

THE UNITED STATES SUPREME COURT

REHEARING REQUEST RULE 44

<p>Latressa Railback or (RAILBACK),</p> <p>Plaintiff,</p> <p>-vs.-</p> <p>State of Iowa; Governor; City Of Des Moines; Mayor; City Manager; Des Moines Neighborhood Services; Director; SUPERVISOR OF JANE DOE; Chris Heilskov Supervisor of Joshua Raleigh; TORTFEASOR JANE DOE; TORTFEASOR Joshua Raleigh; Des Moines Police Department; Chief of Police Dana Wingert; SUPERVISOR OF JOHN DOE; TORFEASOR JOHN DOE; Legal Department/City Attorney's Office; City Attorney Jeffery Lester or (CITY OF DES MOINES)</p> <p>Defendants,</p>	<p>Docket No. 24-5374</p>
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Given  
11-15-24

28 U.S. Code § 453 - Oaths of justices and judges

"Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office: "I, \_\_\_\_\_, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as \_\_\_\_\_ under the Constitution and laws of the United States. So help me God."

(June 25, 1948, ch. 646, 62 Stat. 907; Pub. L. 101-650, title IV, § 404, Dec. 1, 1990, 104 Stat. 5124.)

## **FIDUCIARY DUTY**

Fiduciary duty to the People to care, show loyalty and to be obedient to the law.

## **ALL CRIMES ARE COMMERCIAL**

§ 72.11, "ALL CRIMES ARE COMMERCIAL" and must have "nature and cause" and "be prosecuted in the name of the people of the states, as a 'real party in interest', NOT, 'THE PEOPLE OF THE STATE OF', corporation, the fiction." (Id.) The Court notes that 27 C.F.R.

## **UNITED STATES CONSTITUTION**

Section 1 of the 14th Amendment to the United States Constitution establishes the following rights and guarantees:

### **Citizenship**

All people born or naturalized in the United States are citizens of the United States and the state they reside in.

### **Privileges and immunities**

No state can make or enforce laws that abridge the privileges or immunities of citizens.

### **Due process**

No state can deprive a person of life, liberty, or property without due process of law.

### **Equal protection**

No state can deny any person within its jurisdiction equal protection under the law.

## **THE PREAMBLE**

"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

## **TREATY LAW**

### **HAUDENOSAUNEE, OR THE SIX NATIONS/ CAYUGA/SENECA OKLAHOMA**

According to ancestral research the appellant is a descendant of aboriginal tribe/s indigenous to these lands.

"The Treaty of Cananadaigua, 1794, CONFIRMED PEACE between the United States and the Haudenosaunee, or the Six Nations; whom are my distant ancestors according to research. "The **Great Law of Peace** (Mohawk: *Kaianere'kó:wa*), also known as **Gayanashagowa**, is the oral constitution of the Iroquois Confederacy... In October 1988, the U.S. Congress passed Concurrent Resolution 331 to recognize the influence of the Iroquois Constitution upon the American Constitution and Bill of Rights." "H. Con. Res. 331, October 21, 1988"." Great Law of Peace - Wikipedia

"**Article 1:** His Britannic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free sovereign and independent states, that he treats with them as such, and for himself, his heirs, and successors, relinquishes all claims to the government, propriety, and territorial rights of the same and every part thereof." Treaty of Paris (1783) | Teaching American History

As a result of the treaty, so-as-to preserve the peace, the U.S. Government should abide by and obey the laws in this case.

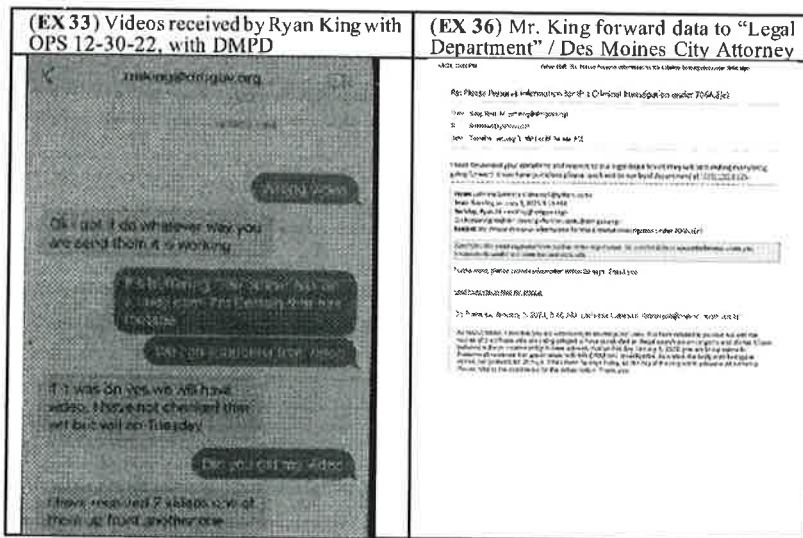
## **FIVE CIVILIZED TRIBES**

- ii. The attorney violated Rule 3.4 by apparently representing a frivolous case, and 4.1, truthfulness in statements, to name a few.
22. The homeschooling endeavors were interrupted.
23. The home-based businesses were disrupted and have been neglected as a result of this case.

#### BURDEN OF PROOF

- a. Civil
  - i. In civil cases, the plaintiff has the burden of proving their case by a preponderance of the evidence, which means the plaintiff merely needs to show that the fact in dispute is more likely than not. burden of proof | Wex | US Law | LII / Legal Information Institute
- b. Criminal
  - i. Varies

A copy of the video footage was given to the Police Department December 30, 2022; Ryan King and received and was then forwarded to City Attorney on January 3, 2023.



#### PROPOSED WITNESSES:

Neighbor 1: TBA Neighbor 2: TBA Neighbor 3: TBA Open records coordinator Ryan King OPS, DMPD	Molly Tracy Joshua Ralieggh Unidentified Police officer Unidentified City Inspector
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#### CONCLUSION

##### WELLNESS AWARENESS

On the Iowa Judicial Branch webpage there is a Wellness Awareness post stating, "The practice of law is a stressful profession. If you are struggling with addiction, depression, anxiety, marital or family problems, career burnout, or anything else, please contact the Iowa Lawyer Assistance Program. They can be reached at 1-833-301-9529, 515-360-1668 or emailed at [help@iowalap.org](mailto:help@iowalap.org). The service is completely confidential."

If trained attorneys are burdened, this would be magnified by 10 for an untrained self-representing party with no prior knowledge in the field. Are there no rights, compassion, empathy or protection for self-representing parties? The crimes alleged in this case was caught on home surveillance footage and the documented accounts that followed presumably proves, prima facie, actus reus and mens rea. The crimes and violation alleged against the government body in accordance with laws were presumably established at the time of the incident October 2022, and now.

##### MAGNA CARTA