

24-5632

ORIGINAL

In the Supreme Court of the United States

Laura-Marie: Baldwin, In Propria Persona

Petitioner

Supreme Court, U.S.
FILED

JUL 13 2024

OFFICE OF THE CLERK

v.

Joshua Calvin Devine, Esq.,
Individually, and agent for 13th CIRCUIT COURT
Paul Martin Wade, Esq.,
Individually, and agent for 13th CIRCUIT COURT
Walter Jording(Jody) Paschal,
Individually, and agent for CALLAWAY CO. ASSESSOR
Crystal Kent, Sgt.,
Individually, and agent for CALLAWAY CO.S.D.
Stephen R. Bough, Esq.
Individually, and agent for U.S.DIST. CT. OF MO.
Mary R. Russell, Esq.
Individually, and agent for SUP. CT. OF MO.
And Other Unknown Respondent
DOES 1-20, Inclusive,

Respondents

On Petition for Writ of Certiorari to the
United States Court of Appeals
for the Eighth Circuit

PETITION FOR WRIT OF CERTIORARI

Laura-Marie: Baldwin, State Citizen
Laura-Marie: Baldwin, State Citizen
Missourian, "One of the people",
Non-Domestic Mail
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Zip exempt, but near [63388]
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No.

In the Supreme Court of the United States

Laura-Marie: Baldwin, In Propria Persona
Petitioner,

v.

Joshua Calvin Devine, Esq. et.al
Respondents,

PETITION FOR WRIT OF CERTIORARI

QUESTIONS FOR REVIEW

1. When did Petitioner, a private State Citizen and “one of the people,” knowingly waive her rights to become subject to the corporate STATE OF MISSOURI statutes?
2. Where is the wet-ink signed international contract with full disclosure, which Petitioner had to have signed, to become subject to the statutory code she has “allegedly” breached?
3. Under what authority does Walter Jording (Jody) Paschal (hereinafter Mr. Paschal) Assessor continue to wrongfully classify Petitioner’s private Land Patented land as the COMMERCIAL terms Residential/ Agricultural?
4. Where does Mr. Paschal derive his authority to deny Petitioner’s Constitutionally protected right to own land?
5. Why didn’t Mr. Pashal rebut the “allegedly” fraudulent documents when they were initially sent to him beginning in December 2021 as part of Petitioner’s Administrative Process?

6. How can “one of the people” be charged by the STATE OF MISSOURI without lawful joinder?
7. Under what authority does Paul M. Wade (hereinafter Mr. Wade), Special Prosecutor, act when he files a felony complaint with no verifiable evidence of an articulable defect in **any** of Petitioner’s documents he claims are fraudulent?
8. Under what authority does Judge Joshua Devine (hereinafter Judge Devine) act when he fails to take judicial cognizance of Petitioner’s filed standing as a State Citizen and not dismiss the case?
9. Under what authority does Judge Devine deny entering the Nature of the action on the record as requested by Petitioner pursuant to her 6th Amendment protected right to know?
10. Under what authority does Judge Devine refuse to dismiss the case upon verbal motion by Petitioner when Mr. Wade failed to appear for court Oct. 23, 2023?
11. Under what authority did Judge Stephen Bough fail to take judicial notice of Petitioner’s Amended Complaint error correction of the mis-written 5 USC 552-557 as being her Administrative remedy?
12. Under what authority did Judge Stephen Bough then dismiss Petitioner’s Complaint with prejudice on January 3, 2024 without standing as an Article III court as requested?
13. Under what authority does Judge Mary R. Russell dismiss the Writ of Mandamus on March 5, 2024, preventing Petitioner’s protected right to be informed of the Nature of the action further denying Petitioner’s due process?

List of Parties

All parties appear in the caption of the case on the cover page.

Related Cases

14. United States Court of Appeals for the Eighth Circuit Case 24-1510
Laura Marie Baldwin v. Joshua Calvin Devine, et al
Appeal from U.S. District Court for the Western District of Missouri.
The dismissal of the district court is modified to be without prejudice
April 24, 2024.
15. U. S. Court Western District of MO. Cent. Div. Case 23-cv-04206-SRB
Laura Marie Baldwin v. Joshua Calvin Devine, et. al.
This was an appeal to the next higher court, since the Supreme Court of
Missouri had denied my Special Writ and failed to recognize my
standing as a State Citizen. The Court ignored my petition request for
an Article III Court and dismissed with prejudice. Jan. 3, 2024.
16. Supreme Court of Missouri, Case SC100434
Laura Marie Baldwin v. Joshua Calvin Devine et. al.
This was a Writ of Mandamus petition based on the Callaway Court
officers' failure to:
 - (a) honor Petitioner's 6th Amendment protected right to know the Nature
of the action and required proof of jurisdiction being entered on the
administrative record pursuant to *Hagans v. Lavine*, 415 U.S. 533 and;
 - (b) produce verifiable evidence of an articulable defect in Petitioner's
allegedly fraudulent documents.Mandamus was denied on March 5, 2024.
17. Callaway County, Missouri 13th Circuit Court Case 23CW-CR00950-01
STATE OF MISSOURI v. LAURA BALDWIN
This case is still in progress, a Motion for Stay was entered August 7,
2024 by Petitioner pending Writ of Certiorari Petition to this Court
based on denial of due process. Pre-trial Hearing continued to January
13, 2025

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully requests that a writ of certiorari issue to review the judgment below.

Opinions Below

[X] For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix A to the petition and is reported at 24-1510;

The opinion of the United States district court appears at Appendix B to the petition and is reported at 2:23-cv-04206-SRB;

1. Pursuant to Rule 10(c), the jurisdiction of this Court is invoked under 28 USC 1254(1) since the 8th COA failed to take judicial cognizance in settling the important issue of a private State Citizen's 6th Amendment right of due process that this Court is called to exercise its supervisory power over.
2. This Petition is brought as a matter of right pursuant to Petitioner's absolute right, as one of "the people" to Petition the government for a redress of grievances as found in the First Amendment to the US Constitution which says: "*Congress shall make no law—abridging--- the right of the people---to petition the government for a redress of grievances.*"

JURISDICTIONAL STATEMENT

All persons, all public servants, and all court agents, under oath or affirmation, are under the Constitution of the United States as a contract and law; All people are obligated to report constitutional contract violations that are crimes against the people. Article 6 of the Constitution of the United

States confirms that this document is the Supreme Law of the Land or ultimate contract that supersedes all others. This Affidavit of Facts and Claim shows Constitutional contract violations that come with criminal charges, which every judge and public servant is required to prosecute or report the crimes for prosecution by this Affidavit of Facts for the record;

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Statement in the form of an Affidavit of Facts

All statements in this Petition are based on the assumption that all of the documents previously submitted into the lower Courts are available to be reviewed, and will be reviewed by this Court, as part of the record.

Mr. Paschal doing business as the Assessor, without proof of authority and not admitting that we didn't own the land we paid for and developed, converted the land that we purchased into the commercial term "REAL ESTATE", has given it a commercial tax classification RESIDENTIAL/ AGRICULTURAL and changed the land description from lawful metes and bounds into a legal "PARCEL" description in violation of 18 USC 654.

On August 21, 2017, the original United States Land Patents #6255 and #8728 were brought forward by my husband and I as Assigns and have since perfected it making the land allodial under our private trust by Quit Claim. According to the Opinion of U.S. Attorney General's Office- Sept. 1969- *"A patent issued by the United States is legal and conclusive evidence of title to the land described therein. No equitable interest, however strong, to land described in such patent, can prevail at law, against the patent."* *"The patent alone passes land from the United States to the grantee and nothing passes a perfect title to public lands but a patent."* Wilcox v. Jackson, 13 Peter (US) 498. Since

Land Patents cannot be collaterally attacked as to their "Validity" or "Authenticity" as the highest evidence of title; federal land Patents were given free and clear "Allodial Title" with no encumbrances, then and now. 31 USC 3124 makes it very clear that NO STATE can tax any obligation of the United States nor can any STATE use any obligation of the United States to COMPUTE a TAX obligation.

Beginning in February 2018, we began questioning Mr. Paschal through mailed Notices asking him to answer under what authority he acts in unlawfully converting our Land Patented land from being private to that of the commercial terms Residential and Agricultural. He responded with a photocopy of the Missouri Statute page on taxation classifications. We then brought forward Supreme Court rulings upholding Land Patents as being exempt from taxation and requested his authority to tax obligations of the United States. Mr. Paschal refused to respond. We paid the tax bill of 2018 under protest and petitioned the State Tax Commission to hear our case. Mr. Paschal refused to be present at the hearing and the State Tax Commissioner denied our petition saying "that a "patent" is nothing more than a deed of the United States and a patent is not an exemption to taxation." We paid the 2019 tax bill under protest. We next sent a Notice of Action Required to Mr. Paschal on June 30, 2020 requesting his response

pursuant to Freedom of Information Act (Missouri Sunshine Laws) on where he derives his authority to tax our land and pointing out that his failure to respond to previous Notices equates to acquiescence. Mr. Paschal refused to respond, but the County Attorney Christopher Wilson responded that neither Mr. Paschal nor he, would respond to the interrogatories without it being brought before a court.

In December 2021, Mr. Paschal was sent a Conditional Acceptance Notice for the “alleged” taxes without response and again in January 2022 a Second Notice of Conditional Acceptance was sent without response. Mr. Paschal was sent a three-part Administrative Process pursuant to 5 USC 552-557 in April 2022 which he never rebutted or responded requesting again his authority to tax us as State Citizens and our Land Patented land. *“Taxpayers are not [de jure] State Citizens.” Belmont v. Town of Gulfport, 122 So. 10.*

We were forced to pay under duress the 2020-2022 tax bills in August 2023 because Mr. Paschal and the County Collector had put our land on the Delinquent Tax Sale Properties List in the local paper and we didn’t want to lose our land over an “alleged” tax. *“State citizens are the only ones living under free government, whose rights are incapable of impairment by legislation or judicial decision. Twining v. New Jersey, 211 U.S. 97, 1908 “*

Mr. Paschal continues to violate 18 USC 514 by creating fraudulent tax obligations against Petitioner utilizing the United States Postal Service and electronic communication to transmit the same from and through the United States.

Mr. Paschal claims that I have harassed him, yet he filed no sworn Affidavit of Injury into the court records verifying such claim. Mr. Paschal has failed to recognize Petitioner's standing as a State Citizen or our Land Patent.

Mr. Wade, doing business as representative for the STATE OF MISSOURI, is claiming that I "allegedly" filed fraudulent documents, but none of the documents recorded have ever been rebutted. The Fifth Maxim of Law states: "An unrebutted affidavit stands as truth in commerce." *"All codes, rules and regulations are applicable to the government authorities only, not human/Creators in accordance with God's laws. All codes, rules and regulations are unconstitutional and lacking in due process..." Rodriguez v. Ray Donovan (U.S. Department of Labor), 769 F. 2d 1344, 1348 (1985)*

The "alleged" fraudulent documents have not even been identified by Mr. Wade through discovery inquiries and interrogatories to this day. Where is the verifiable evidence that upholds Prosecution's claim? *"The government is but an agency of the State—the State being the*

sovereign people.” State vs. Chase, 175 Minn, 259,220N.W. 951,953;

The problem in this case is the Callaway County government itself as much as it is under color of office engaging in falsely presuming I, Laura-Marie to be a 14th Amendment U.S. citizen and subject under their deceptive use of joinder and “Conspicuous” UCC 1-201 writing.

“in which any party, by assignment or otherwise, has been improperly or collusively made or joined to invoke the jurisdiction of such court.” Kramer v. Caribbean Mills, 394 U.S. 823 (1969);

They are assaulting “one of the people” with their color of law Doctrine of Parens Patriae in violation of my repeated rebuttal of all Presumptions of the Court, and I have Claimed my Age of Majority standing; *The State cannot diminish rights of the people.* Hertado v. California, 110 U.S. 516

I have produced un rebutted evidence of my standing further evidenced by the Authenticated Birth Certificate and reinforced by Chapter 5.23 of the 2016 Government Printing Office definition of Nationalities.. The state courts continue to engage in the theft of My property as if I am a US citizen subject, all of which is under the guise of the so-called Fourteenth Amendment through which they convert US citizenship from that which was contemplated by the founding fathers into the US citizenship of today that is nothing more than US Constitution, Article 4, Section 3, Clause 2, “...other property belonging to the United States...”

"The Amendment (14th) recognized that "an individual can be a Citizen of one of the several states without being a citizen of the United States," (U.S. v. Anthony, 24 Fed. Cas. 829, 830)

A more recent case is *Crosse v. Bd. Of Supervisors*, 221 A. 2d 431 (1966), which says: *"both before and after the Fourteenth Amendment to the federal Constitution, it has not been necessary for a person to be a citizen of the United States in order to be a Citizen of his state."* Citing U.S. v. Cruikshank, supra.

Judge Devine and Mr. Wade will not even acknowledge that there are different classes of citizens. *" the term 'citizen' in the United States, is analogous to the term 'subject' in common law; the change of phrase has resulted from the change in government."* *State v. Manuel*, 20 NC 122

The current Fourteenth Amendment also took the ability of the people to own land and property as the founders initially intended.

We have God given rights to life, freedom and the pursuit of happiness which include the ownership of property (real and tangible), but through the 14th Amendment fraudulent conversion of the people to "contracted citizens" a.k.a. *legal fictions*, Federal and State agencies have stolen those rights away from the people turning them into supposed privileges for the "U.S. citizens." *"The only absolute and unqualified right of a United States citizen is to residence within the territorial boundaries of the United States."* U.S. v. Valentine, 288 F. Supp. 957.

The government can only CIVILLY govern people with statutes who consent to become STATUTORY citizens. The people have a RIGHT to NOT participate in franchises or privileges. *"The State Citizen is immune from any and all government attacks and procedure, absent contract."* Dred Scott v. Sandford, 60 U.S. (19 How.) 393.

The Fourteenth Amendment is not only FRAUD, but it is unconstitutional because neither the states, nor the United States had the authority to steal the property of the people, or otherwise make it such that their property could be stolen through fraudulent admiralty contracts, taxes or any other method. *Elkins et al v. United States*, 364 U.S. 206: *"In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for law, it invites every man to become a law unto himself, and it invites anarchy."*

I DO NOT CONSENT to be a U.S. citizen. "A 'citizen of the United States' is a civilly dead entity operating as a co-trustee and co-beneficiary of the PCT(Public Charitable Trust), the constructive, *cestui que trust* of US Inc. under the 14th Amendment, which upholds the debt of the USA and US Inc." Congressional Record, June 13, 1967, pp. 15641-15646.

I DO NOT CONSENT to the lower courts' incessant CRIMINAL CONVERSION of my Citizenship. I have an unalienable right to self-determination and I have REVOKED MY ELECTION through the Internal Revenue Service, Social Security Administration, U.S. Department of State and many other U.S. and Missouri State agencies who tricked me through lack of disclosure into their void adhesion contracts. The courts have committed fraud in falsely entering the name

LAURA MARIE BALDWIN or any derivative of such fiction on court documents with the presumption that the "Conspicuous" writing of my given name represents I, the woman Laura-Marie: Baldwin. I have repeatedly requested the international contract to be produced that I supposedly signed making me subject to the actions of these courts so I can challenge its validity; but in all of my discovery requests, as the Authorized agent pursuant to Minnesota Rule 333.01, not owner of the Ens Legis, Mr. Wade failed to produce even one.

I DO NOT CONSENT to the FRAUD by anyone who tries to enforce false charges or false taxation upon me, as a private State Citizen. Every State (Nation) within the Union of States (with the exception of the Republic of Texas) granted their unappropriated lands to the dispossession of the United States as a condition of statehood. Then as people acquired land, under various acts of Congress, the President signed the patents securing the patented rights to the patent holders and their heirs and assigns forever. "After exclusive jurisdiction over lands within a State have been ceded to the United States, private property located thereon is not subject to taxation by the State, nor can state statutes enacted subsequent to the transfer have any operation therein," *Surplus Trading Company v. Cook*, 281 U.S. 647; *Western Union Telegraph Co. v. Chiles*, 214 U.S. 274; *Arlington Hotel v. Fant*, 278 U.S. 439; *Pacific Coast Dairy v. Department of Agriculture*, 318 U.S. 285; *Summa Corp. v. California*, 466 U.S. 198 (1980)

It comes down to ownership rights, because if they can demand and take even the smallest portion of my property/land through taxation, then I don't own what I have purchased, and I am only a slave/subject. The

current 13th Amendment of the federal Constitution Section 1 states
“Neither slavery nor involuntary servitude...shall exist with the United States or any place subject to their jurisdiction.” The reason a slave can’t OWN property is because **a slave is property!**

Reasons for Granting the Petition

Laura-Marie Baldwin, a private woman created by God and inhabitant upon the soil of Missouri as Petitioner against the above-named parties mentioned heretofore, Respondents in this instant matter. This court is requested to grant the Petition for Writ of Certiorari to address the issues of exceptional importance involving the Eighth Circuit Court of Appeals avoidance of addressing Respondents violation of my Constitutionally protected due process rights as a State Citizen;

First Claim of Damage:

Laura-Marie: Baldwin has been prejudiced by the Respondents in not acknowledging my standing as a private State Citizen, and falsely continuing in their claim that I am a U.S. person subject to the jurisdiction of the statutory courts in violation of *Cruden v. Neale*, 2 N.C. 338, 2 S.E. 70 "...every man is independent of all laws, except those prescribed by nature, He is not bound by any institutions formed by his fellowmen without his consent."

Second Claim of Damage:

Laura-Marie: Baldwin is being denied due process pursuant to the 6th Amendment of the Federal Constitution by Judge Devine failing to dismiss for lack of jurisdiction since State Citizens are not subject.

Third Claim of Damage:

The herein named public servant Respondents over the past 20 months with reckless disregard of falsity have in bad faith attacked Petitioner with vague and ambiguous charges without any verifiable evidence, using prejudicial labels and defamatory statements against Petitioner for exercising her Constitutionally protected rights. The people of America are sovereign. *"Sovereignty itself is, of*

course, not subject to law,

for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts," Yick Wo v Hopkins, 118 US 356, at pg 370;

Fourth Claim of Damage:

Petitioner is being denied the right to ownership of the land that was originally patented in 1838 and 1840 and brought forward by her and her husband as Assigns without recognition of the Supreme Court rulings upholding their standing as State Citizens or the U.S. Land Patent status. *"State Citizenship is a vested substantial property right, and the State has no power to divest or impair these rights."* Favot v. Kingsbury, 98 Cal. App. 284 P.1083 (1929)

Conclusion

The petition for a writ of certiorari should be granted.

I request this Court remand the Callaway County 13th Circuit Court dismiss the case 23CW-CR00950-01 with prejudice from all state records, expunge it from all databases for bringing a false charge against a State Citizen, take Petitioner's Land Patented land off the tax rolls permanently and any other relief the Court deems reasonable and necessary.

I reserve the right to correct any errors or omissions in the interest of truth and justice without prior notice;

All of the above is respectfully submitted "UNDER PENALTIES with PERJURY"

28 USC§1746 (1).

By: Laura-Marie Baldwin, State Citizen

Laura-Marie Baldwin, sui juris Petitioner

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