

Vargus v. Greer, (1943) 60 Ariz. 110,131 P.2d 818  
.....App pg. 96a

**State Appellate Court**

Allcock v. Allcock, 437 N.E.2d 392(Ill. App. 3 Dist. 1982).....App pg. 102a

B & C Investments, Inc. v. F & M Nat. Bank & Trust, 903 P.2d 339 (Ok. App. 106, 1995)  
.....App pg. 93a

City of Los Angeles v. Morgan, 234 P.2d 319 (Cal. App. 2 Dist. 1951).....App pg. 99a

City of Lufkin v. McVicker, 510 S.W.2d 141 (Tex. Civ. App. - Beaumont 1973).....App pg. 109a

Dusenberry v. Dusenberry, 625 N.E.2d 458 (Ind. App. 1 Dist. 1993).....App pg. 104a

Graff v. Kelly, 814 P.2d 489 (Okla. 1991)  
.....App pg. 107a

Eckel v. McNeal, 628 N.E.2d 741 (Ill. App. Dist. 1993)  
.....App pg. 101a

Hays v. Louisiana Dock Co., 452 N.E.2D 1383 (Ill. App. 5 Dist. 1983).....App pg. 103a

In re Adoption of E.L., 733 N.E.2d 846 (Ill. App. 1 Dist. 2000).....App pgs. 91a,111a

In re Estate of Steinfield, 630 N.E.2d 801 certiorari  
.....App pg. 94a

In re Marriage of Parks, 630 N.E.2d 509 (Ill. App. Ct. 1994).....App pg. 102a

Irving v. Rodriquez, 169 N.E.2d 145, 27 Ill. App. 2d 75 (1960).....App pg. 112a

Jenkins v. Weis, 868 P.2d 1374 (Utah App. 1994)  
.....Cert. pg. 19

Kelly v. Kelly, (1975) 24 Ariz. App. 582, 540 P.2d 201  
.....App pg. 96a

Lloyd v. Director, Dept. of Public Safety, 480 So. 2d 577 (Ala. Civ. App. 1985).....App pg. 99a

Lucas v. Estate of Stavos, 609 N.E. 2d 1114,  
rehearing denied, and transfer denied (Ind. App. I  
dist. 1993).....App pg. 104a

People ex rel. Brzica v. Village of Lake Barrington,  
644 N.E.2d 66 (111. App. 2 Dist. 1994)  
.....App pg. 94a

People v. Rolland, 581 N.E.2d 907, (Ill. App. 4 Dist.  
1991).....App pg. 103a

People v. Sales, 551 N.E.2d 1359, 195 Ill. App. 3d.  
160 (1990).....App pg. 102a

Richardson v. Mitchell, 237 S.W. 2d 577, (Tenn. Ct.  
App. 1950).....App pg. 109a

Richins v. Delbert Chipman & Sons Co., 817 P.2d  
382, 385 (Utah App. 1991)  
.....Cert. pg. 19

Senehez v. Hester, 911 S.W.2d 173, (Tex. App. -  
Corpus Christi 1995).....App pg. 95a

State v. Blankenship, 675 N.E.2d 1303, (Ohio App. 9  
Dist. 1996).....App pg. 106a

State ex rel. Turner v. Briggs, 971 P.2d 581 (Wash.  
App. Div. 1999).....App pg. 111a

Stidham v. Whelchel, 698 N.E.2d 1152 (Ind. 1998)  
.....App pg. 104a

Thompson v. Thompson, 238 S.W.2d 218 (Tex. Civ.  
App. - Waco 1951).....App pg. 110a

Workman v. Nagle Constr., Inc., 802 P.2d 749, 753  
(Utah App. 1990).....Cert. pg. 19

#### **State Cases**

Crockett Oil Co. v. Effie, 374 S. W.2d 154 (Mo. App.  
1964).....App pg. 93a

Goldstein v. Equitable Life Assur. Soc. of US., 160  
Misc. 364, 289 N.Y.S. 1064, 1067  
(1936).....App pg. 65a

Jaffe and Asher v. Van Brunt, S.D.N.Y. 1994, 158  
F.R.D. 278 .....App pg. 95a

Joiner v. Joiner, 87 S.W.2d 903, 914, 915 (Tex. Civ.  
App. 1935).....App pg. 65a

Orner v. Shalala, 30 F.3d 1307, (Colo.1994)  
.....App pg. 95a

## **LIST OF PROCEEDINGS**

United States of America, Plaintiff-Appellee v. Dale Scott Heineman, Defendant-Appellant, No. 24-5342, U.S. Court of Appeals for the Ninth Circuit, Order dated September 17, 2024.

United States of America v. Dale Scott Heineman, et al., No. 05-cr-00611WHA, U.S. District Court for the Northern District of California for Orders entered: August 28, 2024; August 30, 2024; September 11, 2024.

Complaint for Show Cause no. cv24-06207 filed September 3, 2024, for failure of the District Court to directly and honestly address the due process violations and violations of procedure.

## **JURISDICTION**

Jurisdiction is found under Rule 14.1(e)(i) for review of the Ninth Circuit Court of Appeals order dated September 17, 2024, case no. 24-5342.

## **CONSTITUTIONAL PROVISIONS INVOLVED**

Amendment 1 of the Constitution of the United States: "Congress shall make no law respecting an establishment of religion, or prohibiting...the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." Article I, Sec. 9, Cl. 3 of the Constitution: "No Bill of Attainder or ex

post facto Law shall be passed." Explanation: A bill of attainder is a way that a legislature acts as a judge and jury, declaring that a person or group of people are guilty of a crime and stating the punishment.

Article III, Sec. 1 of the 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 III, Sec. 2 of the Constitution: The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State,—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

Article III, Sec. 3 of the Constitution: Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Article IV, Sec. 4 of the Constitution: The United States shall guarantee to every State in this Union a Republican Form of Government and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Article VI, Sec. 2 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, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

## **STATEMENT OF THE CASE**

This case comes before this honorable Court upon the denial from the U.S. Court of Appeals for the Ninth Circuit, No. 24-5342, Order dated September 17, 2024, for lack of jurisdiction to hear this instant matter that involves William H. Alsup William H. Alsup, Senior Judge for the Northern District of California, San Francisco Division; Merrick Garland, United States Attorney General; Ismail Ramsey, United States Attorney; David Hall, Assistant United States Attorney; James E. Keller, Assistant United States Attorney; Nikhil Bhagat, Assistant United States Attorney who have collectively and continually violated Petitioner-Appellants' protected due process beginning from the original indictment dated September 27, 2005, case number 05-cr-00611WHA to the superseding indictment dated February 16, 2006, to the present day in the matter of a Form 12 hearing beginning April 9, 2024, wherein Petitioner-Appellant raised jurisdictional challenges of personum and subject matter in the form of a demand for show cause that was filed prior to Petitioner-Appellant' first appearance of June 11, 2024.

Judge Alsup verbally denied Petitioner-Appellant' demand for show cause during the June 11, 2024 hearing and further expressed such denial in Judge Alsup' Order dated September 11, 2024 in violation of Petitioner-Appellant' protected due process right to challenge jurisdiction at any stage of the proceeding.

Upon inspection of the record of case no. 05-cr-00611WHA it is shown by and through the Administrative Procedures Act – Administrative Law 5 U.S.C. §§ 552, 552a, and Petitioner-Appellant' Complaint for Show Cause filed September 3, 2024, that Respondents utterly failed to follow the Federal Rules of Criminal Procedure Rules: 6(b)(1), 6(c), 6(e)(F)(ii), 6(f), Rule 7(c). (see Appendix 4)

Furthermore, "The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings." Hagans v. Lavine, 415 U.S. 533, 94 S. Ct. 1372 (1974), no jurisdictional statement is discoverable in, on, or for the record and when the question of jurisdiction is raised by Petitioner-Appellant, Judge Alsup and these U.S. Attorneys remain nonresponsive, silent, in violation of Petitioner-Appellant' protected due process rights and in violation of the law.

Judge Alsup and these U.S. Attorneys have decided that Petitioner-Appellant does not have an unfettered Constitutionally protected right of due process including the right to petition the court for redress making it clear that the court is closed to Petitioner-Appellant. The United States Supreme Court has declared in the case of Precision Co. v. Automotive Co., 324 US 806, that under the doctrine of equitable maxim, courts may shut their door to the demise of one party while favoring the opposing party.

Judge Alsup and these U.S. Attorneys have gone beyond shutting its door against Petitioner-Appellant, when Judge Alsup prosecutes from the bench, dispenses legal advice to guide the prosecution during trial, permits these U.S. Attorneys to legislate from their desk divining chargeable criminal offenses such as “debt elimination” absent any statutory guidance or authority whatsoever, including witness tampering on two (2) occasions before trial, tampering with material evidence that proves no harm could be caused by Petitioner-Appellant’ business model.

The equitable maxim doctrine as stated by the United States Supreme Court allows a trial court to close its door against one of the parties in its court disregarding any pleadings that party has filed. When a court closes its door against a party in court it favors the other party making the court biased. This type of door shutting also undermines any controlling case law, including Federal and State Constitutional provisions, thus circumventing the right of due process and the right to petition. The case of *Precision* states ““The guiding doctrine in this case is the equitable maxim that” he who comes into equity must come with clean hands.” This maxim is far more than a mere banality. It is a self-imposed ordinance that closes the doors of a court of equity to one tainted with inequitableness or bad faith relative to the matter in which he seeks relief, however improper may have been the behavior of the defendant. That doctrine is rooted in the historical concept of court of equity as a vehicle for affirmatively enforcing the requirements of

conscience and good faith. This presupposes a refusal on its part to be “the abettor of iniquity.” Bein v. Heath, 6 How. 228, 247. Thus while “equity does not demand that its suitors shall have led blameless lives.” Loughran v. Loughran, 292 U.S. 216, 229, as to other matters, it does require that they shall have acted fairly and without fraud or deceit as to the controversy in issue. Keystone Driller Co. v. General Excavator Co., 290 U.S. 240, 245; Johnson v. Yellow Cab Co., 321 U.S. 383, 387; 2 Pomeroy, Equity Jurisprudence (5th Ed.) §§ 379-399.

The doctrine of equitable maxim, as stated by the United States Supreme Court, provided the platform for Judge Alsup and the prosecution to shut its door against Petitioner-Appellant by claiming that Petitioner-Appellant came to court with unclean hands as a violator of the terms of supervised release all-the-while ignoring Petitioner-Appellant’ Demand for Show Cause that shows gross violations of due process of law and procedure, from the beginning. Nor did Judge Alsup or the prosecution respond to Petitioner-Appellant’ Proof of Jurisdiction. Judge Alsup gave a passing comment regarding Petitioner-Appellant’ Proof of Jurisdiction in his September 11, 2024 Order stated, “*This filing is, like the others, without merit and does not deserve extended discussion.*” The United States Attorneys would not and did not answer Petitioner-Appellant’ Demand for Show Cause or the Petitioner-Appellant’ Proof of Jurisdiction– both supported by documents that on their face clearly and factually prove that it is not

Petitioner-Appellant who came to court with unclean hands, rather the government.

Not only did the United States Supreme Court unjustly allow Judge Alsup to disregard Petitioner-Appellant' unfettered Constitutionally protected right of due process and to petition for redress, but Judge Alsup was given unjust power to disregard the doctrine of The Object Principle of Justice.

The doctrine of The Object Principle of Justice is the supreme Law of the Land, Article VI, Sec. 2 of the Constitution of the United States. It sets in motion to provide the most just, limited, highly effective, easy to understand, highly respected and dearly admired system of justice.

Additionally, this doctrine stops the precarious nature of our courts, their jobs would be much easier with less stress, and parties in court would have a strong sense on how the court is going to rule thus promoting settlements to high degree and greatly discouraging lawsuits.

The Object Principle Of Justice is founded under the origination of our rights and is protected by the 9<sup>th</sup> Amendment of the United States Constitution which states "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." The Constitution cannot be construed by any means, by any law, by any power, by any court of law on earth to

deny or disparage our rights. This is how the Constitution is to be interpreted. These rights that cannot be violated are identified in the second clause of the Declaration Of Independence, it states: "We hold these truths to be self evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

These self-evident rights are God given—unalienable, therefore you cannot give them away and nobody can take them from you, not even a court of law. People may have the means to violate, disparage or construe your God-given rights, but this does not mean they took your rights away.

No Constitution or any agency erected by man, including courts of law, can ever be construed as being the author, giver or interpreter of our God-given rights. With these rights we erect agencies to protect these rights, "That to secure these rights, governments are instituted among Men, deriving their just powers from the consent of the *governed...*" *Declaration Of Independence.* id. The Utah State Supreme court recognizes that judges have not the right to construe or disparage our rights. In the case of *American Bush v. City Of South Salt Lake*, 2006 UT 40 140 P.3d. 1235 the Utah State Supreme Court stated that "In considering State constitutions we must not commit the mistake of supposing that, because individual rights are guarded and protected by them, they must also be considered as owing their

origin to them. These instruments measure the powers of the rulers, but they do not measure the rights of the governed.... [A state constitution] is not the beginning of a community, nor the origin of private rights; it is not the fountain of law, nor the incipient state of government; it is not the cause, but consequence, of personal and political freedom; it grants no rights to the people, but is the creature of their power, the instrument of their convenience. Designed for their protection in the enjoyment of the rights and powers which they possessed before the constitution was made, it is but the framework of the political government . . It presupposes an organized society, law, order, property, personal freedom, a love of political liberty, and enough of cultivated intelligence to know how to guard it against the encroachments of tyranny". (emphasis added)

Courts of law are governed by and subject to the consent of the people (Amendment 9), and judges are bound to the United States Constitution by Article VI, Sec. 2 of the Constitution which states, "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." And Article III states "The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior". Also known as the 'Good Behavior Clause'.

Under our God-given rights we seek to do business with each other, and in the occasion that there is a

disagreement, we have the right to find somebody to hear our disagreements - to help us settle the matter, in this matter courts were created, to hear these arguments. So "We The People" have created courts with the agreement that if you go, or are compelled to go to court, you are subject to its decision without violating the 9th Amendment.

The Constitution recognizes that it cannot construe or disparage our rights or create a court of law that can construe or disparage our rights (this is also self-evident). This means that because Judges are bound by the Constitution, they cannot ever at any time inflict the law or their interpretation of law upon the parties in court. The judge must base his decision on the parties interpretation of the law. It is the peoples' right to seek a judge to referee their argument; they cannot give rights to a judge which they don't have themselves. They cannot ever at any time require a judge to become the giver of their rights or to tell them what they are. They can only give the judge the right to referee their interpretation of what they claim their rights are. All courts of law are required as a matter of law to follow this, when judges take the oath of office they have sworn to do this.

Once a party invokes legal authority in court the court cannot violate it or enter in its own arguments which would add to the arguments already in flow. Basically speaking, when a party goes to court he argues what his rights are while the opposing party produces an argument that disagrees, herein the

court bases his decision on the arguments before him. If controlling legal authorities, or the law invoked by a party in court, first become subject to the court's judicial determination or interpretation, then the only rights you have is what the court states it to be which you cannot know beforehand, this makes our courts precarious and produces uncertainty in our courts, for how can you rely on the law to protect your rights? This makes a party in court subject to the court because the court is now the ultimate holder of your rights instead of it being the protector of them. How can this be just?

Under the doctrine of *equitable maxim*, which is a self-imposed doctrine that allows a court to shut its door against one whom comes to court with unclean hands, or against one who uses the courts for a wrongful purpose, it allows a court to strip away the law or any legal authority from a party who uses it to hide their wrongful acts, this stripping power is inherently wrong for two reasons: 1) this striping power (or the power to shut its doors) puts the court back into the first position of determining or interpreting legal authorities which is unjust and produces uncertainty making the court the giver of your rights instead of the protector of them, and 2) this striping power puts the party that it favors safely behind the court—this party is protected by the court which the opposing party cannot penetrate; there is no justice served in allowing a party to hide behind a court.

When a party is allowed to hide behind the court it prejudices the opposing party and forces the opposing party to argue with the court. A court that positions a party to argue with the court becomes unjust, this is because the court and the opposing party are not on the same equal ground, unless the court agrees to share in the liability of the case and becomes equal to the party that it protects which it cannot do and still be a judge.

For argument purposes, let's say the *equitable maxim* doctrine forbids a person from being unjustly enriched by the law which creates a reason why a party cannot hide behind the law and allows a court to shut its door against such party. Under The Object Principle of Justice it still becomes the responsibility of a party in court to demonstrate to the court how the law is unjustly enriching the other party, or that the party has unclean hands. The court cannot invoke any doctrine or any kind of judicial determination against any party that may become unjustly enriched by the law. It is up to one of the parties in court to present an argument that overcomes this. Again, under the doctrine of The Object Principle of Justice the court cannot ever help one party to the demise of the other party without prejudicing the demising party.

Codes of judicial conduct, like the one in Utah, seem to all echo the following theme; Utah Canon 2.2 of the Code Of Judicial Conduct state that "A judge shall uphold and apply the law,\* and shall perform all duties of judicial office fairly and impartially."

\*COMMENT - [1] "...a judge must interpret and apply the law without regard to whether the judge approves or disapproves of the law in question. [2] When applying and interpreting the law, a judge may make good-faith errors of fact or law. Errors of this kind do not violate this Rule."

This Canon violates the doctrine of The Object Principle of Justice. The moment the judge makes any kind of interpretation of the law it has helped one party to the demise of the other party, it has prejudiced that party it demised and has positioned the demised party to argue with the court. This becomes a direct argument between the party it has prejudiced and the court while the winning party becomes protected by the court's own volition. More likely than not, if you argue with the court you will upset the court and you will lose.

The case of *State Ex Rel. Z.C.*, 2007 UT 54 identifies how the court has the broad discretion to protect The Object Principle of Justice, it states "...consequences, manifestly contradictory to common reason, they are, with regard to those collateral consequences, void. I lay down the rule with these restrictions; though I know it is generally laid down more largely, that acts of parliament contrary to reason are void. But if the parliament will positively enact a thing to be done which is unreasonable, I know of no power that can control it: and the examples usually alleged in support of this sense of the rule do none of them prove, that where the main object of a statute is unreasonable the

judges are at liberty to reject it; for that were to set the judicial power above that of the legislature, which would be subversive of all government. But where some collateral matter arises out of the general words, and happens to be unreasonable; there the judges are in decency to conclude that this consequence was not foreseen by the parliament, and therefore they are at liberty to expound the statute by equity, and only quoad hoc disregard it."

Again, under the doctrine of The Object Principle of Justice the court cannot interpret the law, it must look to the pleadings/arguments in court in determining which interpretation of the law is correct. At that point if the pleadings/arguments are both ambiguous upon which the court cannot make a decision, the court can make a decision of status quo without prejudice (allowing the case to remain the same as it was before it entered the court with a chance of the parties to provide a better interpretation of the law for the court to understand and rule on.

In opposition to the Object Principle of Justice the Honorable Judge Bruce C. Lebeck of the Utah Third District Court stated: The Utah Supreme Court addressed the role of judges in *State v. Walker*, 267 P.3d 210, 217-218 (Utah 2011), and stated:

"For the most part, the role of modern judges is to interpret the law, not to repeal or amend it, and then to apply it to the facts of the cases that come before them. The process of interpretation, moreover,

involves the judge in an exercise that implicates not the judge's own view of what the law should be, but instead a determination of what the law is as handed down by the legislature or framers of the constitution.

The judge, in other words, is not a primary lawgiver but instead an administrator/agent for the legislature or framer that played that role. This allocation of power again is deliberate. The more politically accountable bodies of government make new laws; judges, who are more insulated from political processes, simply interpret them and attempt to apply them in an objective, evenhanded manner. This court's role is to interpret the law and apply it to the facts of the case. A court cannot interpret the law if the court does not know the law.

Absent statutes which are to be interpreted, the court must seek to find and know and understand the law. To do as argued by this Petitioner-Appellant would be to abrogate this role to the parties. If the court was only permitted to choose between the interpretation provided by one of the parties, then if either party failed to provide the interpretation supported by the language of the rule or statute and case law the application of rules and laws, then the court would be required to apply the only interpretation available to it that could possibly be wholly incorrect. For a court to know which interpretation was 'incorrect' that court would have to know what the 'correct' law is. If the parties are not able to advise the court on what the law is, the court

must do so itself, this court being unaware of who else would provide that information to the court. If the court followed *this* argument that would create inconsistency in the interpretation and application of the law. This would inherently create an injustice in our court system. To prevent this, the court's role is to interpret the law and apply it to the facts of the case."

What happens if the Judge himself gives a wrong interpretation of the law which makes his decision wholly incorrect? And in that case who suffers? Not the Judge!! Did the Judge's opinion address this concern in his opposition to the Object Principle of Justice? No!

The following would eliminate Judge Alsup' fear of having inconsistency in the interpretation and application of the law:

Under the Object Principle of Justice, if a Judge is confronted with a party in court who fails to provide proper interpretation of any legal authority, and the opposing party fails to point this out, the Judge at that point could easily rule to leave the case as status quo due to the fact that he was not convinced by either argument, he could allow the parties to come back with proper interpretations for the court to rule on. However, if one of the parties pointed out that an improper interpretation was given, he could rule in that direction.

Per the analysis given above under the 9th Amendment, when parties in court invoke legal

authorities, it is up to them to demonstrate to the court how that law does or does not protect their rights. It is the parties in court who must declare unto the court what their rights are and how they want them protected or how their rights were violated and should be changed. It then becomes the duty of the judge to referee their arguments in deciding which argument will prevail. This is justice. All courts of law are required as a matter of supreme law to follow its doctrine. When judges take the oath of office they have sworn to do so. They are fiduciaries for the public trust.

There are a few exceptions to where a Judge may enter in his own arguments, those of Jurisdictional questions, and other matters that bar him from hearing the case.

The doctrine of *equitable maxim* that allows a court to shut its door undermines the following Constitutional and case law provisions:

First Amendment to the Constitution of the United States, provides:

“Congress shall make no law . . . abridging the freedom of . . . the people . . . to petition the Government for a redress of grievances.”

“This Court is not alone in recognizing that the right to be heard . . . is a principle basic to our society. . . . which in the course of centuries have come to be

associated with due process.” (page 168) *Joint Refugee Committee v. McGrath National Council Of Friendship*, 341 U.S. 123, 71 5.Ct. 624, 95 L.Ed. 817 (1951).

“A judgment is void if the court that rendered it . . . acted in a manner inconsistent with due process.” *Richins v. Delbert Chipman & Sons Co.*, 817 P.2d 382, 385 (Utah App. 1991) (quoting *Automatic Feeder Co. v. Tobey*, 221 Kan. 17, 558 P.2d 101, 104 (1976)); accord *In Re Estate of Jones*, 858 P.2d 983, 985 (Utah 1993); *Brimhall v. Mecham*, 27 Utah 2d 222, 224, 494 P.2d 525, 526 (1972); *Workman v. Nagle Constr., Inc.*, 802 P.2d 749, 753 (Utah App. 1990) *Jenkins v. Weis*, 868 P.2d 1374 (Utah App. 1994).

“The right of a litigant to be heard is one of the fundamental rights of due process of law. A denial of the right requires a reversal.” *Council Of Federated Organizations v. MIZE*, 339 F.2d 898 (5th Cir. 1964).

“[T]imely and adequate notice and an opportunity to be heard in a meaningful way are at the very heart of procedural fairness.” (quotations, citations, and footnote omitted) *In re Worthen*, 926 P.2d at 876 (Utah 1996).

“[E]very person who brings a claim in a court or at a hearing held before an administrative agency has a due process right to receive a fair trial in front of a fair tribunal.” *Id.* (quotations and citations omitted).” *Brent Brown Dealerships v. Tax Com 'n*, 2006

UT App 261. (“. . . an opportunity to be heard in a meaningful way are at the very heart of procedural fairness....”) Brent Brown Dealerships v. Tax Com'n, MVED, 2006 UT App 261.

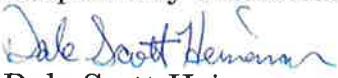
Accordingly, Petitioner-Appellant’ fundamental right to petition, to be heard, which is a due process right should not be controlled or delineated by the doctrine of equitable maxim.

### **CONCLUSION**

This petition is set forth in the interest of justice in protecting the right to petition, and of due process, and of The Object Principle of Justice against the encroachment of the doctrine of equitable maxim that also wrongfully permits the awarding of attorney fees and costs without request. This petition is the mechanism to allow the sounds of justice to ring as never before heard, these are reasons for certiorari to be granted.

This matter comes before this honorable Court whilst a pending sentencing date of November 13, 2024 looms. In the interest of truth and justice and in accordance with this Petitioner-Appellant’ due process protections, and the showing herein of the numerous violations of due process by Judge Alsup and the U.S. Attorneys, a stay of the November 13, 2024 sentencing hearing is appropriate until such time as this honorable Court can be fully briefed.

Dated: October 30, 2024

Respectfully submitted,  
  
Dale Scott Heineman.  
2775 Fremont St. #2008  
Las Vegas, Nevada  
[89104]

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**CERTIFICATE OF SERVICE**

I, Dale Scott Heineman, hereby certify that on the 31<sup>st</sup> day in the month of October in the year 2024, I caused to be sent via United States Postal Mail delivery, in a first class, post-paid envelope the following document(s):

1. On Petition for Writ of Certiorari To The United States Court Of Appeals For The Ninth Circuit with revision for formatting and change to November 13, 2024 sentencing hearing date with amended Appendix cover pages sans Complaint for Show Cause case no. CV24-06207 (Appendix 4) for economy since all Parties have been previously served and summoned.

To:

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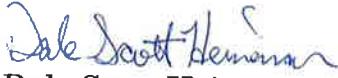
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Case Number 05-cr-00611WHA  
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I, Dale Scott Heineman, do affirm and certify that I  
caused to be sent the above-referenced document(s) to  
the Party's herein named above, and on the day  
indicated above under the pains and penalties of  
perjury.

Done this 31<sup>st</sup> day of October 2024

  
Dale Scott Heineman.  
Original Creator/Executor,  
Real Party in Interest.