

No. 24-5632

**In the
Supreme Court of the United States**

LAURA-MARIE: BALDWIN,
Petitioner in Propria Persona,

v.

JOSHUA CALVIN DEVINE, ET AL.,
Respondents.

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

PETITION FOR REHEARING

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Petitioner Sui Juris
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January 8, 2025

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BACKGROUND

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED THE CONSTITUTION FOR THE UNITED STATES OF AMERICA

A. The Constitution for the United States of America

U.S. Const. Art. I., Section 10

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts: pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

U.S. Const. Art. VI., Section 2

This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made of which shall be made under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding. (bolded for emphasis)

B. Missouri Constitution

Act of Admission Section 4

“ . . . and that the legislature of said state shall never interfere with the primary disposal of the soil of the United States, nor with any regulations Congress may find necessary for securing the

title in such soil to the bona fide purchasers, and that no tax shall be imposed on lands the property of the United States . . . ”

Article I Section 13

That no ex post facto law, nor law impairing the obligation of contracts or retrospective in its operation, . . . can be enacted.

In the enabling acts, each state republic agreed and declared they would give up all right and title to the unappropriated land including the interest. The federal United States became the trustees with a power of attorney over the disbursement of land to the people in all states, except Texas. The states relinquished all of the unappropriated lands to the federal government to distribute to the people on the condition that they would grant full allodial title to those distributed lands..

A land patent is known in law as “Letters patent”, and issues to the original grantee and to their heirs and assigns forever. The patent stands as evidence of the supreme title to the land, because it secures that all evidence of title existent before its issue date was reviewed by the sovereign authority under which it was sealed and was so sealed as irrefutable; thus, in law the land patent itself becomes the title to the land defined within its four corners.

COMMISSIONER OF GENERAL LAND OFFICE BOOK, page 28, 29, (1870) “The individual title derived from the Government involves the entire transfer of the ownership of the soil and water.” It is purely ALLODIAL:

“With all the incidents pertaining to that title as substantial as in the infancy of Teutonic civilization. Following in the wake of this fundamental reform in our State land laws are several others which constitute appropriate corollary.” “The statute of uses was never adopted in the public-land States, and hence the complex distinction between uses and trust has never embarrassed our jurisprudence.”



ARGUMENT

A land patent is the conclusive evidence of all rights, title and interest in a particular tract of land granted to a private party by and from the United States government, including all of the Authority and Jurisdiction relating to that land by way of Treaty Law. “A grant of land (Land Patent) is a public law standing on the statute books of the State, and is notice to every subsequent purchaser under any conflicting sale made afterward.” *Wineman v. Gastrell*, 54 Fed 819, 2 US App. 581 (1892).

Our Land Patents # 6255 and #8728 were recorded on the Callaway County, Mo. books originally August 21, 2017 Book M467 Page 585 after NOTICE OF CERTIFICATE OF ACCEPTANCE AND DECLARATION OF LAND PATENT being posted in the public for sixty-one (61) days with the Summary of Chain of Title for anyone who had cause to dispute. It was not disputed at any time until the felony Circuit Court

case arose in June 2023, claiming my documents were fraudulent.

I. NOTICE OF CLAIM OF “FOREVER” BENEFIT OF ORIGINAL GRANT/PATENT AND HEREDITAMENTS.

If a Land Grant/Patent is not challenged, by any and all claimants, within sixty (60) calendar days, with lawfully documented proof to the contrary, this will be forever default judgment and estoppel against all future claims, from any established for all time, as no one else has followed the proper lawful steps to acquire legal/lawful title.

“The power of Congress to dispose of land cannot be interfered with, or its exercise embarrassed by any state legislation; nor can such legislation deprive the Grantees of the United States of the possession and enjoyment of the property granted by reason of any delay in the transfer of the title after the initiation of proceedings for its acquisition. *Gibson v. Chouteau*, 13 Wall US 92, 93.

An Assignee, whether he is the first, second or third party to whom title is conveyed, shall lose none of the original rights, privileges or immunities of the original Grantee of the Land Grant/Patent.

“No state shall pass any bill of attainder, ex post facto law, or impair an obligation of contract” U.S. Constitution Article I Section 10 Clause 1.

The Respondents have failed to acknowledge our properly brought forward and accepted Land Patent documents from 1838 and 1840 and all other private contracts with the State. The Respondent Walter Jording Paschal is acting outside the authority of his office in denying the validity of the Land Patent because

it can't generate revenue for him or the county by its exception. Any right to rebuttal of the alleged fraudulent documents were waived by Respondents after the documents had been received by them for thirty (30) days and I have verified evidence that all documents were received via certified mail receipt.



CONCLUSION

"The United States having parted with its title by patent legally issued, and upon surveys made by itself and approved by the proper department, can never impair the title by any subsequent survey. She [United States] is no longer the owner." *Harry Cage v. C.P. Danks*, 13 La. Ann. 128.

"It is not sufficient for the one challenging a patent to show that the patentee should not have received the patent; he must also show that he as the challenger is entitled to it." *Kale v. United States*, 489 F.2d 449, 454 (1973).

"The attitude of the Courts is to promote simplicity and certainty in title transactions, thereby they follow what is in the chain of title, and not what is outside." *Sabo v. Horvath*, 559 P.2d 1038, 1044 (1976).

Respondents have created a false charge based on unspecified documents that were recorded months and years prior to the issuance of the unsubstantiated probable cause statement that violates state and federal Constitutional provisions.

Respondents' Counsel also Waived their Right to Respond removing any controversy in this matter and

if there is no controversy then the petition for a rehearing of writ of certiorari should be granted.

Respectfully submitted,

By: *Laura-Marie Baldwin*

Laura-Marie Baldwin, State Citizen

Petitioner Sui Juris

Missourian, "One of the people"

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January 8, 2025

RULE 44 CERTIFICATE

I, LAURA-MARIE: BALDWIN, petitioner pro se, pursuant to 28 U.S.C. § 1746(1), declare under penalty of perjury that the following is true and correct:

1. This petition for rehearing is presented in good faith and not for delay.

2. The grounds of this petition are limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented.

By: Laura-Marie: Baldwin

Petitioner

Executed on January 8, 2025



SUPREME COURT
PRESS

CERTIFICATE OF WORD COUNT

No. 24-5632

Laura-Marie: Baldwin,

Petitioner,

v.

Joshua Calvin Devine, et al.,

Respondents.

STATE OF MASSACHUSETTS)
COUNTY OF NORFOLK) SS.:

Being duly sworn, I depose and say:

1. That I am over the age of 18 years and am not a party to this action. I am an employee of the Supreme Court Press, the preparer of the document, with mailing address at 1089 Commonwealth Avenue, Suite 283, Boston, MA 02215.

2. That, as required by Supreme Court Rule 33.1(h), I certify that the LAURA-MARIE: BALDWIN PETITION FOR REHEARING contains 969 words, including the parts of the brief that are required or exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.


Lucas DeDeus

January 8, 2025

CERTIFICATE OF SERVICE

No. 24-5632

Laura-Marie: Baldwin,

Petitioner,

v.

Joshua Calvin Devine, et al.,

Respondents.

STATE OF MASSACHUSETTS)
COUNTY OF NORFOLK) SS.:

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1. That I am over the age of 18 years and am not a party to this action. I am an employee of the Supreme Court Press, the preparer of the document, with mailing address at 1089 Commonwealth Avenue, Suite 283, Boston, MA 02215.

2. On the undersigned date, I served the parties in the above captioned matter with the LAURA-MARIE: BALDWIN PETITION FOR REHEARING, by both email and by mailing three (3) true and correct copies of the same by USPS Priority mail, prepaid for delivery to the following addresses which the filing party avers covers all parties required to be served.

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Lucas DeDeus

January 8, 2025