

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

In The  
Supreme Court of the United States

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In Re :Oliver-Vaughn:Douce. Al-Dey Inpropia Persona Sui  
Juris Ex Rel Heir Executor Consul Perelena- Blanch:  
Douce (Deceased) We The People,

Petitioner,

v.

BREVARD COUNTY TAX COLLECTOR OFFICE, LISA  
CULLEN, JIM FORD, VICKIE HENDERSON, BRIAN  
HANLON, SCOTT ELLIS, OCEAN TAX DEED INVEST-  
TMENT LLC, UNITED STATES, BREVARD COUNTY  
FIFTH CIRCUIT COURT

Respondent(s),

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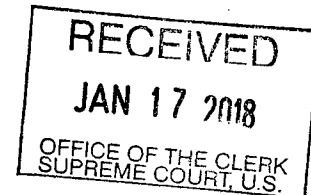
On Petition for an Extraordinary Writ  
Mandamus/Prohibition For Brevard  
Fifth Circuit Court For Land Patent

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**PETITION FOR AN EXTRAORDINARY WRIT**

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Oliver-Vaughn:Douce Al-Dey Sui Juris  
1208 Clay Avenue Apartment 1 Suite  
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**QUESTION PRESENTED**

Question One, Does the United States Constitution protect the rights of private Land Patent by the Fifth Amendment against fraudulent tax deed certificate sale in Sheriff auction by governmental entity? Petitioner was denied a day in every court.

Question Two, Does the definition of Ad valorem tax apply to land, U.S. government sold and have no interest in under U.S. Certified Land Patent Bounty Land, which is not subject to lien seizure or foreclosed for alleged tax on household goods, personal effects, where owner lived only, that was enacted by the U.S. Congress to prevent from the very action?

**LIST OF PARTIES TO  
THE PROCEEDING BELOW**

The Caption of the case in this Court contains the names of all parties to the proceedings to the Supreme Court of the United States Brevard County Tax Collector Office, Ocean Tax Deed Investment LLC, The United States, the Brevard county Fifth Circuit Court of Florida, Lisa Cullen, Jim Ford, Vickie Henderson, Brain Hanlon, and clerk Scott Ellis.

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**PETITION FOR AN EXTRAORDINARY WRIT**

Oliver-Vaughn:Douce,Al-Dey Sui Juris Heir  
Executor as Sim v. Ahrens Consul, Heir of PERELENA  
BLANCH DOUCE, deceased, Petitioner herein,  
respectfully that a petition for an Extraordinary Writ be  
granted after Land Patent was violated on September 28,  
2015. Petitioner tried to get relief redress, remedy for  
damages for his exclusive rights. The Land Patent which  
is protected by the United States Constitution for  
America, was rejected by respondent who claimed the  
1855 Land Patent is not enforceable anymore, by every  
court from state or federal seizure of land. Without a day  
at any court pray for an opportunity to be heard. This  
land patent was created under the original common law  
now in the interest of justice affect the public, for  
Irrevocable Trust, Land Patent.

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**OPINION ORDER WRIT OF POSSESION**

The August 25, 2015 Brevard County Fifth  
Circuit-Court, by respondent, the Appellant objection  
challenge was not heard, it was denied. The Court  
refused to vacate the judge's claim. Court does not want to  
disturb the order to their void judgment to hear the  
Counter claim. It's still sitting unanswered to, with the  
land patent attached that was previously served on it  
rejected. The court had no jurisdiction. Supreme Court of  
the U. S. Article 3 Court has exclusive original  
Jurisdiction over Federal Land patent, under Foreign  
Sovereignty Immunity Act, 12/26, 1933 49 Statute 3097  
Treaty series 881.

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## JURISDICTION

The Jurisdiction of the Supreme Court arise under  
28 USC 1651 R.20.2 Prohibition Mandamus.

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### CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED

The constitutional issues of this involved violations  
of Petitioner's constitutional protected rights under the  
Fifth Amendment free exercise land rights Equal  
Protection and Due Process" of Law clause and First  
Amendment Land Patent. The relevant statutes are  
attached in App# 11- App# 1 to 8, 10 Stat.701.

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### STATEMENT OF THE CASE

#### A. Nature of the Case

Land Patent is proof of non-existent USA owned land. Petitioner claim land patent infringement challenge illegal tax deed sale, on Allodial title Private Land Patent, for Quiet Title Action. See App 1,to,8 STATUS: The condition of persons. It also means estate, because it signifies the condition or circumstances in which the owner stands with regard to his land. See 2 Bouv. Inst.n.1689. Sovereignty Sui Juris defines as of its own the rights possessing full social, civil, political rights not under any legal disability or power of another competent to manage ones own affairs.

1. COME NOW Petitioner, We One of the People state citizen, Oliver-Vaugh:Douce Al-Dey in-Propria Persona Sui-Juris am Preamble of the posterity trust a state citizen freehold man under common law retain

reserved all rights remedies procedural or defenses or persona jurisdiction. I'm Heir Executor beneficiary Consul owner for family trust estate for Perelena-Blanch: Douce, deceased, name on deed, See North West Ordinance Sec. .2., and Counter claim 46 sec.740. Title 28 USC - Part IV 91 Sec. Sec. 1498 Patent Copy Rights. Seek relief redress for the violation against 10 Stat 701. **App# 1 through 8.** diversity and violation of the 5th Amendment private Land Petitioner bring this Writ for violation on his Certified Land Patent rights enacted by U.S. Congress 10 Stat 701 which is located inside the Township Map **App# 9, 9a.** On September 28, 2015, tax office fabricated a tax lien certificate deed on the boundaries of Palm Bay Florida Brevard County located at 1637 Hays Street NW Palm Bay 32907, based on fraudulent alleged tax sold at Sheriff auction, bought and sold. The alleged buyer has no clear title. Petitioner challenged respondents in Quiet Title, but all Courts refused to hear, or give access, to redress. Petitioner brought this land patent case which shall be determined in accordance with the common law. Common law regards this action relates Sovereign to Sovereign, to return land illegally taxed to be redress, return land illegally seized, for damages in the amount of \$10,000,000.00, and for the violation of 10 Stat 701 Bounty Land Patent. Each congressional act Elements forever, See **App # 1 through 8** as in the *Marvin M. Brandt Revocable Trust v. United States*. The United States, did not reserve to itself any interest in land sold to owner in 10 Stat 701, still resumes his full and unencumbered interest in the land. See *Smith v. Townsend*, 148 U. S. 490, 499 (1893) and the right "[W]hoever obtained title from the government to any . . . land through which ran this right of way or forever, would acquire a fee to the whole tract subject to the forever benefit." The Sheriff claims that the Allodial title for Private Land Patent law from 1855 are

not enforceable. This action in common law in which the petitioner seek relief redress remedy for the respondents governments wrongful seizure. for deprivation of secured rights protected by the U.S Constitution of America, and for violation of 1<sup>st</sup>, 4<sup>th</sup>, and 5th Amendment- Protect private home Land Patent rights, 6,7th & 9th Amendment, and due process rights secured protected by the U. S. Constitution and secured by laws of the Land. Also violate Fl. Stat 196.181 for the violation for U.S. Congressional Act 10 Stat 701 at Large Land Patent, damage 501, & 241,242, and for the violation of Title 31 USC 742, Sec.3124- under statue of Fraud 2-201 the, App A5 Ca. civil code 1624. This case involves a challenge to U.S Government and Brevard County Tax Collectors, for illegal tax fraud sale of petitioner private property on land patent copy rights owned, by petitioner. The petitioner brought this suit to Quiet Title, to demand return following the sale and transfer, conversion, negligence of his private land patent property, illegally 501, 504,508 infringed on at 1637 Hays Street NW Palm Bay Florida [32907] by an illegal modified fraudulent deed by the respondents, **App# 13**. Petitioner, damage from the violation action. On 9/21/15, a notice served by respondents, without regard, without a day at court, against petitioner objection. Judge granted respondent motion for summary judgment possession disposition of a false tax certificate, **App #20,21** for land home, was prohibited **App# 1 to 8** on land patent private land priority own exclusively by Petitioner. Colloquially it is used to refer to geographical area which they had no authority over in violation of the 5th Amendment and of 31 USC Sec.742 an sec .3124. Respondent also in violation against Fl.Stat. 196.181 exempt household goods **App #11** from all taxation, in violation of Article 1 Sec.8 Clause 17, no Article 4 Sec.3 Clause 2 court, because of this US

Government, agent Brevard County Tax Collector, failed to adhere to federal statutory procedural notice provision. Petitioner has priority superior title for the private land patent BLM receipt on private land as proof that land should have never had any tax, debt attached, **App# 1 to 8**. For their corporate gain the tax collector committed conspiracy fraud, with intent to cover up their unclean actions by the use of illegal tax fiction that was never owned. See Article 1 Sec 8 Cl 17 no jurisdiction. "between public and private affairs reserved to Art. 3 court." The land patent clause each enacted forever clauses, as for 10 Stat 701 attached to **App# 1 to 8** are relevant. In Melvin and Lulu Brandt (A land patent is an official document reflecting a grant by a sovereign that is made public, or "patent.") The patent has all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto said claimants, their successors and assigns, forever." App. to Pet. for Cert.76, as in **App #1 through 8**, lien concealed in **App# 13,14,15**. Petitioner have inalienable, inherent exclusive rights on his private and patent, copy rights 28 USC 1448 have Superior Title. Petitioner demands and seeks relief remedy and redress for being deprived, defrauded, suffering from emotional & psychological damage injury herein for his rights and the violation of respondents, U.S government, and Brevard County Tax Collector, and individuals are not immune Sec.504 Sec. 271 they are liable. Scott Ellis clerk office, malice in constructive fraud, conspired with Ocean Tax deed Investment LLC. According to *Owen v. Independence*, the supreme justices ruled that officers and clerks of the courts have no immunity from liability when violating constitutional fundamental rights. They are deemed to know the law. As I have come to learn, the Judge's ignorance of the law applies to public officials Art. 1-Sec.8, Cl 14, not to {We} the People. "Now they are even trying to resell again too, I now have knowledge the property has changed hands

again on 11/5/15. Wrongful acts must return recover private land Patent, stolen, by defendant's, action cause injury damages as result of defendants violation of due process of law rights. The Petitioner also demands injunction stay prevent any further damages, by negligence and for conversion pending the course of the proceedings below.

### **B. Course of Proceedings**

1. QUIET CLAIM action is to clear this cloud on land patent created on 7/23/15 of title illegally caused by the caption names governmental entities agent here-in, improperly recorded by way of fraud by respondent. Non-judicial to Escheat Birthright as thief trying to steal and resell Petitioner's private land patent. The alleged sell and bought from a sheriff illegal fraudulent tax deed certificate, sale to eviction on September 28, 2015, against petitioner objection. There is' no lawful constitutional tax, deemed to be owed or tax statute that exists for this land.

2. Petitioner, perfected a UCC1 lien on 6/15/15, respondent willfully ignored, which has priority over all entities. There has been a disruption discrepancy caused by United States and its Governmental agents Brevard County clerks in the breaking of the chain of lawful official Title, by the clerk office. This is perjury by fraudulent transfer of deed deprivation of rights 241, 242 violation of common law freeholders rights and procedure. Respondent refused to update file records in violation for 18 USC 2071, 1001, Moot De Novo, defendants unconstitutionally R.5.1 vague colorable rules statutes regulation action, not known. The respondents refused to reveal the law, from 2012 for 4 years challenged, App# 36,37. The exclusionary rule applies to evidence that's a direct product of a constitutional violation. It also comes

into play when such a violation leads less directly to incriminating evidence silence to defraud respondent has not contend any proof by law for the action. The government settled with or obtained a default judgment against all but one of those, landowners. In Marvin Brandt's case, he contested the government's claim and filed a counterclaim on behalf of a family trust that now owns the Fox Park parcel, and himself as trustee.<sup>1</sup> Brandt asserted that the stretch of the right of way crossing his family's land was a mere easement that was extinguished upon abandonment by the railroad, so that, under common law property rules, he enjoyed full title to the land with out the burden of the easement. The government countered that it had all along retained a reversionary interest in the ---railroad right of way---that is, a future estate that would be restored to the United States if the railroad abandoned, instant case none. See **App # 1, to 8 Land Patent, App# 13,14,15** respondents has no such interest herein.

Jurisdiction is conferred upon the Supreme Court of United States Court 28 USC 1651 R.20.2 patent copy rights under treaty laws over land, the District Court of the United States republic, and for judicial power Article iii Section 2. 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;--

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<sup>1</sup> The other landowners had a potential interest in much smaller acreages: No other party could claim an interest in more than three acres of the right of way, and only six of the 31 potential claims amounted to more than one.

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- in all cases affecting ambassadors other public ministers and consuls Art 3 sec. 1,2, & 3, Constitutional court over Land Patent Grant United States Department of interior Bureau of Land, Quiet Title Action, chain of Title common law Equity diversity 28 USC 1332 Article 6, 1,Cl 2,3.of the United States constitution, 1331, 18 USC 3231. 241, 242, 42 USC 1983 civil an political right Treaty of Peace and Friendship Article 20, 21,6, 1787, 1988 Article VI of the U.S. Constitution demonstrates the connectivity and Unity in Law of all the foregoing Constitutions, Articles Of Associations, Articles 4 of Confederation, as under Declaration Of Independence, The Treaty Of Peace and Friendship and all Treaties made under Authority of the Constitution, are the Supreme Law of the Land. Scholars, and the erudite of Jurisprudence recognize these documents of Law as being ONE Constitution. As for Moorish Americans, relate to the Treaty of Peace and Friendship 1787 from this perspective **App #38, 39, 40.** USA Article 4 Sec. 4. The Republic, also Articles 4 Sec. 1 of Confederation, and Bill of Rights are still alive and intact, though often ignored people must be enforced.

### **C. Relevant Facts**

Section 1 North West Ordinance 7/13/1787 Sec.2 an Art. IV of Confederation the Declaration of Independence 1776 and 1331, 1st Amendment, 28 USC 1602, an Rule 5.1.Constitutional Challenge to a Statute Notice, Certification, and Intervention 10 Stat 701., Fl. Stat. 196.181. Judicial notice, through judicial review, federal courts determine whether or not state executive actions or

state statutes are valid. They base such rulings on the principle Jurisprudence that a state law act, or Tax that violates 10 Stat 701, Art 1 sec. 8.cl 14 cl17,an Art 1. Sec. 9 for the U.S. constitution, which if Land Patent, invalid action. They also decide the constitutionality of state laws, actions under state constitutions. If however, a state constitution contradicts the U.S. Constitution, includes The Treaty of Peace and Friendship is an agreement under international law entered into by actors in international law, namely sovereign states and international organizations. A treaty may also be known as an (international) agreement, protocol, covenant, convention, pack, or exchange of letters, among other terms. Regardless of terminology, all of these forms of agreements are under international law, equally considered treaties and the law rules are the same.

#### i. Memorandum of Law

[1] pursuant to Art VI U.S Const *Marbury v. Madison* 5 US 137 (1803)1 Crunch the US Constitution is supreme law of the land any other national statute, any law or action in conflict is void, the amount of damages is in excess \$10,000,000.00 plus punitive damages. Defendant action call in to question, R. 2403 USC 28 intervention wherein the constitutionality of any act of Congress affecting the public interest is drawn in question. The court shall certify such fact as to 10 Stat 701 patent receipt to the Attorney General, and shall permit the United States to intervene for presentation of evidence. If evidence is otherwise admissible in the case, and for argument on the question of constitutionality, the United States shall, subject to the applicable provisions of law, have all the rights of a party and be subject to all liabilities of a party as to court costs to the extent necessary for a proper presentation of the facts and law relating to the question of constitutionality. The Attorney

General is the head of the Department of Justice. Rev. Stats. § 346. He is the hand of the President in taking care that the laws of the United States in protection of the interests of the United States in legal proceedings and in the prosecution of offenses be faithfully executed.-- at *United States v. San Jacinto Tin Co.*, 125 U.S. 273; *In re Neagle*, 135 U.S. 1; *Kern River Co. v. United States*, 257 U.S. 147; Rev.Stats. § 359, Act of June 30, 1906, 34 Stat.816; Rev.Stats. §§ 360, 361, 357, 364. By § 367 Rev. Stats. The Attorney General is authorized to send the Solicitor General or any officer of the Department of Justice "to any state or district in the United States to attend to the interests of the United States in any suit pending in any of the courts of the United States, or in the courts of any state".

1. Our system of state and federal jurisdiction requires a spirit of reciprocal comity between courts to promote due and orderly procedure. P. 258 U.S. 259. This being an action seeking redress for the violation of Petitioners rights protected and guaranteed by the US constitutional Law Rights. The amount of damages emotional distress psychological in controversy plus punitive damages is in excess of ten million dollars (\$10,000,000,00.00) exclusive of interest and cost. The petitioner demands return of land by judge on each and every one of the claims 18 USC 1962 herein venue is proper for the Art 3 Supreme Court of the United States over the Republic, for this Federal Land Patent issue arise under the original jurisdiction over land, 28 USC 1651, & 1332 a, R20.2, 46 sec 740 an Article 3 Section 1, 2 competent Judicial power required by Treaty Law Art 20, 21, Art 6 of Treaty of Peace and Friendship, for Moors Treaties can be loosely compared to contracts: both are means of willing parties assuming obligations among themselves, and a party to either that fails to live up to

their obligations can be held liable, U.S. Art 6 under international law 28 USC 1602, December 26, 1933 49 Statue 3097 Treaty Series 881 Convention on rights and Duties of States. *U.S v. Cooper Corp*, et al, Article 6 Sec.1,2,3 Article 4 sec 4 Republic to uphold 10 stat 701, At Large Land Patent, Grant, Copy rights Trade Mark, Lanham Act of 1946, 1983, 501, 5th Amend, Seek relief redress remedy the amount of damage Plus punitive damages psychological emotional distress in excess of ten million dollars (\$10,000,000.00). Public and private laws are also known as slip laws. A slip law is an official publication of the law and is competent evidence 10 Stat 701 admissible in all state and Federal courts and tribunals of the United States. Public laws affect society as a whole, while private laws affect an individual, family, or small group.

Perelina-Blanch:Douce, deceased, descends through Heir Donor behalf Consul :Oliver-Vaughn:Douce Al Dey Sui Juris Inpropria Persona Heir, Donor, Grantor Executor Beneficiary holder in due course, over asset Estate Trust. Secured by *Sims v. Ahrens*, 271 S.W.720 (1925) Sui Juris. I am not [pro se] take judicial R.201 notice of Sui Juris competent facts, respondents entities United States, Brevard County tax collector office, Lisa Cullen, Jim Ford, Vickie Henderson, Brian Hanlon, clerk Scott Ellis, Ocean Tax Deed Investments, LLC. The provisions of Article 1, Section 8, Clause 17 are not to be confused with two other historical Constitutional issues regarding exclusive legislative jurisdiction as applies to lands only federal zone, while in a territorial of state excluded (1) The "Property" Clause - which applied only to the "western wastelands"- territories east of the Mississippi that were ceded to the federal government by the original States; Art 1 Sec.8, 14, Cl, 17 "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other

property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state." Art 6 Cl 2 being that am Moorish American National under Treaty of Peace and Friendship Art 20 and 21, Art 6, diversity State Citizen *Marbury v. Madison*, 5 US 137 supreme law of the land request the court help here to resolve this issue, however, Petitioner can't seem to get any help from any court. **App# 38** Art 20, 21, 6.

The "Treaty Making and War Powers" - upon which the ability to acquire new and outside the original boundaries of the United State was based. These were to be governed under the Rules of International Law while in a territorial, Pre-State status. (This applied to Florida, Louisiana and the lands west of the Mississippi acquired through international treaty.) The issue is land patent has now been violated, See 10 Stat 701, **App# 1 to 8**.

#### **D. The Ruling Below and Facts**

This Quiet Title Land Patent Action, arise on September 28, 2015. Petitioner was illegally removed from his home by force based on illegal fabricated tax fraudulently placed on a Land patent copy right private land, home, household goods, and personal effects owned by appellant which are barred by the very Land Patent that it was created to protect against action. No such tax or judgment can be placed on or against such land patent land copy rights, tax that are not even due, appellant, as a result by respondent wrongs. Rights were violated, appellant deprived of his private land patent rights was, injure damage by there action. The government have no jurisdiction in law petitioners 5th amendment due process right protected by law was violated. Appellant brought this claim to seek relief redress now to challenge constitutionality relates to

illegal tax fraud sale on deed certificate illegal tax, on' Petitioners Private Land Patent, Copy right 28 USC 1948 already BLM- #3386228 Register of Patents a book of Patent directed passed in 1852 to be keep at the specification office for public use by St.15.&16 -Vict c 83 Sec.34 is proof Blk pge 1448 2 Steph Co 29.Note T. Against any governmental or agencies for violate 10 Stat 701'exempt **App# 1 to 8** Jurisdiction, out side from, Federal Zone, a State, County City, falsely created by, Tax collectors office by appraiser, from 7/14/92 falsely created violate. See **App# 11** Fl Stat 196.181, all attorneys done by way of fraud used to trap you into the tax role of a county. If you are in county you must pay county tax, but they don't tell you that is misrepresentation. County is a federal possession within the exterior boundaries of a state (Florida). You see [CITY, STATE, COUNTY] are all federal terms the US Code uses to identify possessions or territories of USA, was misrepresentation. Therefore the process started July 14, 1992 **App# 13,14,15**, falsely that it is a type that qualifies as a taxable property. Thus the assessor added it to the tax role, knowing he is modifying, transferring an official Land Patent BLM document which also violates Fl Stat 196.181, Violation of 18 USC 2071. Petitioner has priority, respondents' parties may claim a competing interest in the same property by mistake or by fraud. For example, the party creating or transferring an interest may have a valid title but may intentionally or negligently create several interests wholly or partially inconsistent with each other. A court must resolve the dispute by adjudicating the priorities of the interests.

### **Reason for Granting the Writ**

The term "transfer of property" generally means an act by which a living person conveys property, in present or in future, to one or more other living persons, or to himself and one or more other living persons. To transfer property

is to perform such an act. Land rights and rights to people land rights are rights over things enforceable against all other persons. By contrast, contractual rights are rights enforceable against particular persons. Property rights may, however, arise from a contract; the two systems of rights overlap. In relation to the sale of land, for example, two sets of legal relationships exist alongside one another: the contractual right to sue for damages, and the property right exercisable over the land. More minor property rights may be created by contract, as in the case of easements, covenants, and equitable servitudes.

In violation of common law rights, a regulation cannot create a liability, only Article 1 Congress, judge, executive cannot make law: is a violation of separation of powers, regulation is not law.<sup>2</sup> The court Clerk SCOTT ELLIS, perjury by fraud on the court, by way of 7/23/15 on fraudulent transfer of deed, under the Statue of fraud 2-201, and violate 18 USC 912, impersonate Misrepresentation." On June 15, 2015, a UCC1 Financial Statement secured private party PRIORITY See App# 12, #13,#14. Perfection lien was filed which barred all claims filed with FL-State Registry No: #201204126341, Priority Lien see *UNITED STATES v. KIMBELL*, 440 an 715. In the Court of Appeals fashioned a federal common law rule whereby the first lien to meet Uniform Commercial Code perfection requirements achieved priority, and held that, under this rule, Kimbell's lien was superior. Although the Court of Appeals did not adopt Texas law, it

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<sup>2</sup> Thus, if it is illegal to conspire to a particular end, it would seem illegal to contract to that same end. It should be pointed out that the Government might also encounter "conspiratorial" difficulties in attempting unilateral enforcement of the provision. In illegal taxation, the court, when confronted with a conspiracy in restraint is without the consent of the landowner herein, for corporate gain.

did determine that Texas law would also afford priority to Kimbell's security possesses the property from the time this lien arises. The court concluded that, under this rule, respondent's lien for only the final repair bill took precedence over the FHA's security interest Page 440 U. S. 716. Holder :Oliver-Perelena:Blanch: Douce. See **App# 22,23,24,25,UCC1** Copy rights trademark Lanham Act,15 USCA Sec.1051 was infringement on by respondents, on 1637 Hays Street NW Palm Bay, FL near [32907 ] See §17. Plats of land surveyed Map **App# 9, 9a**. The Secretary of the Interior or such officer as he may designate shall, when required by the President or either House of Congress, make a plot of any land surveyed under the authority of the United States, and give such information respecting the public lands and concerning the business of the Bureau of Land Management as shall be directed.(R.S. §455; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100). See **App# 1 to 8**. After the President signs a bill into law, it is delivered to the Office of the Federal Register (OFR), National Archives and Records Administration (NARA) where it is assigned a law number, 10 Stat 701 legal statutory citation (public laws only), and prepared for publication as a slip law. Private laws receive their legal statutory citations when they are published in the United States Statutes at large. The statement "without the United States" simply means not a possession or territory of the United States). The Heir consul Executor :Oliver-Vaughn:Douce, Al-Dey Sui Juris on behalf of Perelena, deceased, owner of trust, Death Certificate see **App# 27**. This claim, in fact, is for protection against fraud to block **App# 12** any sale auction, by the "clerk office are void, non-owner or Trustee, Scott Ellis" was served on 7/6/15 in person at his office by server. See Return Service App # 22,23,24,25, proof, willfully ignored, this information was concealed and kept from the public, to gain advantage, willfully in violation of 18 USC 2071 & 1001 by refusing to file in 16

county record, to gain advantage, by withholding this information from the entity alleged buyer to OCEAN TAX DEED INVESTMENT LLC. This advantage created cloud on Title, **App# 12** even they were not aware of the lien at the time. See *Redfield v. Sparks* (1889) tax fraud deed, when it's disclosed on its face that it is illegal.

App# 1 through 8 Land Patent, in violation of Fl. Stat 196.181 Tax Law" **App# 11** of the law will not assist, a tax deed is void, is to be strictly construed sec.31 Fl.jur Taxation sec 60. See in *Grey v. Winthrop* 156 So. 115 flo 701 156 S 262 (1934) court laid down how and which kind of properties may be taxed, also See *Becraft Land MarkTax case in U.S . V LLOYD R. LONG*. The defense testimony showed a case titled *Brushaber v. Union Pacific Railroad*; wherein it was the unanimous decision of the U.S. Supreme Court where the 16th amendment did not give Congress any new power to tax any new subjects; it merely tried to simplify the way in which the tax was imposed. It also showed that the income tax was in fact an excise tax, ad valorem, on corporate a license privileges, and privileged occupations. The defense then brought out a case entitled *Flint v. Stone Tracy* wherein an excise tax was defined as a tax being laid upon the manufacture, sale and consumption of commodities within the country; upon licenses to pursue certain kind of occupations; and upon corporate privileges. See case Mr. Long's attorneys also brought out a case entitled *Simms v. Arehns*, wherein the court ruled that the income tax was neither a property tax nor a tax upon occupations of common right, but was an excise tax. Note: the government knows they cannot tax the sovereign people under Article 4 Section 4, Art 4 Sec1 of the confederation Article 1 section 8 Clause 17 and require under Article VI Section 3 Clause 2.

*What is Land Patent and 1<sup>st</sup> Amendment?*

Essentially, a land patent is the first conveyance of title ownership to land, which the U.S. Government grants a state citizen who applies for one. One of the earliest laws for granting land patents was passed by Congress on April 24, 1820. Among other things, Congress set up Government land officers, now known as the Bureau of Land says "The law in 1820 prohibited the borrowing or use of "credit" for the purchase of government land". In the debates in Congress prior to passage of this act, Senator King of New York said in March 1820 ... "it was calculated to plant in the new country a population of independent unembarrassed freeholder ... that it would place, in every man the power to purchase a freehold. The price of which could be cleared in 3 years... that it would cut up speculation and monopoly ... that it would prevent the accumulation of alarming debt which experience proved never would and never could be paid!"

Later on, in 1862, a Homestead Act stated in Section 4: "That no lands acquired under the provisions of this act shall in any event become liable to the satisfaction of any debt or debts contracted prior to the issuing of the Patent 10 Stat 701 herein as the instant issue therefore."

It can be clearly seen that the intent of these early lawmakers was for the people of this continent, country the Republic to be FREEMEN AND FREEHOLDERS of their land, and not ever be subject to have it taken from them by any government, feudal authority or banker or any other party who might have a claim ----against the person who owned the land. In plain English, a land patent that gave you an Allodial Title freehold, that was "judgment proof and yes- even immune from tax liens. In [60] effect, the only authority over you or your land was GOD himself. Now, the land must be returned plus damages.

On July 23, 2015, void actions these entities now allegedly saying they are owner of private patent land which was stolen by fraud, belong Hereditaments from deceased. See **App# 27** death Certificate of the owner passed to her son petitioner Heir, Donor, beneficiary, Executor, Sui Juris Consul priority has Superior Title challenge government USA Brevard county tax office, have no colloquially jurisdiction standing from 1820 from in to year 1992-to 8/15/12, to this day 2017 on, See **App# 36,37**, notice to remove private property from their tax Roll for UCC 9-210 an to produce a statement of accounting for recoupment 3-305,6 for illegal property taxation base on [Ad valorem tax are 20.03 is charge on income doing business}, not for, household goods home where ones build there home on the land permanent where one's live are exempt from all form of taxes which violate Fl. Stat. 196.181, **App# 11**. The case defense then brought out a case entitled *Redfield v. Fisher*, wherein the court ruled that the individual, unlike the corporation, cannot be taxed, for the mere privilege, or of existing, or rights, the tax collector are non profit corporation have chartered from the state, and must abide and follow the laws constitution federal an state. It cannot create liability which is not authorized by the law of state legislators intent, for household goods are exempt status. See *Hale v. Henkel*, 201 43,74, Petitioner not in commerce. This case has nothing to do with tax protestor, but fraud, 2-201 on land owners patent. Federal, state, county, or city, cannot tax rights, See *Murdock v. Penn*, and see *Shuttleworth v. Birmingham, Alabama*. In violation of the Constitution of United States Republic 1st 4th 5th, 9th, 10th Amendment in "violation of (Florida and U.S. Constitution see Exempt here by See Fl.Stat.196.181 **App# 11** finance protect house hold goods personal effects define as family shelter where ones live", an violates the Supreme Law of the land, tax finances pursuant to Title 31 USC 742 Sec. 3124) Exemption from

all taxation direct an indirect" once you rely on ruling of U.S. Supreme Court ruling an U.S. Constitution you have perfect defense for willfulness, see *U.S. v. Bishop*, see people of the state of *Michigan v. Fredrick Shephard* in Lansing, Michigan. This case removed all taxing power from every [E]state in the union 742 US of 31 Title 12 USC 411 prohibit federal, state, county, and city municipality are prohibited" from taxing obligation of the United States. The defendants have no jurisdiction and was challenged, to show there liability in **App# 29, 30,31**, December 26, 2014 to respond in affidavit" Quo Warranto by 552 USC 5 " by what authority to produce "3-501, 3-502 to show on record the law statute or elements of what authorities the Respondents are relying on to support for their legal conclusion, are colorable is that which has or gives color. That which is in appearance only, and not in reality, what it purports to be counterfeit, forged, having the appearance of truth *Ellis v. Jones*, 73 Colo. 516, 216 P. 257, 258." The defendant's defaulted under 556 D.

In January 26, 2015, respondent lost any alleged jurisdiction they claimed. See *Melo v. U.S.*, 505 F2d 1026. if any, no response for there action respondent must verify by 15 USC 1692, 28 USC 1961, **App# 18**, Letter 6/10/15 for the alleged tax debt. See Default notice **App# 32,33,34,35**, now respondents illegally broken the chain of title transfer land patent; which it does not own, on 7/23/15, nor can they exercise any form of authority, against the 1<sup>st</sup> and 5<sup>th</sup> Amendment Protection, or exercise of its governance taxing power over land which was sold." See congress history North West Ordinance 7/13/1787 Section 1 be ordained by the United States in congress assembled. That the said territory for the purpose of temporary government, be one district subject however to divide into 2 districts, as future circumstances may in opinion of congress make it, see **App# 1 Through 8** expedient section 2, be it ordained by the authority

aforesaid that the Estate both of resident and nonresident proprietors in the said territory. Dying intestate shall descend to and be distributed among their children and the descendants of a deceased child or grandchild to take the share of their deceased parent in equal part among them to the next Kin. Executor claim in equal degree sold by the U.S.A. government and no record of said, property has never been sold back, which has been sold by USA on March 3, 1855, "the county, the Sheriff knew and claimed this land patent law is not enforceable, without offering any proof, and is old, outdated" See 10 Stat 607 authorized issuance of Scrip as Scrip Warrant land Patent plot Map, **App# 9, 9a**. Judicial reviewed this 10 Stat 701 to clarify, "is proof of non USA owned land and does therefore sold its exclusive rights to proprietary ownership and governance. There are only two types of land ownership in America land owned by USA and the other is land not owned, by USA, See **App 1 through 8** – attached land patent. Act of Congress authorizing the law land patent in this Book July 22, 1855 for private land patent also claim at 10 Stat, 386 is positive law for obsolete is conclusive against the Government and all claiming under junior title, I am secured party holder in due course from any buyer, seller, or any claim anyone can assert against this owner, who bought his land then built there home, on their land. Which is owned by Perelena-Blanch:Douce and Oliver-Vaughn:Douce, Al-Dey Sui Juris Heir Executor, beneficiary not for sale 1637 Hays St. NW Palm Bay FL near 32907-9998 Plot Map-15, Legal description, township 28, Range 36. Sec 28, Plot 01808.0-00 Lot 15.00, kn, bring foreword this Certificate see **App# 1 through 8**, 10 Stat 701 Section Act 5.A SEC. 2. Of 10 Stat 701 and be it further enacted. That in case of the death of any person who, if living, would be entitled to a certificate or warrant as aforesaid under this act, leaving a widow, or, if no widow, a minor child or children, such widow, or, if no widow, such minor child or children,

shall be entitled to receive a certificate or warrant for the same quantity of land that such deceased person would be entitled to receive under the provisions of this act, if now living: Provided, that a subsequent marriage shall not impair the right of any such widow to such warrant if she be a widow at the time of making her application: And provided, further, That those shall be considered minors who are so at the time this act shall take effect. SEC. 4. And be it further enacted, That said certificates or warrants may be assigned, transferred, and located by the warrantees, their assignees, or their heirs-at-law, according to the provisions of existing laws regulating the assignment, transfer, and location of bounty-land warrants. SEC. 5. And be it further enacted, That no warrant issued under the provisions of this act shall be located on any public lands, except such as shall at the time be subject to sale at either the minimum or lower graduated prices. SEC. 6. And be it further enacted, That the registers and receivers of the several land offices shall be severally authorized to charge, and receive for their services, in locating all warrants under the provisions of this act, the same compensation or percentage to which they are entitled by law, for sales of the public lands, for cash, at the rate of one dollar and twenty-five cents per acre; the said compensation to be paid by the assignees or holders of such warrants. SEC. 7. And be it further enacted, That the provisions of this act, and all the bounty-land laws heretofore passed by Congress, shall be extended to Indians, in the same manner, and to the same extent, as if the said Indians had been white men definition means Sovereignty. As in Moorish American Nationality Washita tribe See ,as, (1) 1848 U.S. Supreme Court ruling in the case of the "U.S. Government vs. The Heirs of Henry Turner" (Tunica), in which the High Court found that "The Neutral Strip" (2,961,983.5 acres of land) was definitely not a part of the territory ceded to the

United States" (Louisiana Dept. of Transportation, 1940), (2) the 1992 return of 68,883 acres of land by the State of Louisiana (Land Grant #923/1991), designated "Washita Property;" and (3) "Washita Terra" including The Floridas. I have attached two United States Supreme Court cases in which the Washita won these cases:

<http://supreme.justia.com/us/44/773/case.html> ; and

<http://supreme.justia.com/us/52/663/>

*U.S. v. Turner*, 52 US 663 (1850) case law 10 True Certifies Copies BLM here in attached App 1 to 8 United States DEPARTMENT OF THE INTERIOR Bureau of Land Management Re St.U.S.Sec.2234 (43 USC A Sec. 72 record = 1637 Hays St NW Palm Fl near [32907] forever benefit to Heir an assigned accept agreement forever benefit sovereign to Sovereign. Art 4 Sec. 4, Art 1 Sec. 8 Cl 17, the county government have no jurisdiction, therefore, not "holder, the tax are 2201 fraud perjury use to justified steeling land for the bank scam to Escheating birth right thief over We the Private People land free holder as, Article 4 of the Confederation the private man can not be tax, see Becraft Land Mark Case. The defense then brought out a case entitled *Redfield v. Fisher*, wherein the court ruled that the individual, unlike the corporation, cannot be taxed for the mere privilege of existing there is no law in existence for private patent land grant tax. The defendants **App# 36,37**, for 4 years failed to disclose exhibit "statute." *U.S. v. Mersky*, (1960) 361 U.S. 431 Statutes must be known respondents must now return our land, to Perelena Blanch: Douce, Heir Oliver Son owner in fact her name must remain on chain of title for, 1637 Hays Street-BLM heir Oliver-Vaughn:Douce See App # 1 through 8.

## **Rule 44. Proving an Official Record BLM**

### **(a) Means of Proving.**

#### **(1) *Domestic Record.***

Each of the following evidences an official record—or an entry in it—that is otherwise admissible and is kept within the United States, any state, district, or commonwealth, or any territory subject to the administrative or judicial jurisdiction of the United States: (A) an official publication of the record; or (B) a copy attested by the officer with legal custody of the record—or by the officer's deputy—and accompanied by a certificate that the officer has custody. The certificate must be made under seal: see **App#1 through 8** Attach the BLM. As herein private property land patent grant, as protected, from being taken for public use on such property belong exclusively, absolutely, to the Sovereign individual, live Executors for which he has exclusive right protected by the Constitution as under Land Patent herein *Scranton v. Wheeler*, 21 S.Ct 48,179 US 141 45 L.Ed. 126 See Blk Law 4th Edit Page 1383 to govern themselves as in Art 4 Confederation the Heir executor hold superior Title the Patent Land Grant of land is a public law, standing on the Statute books of the states an is public Notice, to every subsequent purchaser under any conflicting of sales made afterword. See *Wineman v. Gastrell*, A 2 U.S. App 581 which Statute give less authoritative ownership of title than the patent cannot even be brought into federal court See" *Langdon v. Sherwood* 124, U.S 74, 81," for his private land 10 Stat 701 as in Article 4 of the Confederation freeholders inhabitant land must be returned immediately to him and, the very reason Land Patent was created against to prevent from happening and not ever to be done which are null an void in the first place. This case was violated by

the same false fraudulent debt by the Government which should have never happened. It was used to steal land which barred and prohibit their very actions.

### **Rule 201. Judicial Notice of Adjudicative Facts**

(a) **Scope.** This rule governs judicial notice of an adjudicative fact only, not a legislative fact 2) must take judicial notice if a party requests it and the court is supplied with the necessary information on this Land Patent herein as App# 1 Certificate. See in *Brandt v. U.S* exclusively, Petitioners, (e) **Opportunity to Be Heard.** On timely request, a party is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed. If the court takes judicial notice before notifying a party, the party, on request, is still entitled to be heard.

### **I. EQUAL PROTECTION OF THE PROCESS UNDER THE FIFTH AMENDMENT**

The petitioner against respondent incorporated by reference the allegation set forth in paragraph 1 through brief as if fully set forth cause by employees, their conduct action under color of law violated amendments 1st, 5th, 4th, 9th, and 10, which prohibits by finance taxation pursuant Title 31 USC 742 Sec. 3124 exemption, violated land patent 10 Stat.701 Act of congress 1855, and for title 42 U.S.C. 1985-6 (3) Depriving people of rights or privileges, petitioner question the effects for clarification by indicator.

### **Rule 5.1 Constitutional Challenge to a Statute— Notice, Certification, and to Intervention Attorney General.**

(a) Notice by a Party. A party that files a Quiet claim pleading, written motion, or other Land Patent Title

paper drawing into question the constitutionality of a federal or state statute must promptly: (1) file a notice of constitutional question stating the question and identifying the paper that raises it, if: (A) a federal statute is questioned defendants, claim 10 Stat 701, an 31 USC 742 Sec. 3124 are not positive law in effect, by Lisa Cullun, Jim ford, Vickie Henderson, Brain Hanlon, agent government Brevard County Tax Collector, county the Clerk office Scott Ellis, conspired with Ocean tax deed investment LLC, in caption through one petitioner case are relevant willfully knowingly conspired with each other constructively under fraud to violate private right and due process equal protection of law under 5<sup>th</sup> Amend pursuant to 10 Stat 701 land patent law. See *U.S. v. Stone*, and violated UCC1 Lien, **App # 12** a violation of secured private parties rights where there is a right there can be no rule making. See *Miranda v. Arizona* "First, the people have right to own land." The executor received no lawful money as 371 grain 12 USC 152 ,153 4. For no alleged so called tax debt was never paid. Highly political if did exist, but none, see [Mortgage Fraud] — Section 103 (b)(E)(2) of the Depository Institutions Deregulation and Monetary Control Act of 1980, Public Law 96-221 admits that "in the United States, neither paper currency nor deposits have value as commodities. Intrinsically, a dollar bill is a piece of paper and deposits are merely book entries."7. Additionally, FDIC Rules prevent banks from loaning their own assets or the assets of their depositors— proving again that the banks do not and cannot provide value—for —value and have no valid security interest see **App# 11** Title 31- Money and Finance Subtle III Financial Management and the parties do not include the United States, one of its agencies, or one of its officers or employees in an official capacity; or (B) a state statute is questioned and the parties do not

include the state, one of its agencies, or one of its officers or employees in their official capacity; in the State of FL Brevard County Agents, local or government.

Chapter 31-Public Debt Subchapter II-  
ADMINISTRATIVE Sec.-3124

Exemption from taxation nor did petitioner make any contract to sell land. Under 5th Amend no man can be deprived of his land without due process of law protected guaranteed by the U.S. constitutional Republic, protect private rights, to tax, right on land are prohibit by 9th and 10th amendment". Its root is a requirement that an individual must be given an opportunity, a hearing before he is deprived of any significant land interest original Nolica 401 US v. 378, 379, *Rondore v. Appelle* Dept 1971 c 3015 36,550. The tax collector and the appraiser willfully cause a tort for conversion, and falsified official document, for corporate private gain. False claim impersonation violation of 18 USC 912. The county clerk in mail Fraud by violation 1341, perjury transfer deed, and judge error violate due process law by deprivation of private property land 242. 241, violate 1983, knew long before there is a land patent 10 Stat 701 and they do not own and cannot be taxed, by them in violation of Fl Stat.196. 181 exempt, and for 42 USC 1986 is officials who are in position to prevent wrong felonious violation 18 USC .3. The petitioner must report felony to defraud the people of their private land, a viable claim under RICO extortion racketeering 18 USC 1962 by respondents. Since triple damage Ex Rel, 28 USC 3729 QuiTem, by respondents Brevard county by illegal finance tax collection, the clerk Scott Ellis, conspired with Ocean Tax Deed Investment LLC, United States to steal and sell private land they do not own for enrichment in violation of 31 USC 742 Sec. 3124. Discrimination, for corporate gain, the ucc1 lien by

the secured party was laid to protect prevent the fraud by respondent even though Land Patent Grant stop, bar there actions, as in Magnolia strenuously argues, and we agree that this case is controlled by the Supreme Court's holding in *United States v. Kimbell Foods, Inc.*, 440 U.S. 715, 99-S.Ct. 1448, 59 L.Ed.2d 711(1979); *see also United States v. Currituck Grain, Inc.*, 6 F.3d 200 (4th Cir.1993) (adopting North Carolina substantive commercial law as federal rule of decision for determining priority of FmHA' secured interest in grain). In *Kimbell Foods*, the Court sought to determine whether contractual liens arising from certain federal loan programs [administered by the SBA & FmHA] take precedence over private liens, in the absence of a federal statute setting priorities. To resolve this question, we must decide first whether federal or state law governs the controversies; and second, if federal law applies, whether this court should fashion a uniform priority rule or incorporate state commercial law. We conclude that the source of law is federal, but that a national the federal interests underlying the loan programs. Accordingly, we adopt state law as the appropriate federal rule for establishing the relative priority of these competing federal and private liens.

In 440 U.S. at 718, 99 S.Ct. at 1453, *Kimbell Foods* identified three critical factors that bear upon whether federal common law or state law should fill in the gaps in federal loan programs. Applying these factors to the question whether state or federal common law should determine lien priorities when SBA and FmHA liens conflict with those of private creditors, the Court found: 1) that uniform nationwide standards favoring the United States' claims were not needed to ease program administration or protect the Federal Treasury from defaulting debtors, 440 U.S. at 729, 99 S.Ct. 1459; 2) that incorporating state law.

## Relevance continued

On July 23, 2015, defendants in caption cause negligence damages are relevant in violation of petitioner private right respondents- Florida 1 of the 50 states, name defendants in caption paragraph 1 through conclusion by Brevard Tax collector office, agent United States to seize private land protected under land patent land deed can not be created, on original land patent respondents ignore, receipt is sufficient to protect one in possession against naked claim, Superior right See *Moor v. Parker*, 59 Neb 29 80 NW. 43 1899 own an belong to the Petitioners, Oliver-Vaughn: Douce, Al-Dey Sui-& Perelena-Oliver:Douce,Al executors, for alleged, non payment of unconstitutional tax, without Congressional, no legislative approval, Ab Initio: From the beginning; from the first act; entirely, as to all the acts done in the inception. A party may be said to be a trespasser, an Plow. 61, 16a; 1 Bl.Comm. 440; *Hopkins v. Hopkins*, 10 Johns. (N.Y.) 369. (before contrasted with this sense with ex post facto) "An administrative regulation, of course, is not a "statute." *U.S. v Mersky*, (1960) 361 U.S. 431. Statutes must be known not vague, no statute to exhibit ever, in violation of Fl Stat.196.181 exempt App # 11 and also violation, of Finance Title 31 U.S.C.742 Sec. 3124, [defendant submit a bid on property at close defendant tax deed investment conspirator was the highest bid], which issue a tax certificate deed on July 23 ,2015 no lien, never waiting the 180 days require by 26 USC 6337 Petitioner did not try to redeem their private land, instead filed a challenge on count for Quiet Title action, now an attorney must file a certification of diligent, inquire if so, was one filed? Before any auction by sheriff, no verified live man in 1692 proof of assignment under oath was not presented, also the petitioners acknowledgement certificate of deed, the Clerk of the court block, refuse, all update, on files

filing to the record conceal information, also ineffective service were improper to the trust, the executor was not served Rule Fl Title 6 CPP 48.301 defective 1691 with all the original paper filed about is Land. 1) the respondent failed to exercise due diligence in whether the tax collector complied with all the procedure require to divest petitioner of their interest in land and consummate its sale by respondent and no lien search was served ever conducted, on UCC1. lien petitioner have available claim for negligence, conversion. 2) Because of these procedural defects defendant possess no valid clear title over petitioner land patent, never had a day in court. The respondents have no standing, petitioner filed, a counter claim against Writ possession the Fifth Circuit Court erroneously, ignored Petitioner objection an challenge, granted respondent order respondent **App# 20, # 21** was not served with the correct or complete order personal signed by clerk no Judge Signature Seal- violate 1691 credentials, dated 9/22/15 **App# 20** missing, was never properly served by sheriff office only, notice stamp 24 hours eviction 9/21/17 **App# 21**, letter, this Petitioner Executor Heir nor did Perelena-Blanch:Douce. See first App City Ca, Superior Ct No.960479 *Caswell v. Pratt* on Trust was not personally served or notified sued, her name is on the Title deed, to the Estate Trust, the executor notice the court had no jurisdiction, and there was a permanent injunction request pending, at that time, for respondent refuses to identify 552a, an 556,d, them self to **App# 28** Executors Letter 11/21/14 there authority against Petitioner after being challenged on June 26, 2015 to stop them in U.S.Court of Appeals moot drop due to lock of fees for filing at the time. see *Kinney v. Dogman*, 12 Neb. 237, 11 NW. 318 (1882) See United States land Office BLM certificate is such Color of Title as to start the Statute of limitation running *Corroll v. Patricit*, 23 Neb ,834 37 NW. 671 (1888) see *RUFF v. ISAAC* no; 192615, (10/17/1997): Lien admission land

patent 10 Stat 701, prohibit and bar the respondents actions. See Congressional Act. Senator, King of New York said, in March 1820, it was circulated to plant in the new country a population of independent unembarrassed freeholder that it would place in every man. The power to purchase a freehold, the price of which could be cleared in three years, that it would cut up speculation and monopoly, that it would prevent the accumulation of alarming debt which experience prove never would and never could be paid! Later on in 1882, Homestead Act states in section 4, that no lands acquired under this provision of this act shall in any event become liable to the satisfaction of any debt or debts contracted prior to the issuing of the patent. Therefore, it can be clearly seen that the intent of these early lawmakers was for the people of this country to be freemen and freeholders of their land. And, not ever be subject to have it taken from them by any government feudal authority, bank or any of the parties who might have an alleged claim against the person who owns the land. See 5th amendment; See in *Hale v. Henkel*, 201 US 43, at 47- "no man owes no duty, nothing to the Governments action are barred by land patent."

The respondents, in caption, are relevant, **App# 1 to 8**, claim admissible evidence in form of Petitioners opposing affidavit objection. **App# 32,33,34,35**, Petitioner must be given the benefit of any doubt not, be deprived of his 1<sup>st</sup>, 5<sup>th</sup>, 7<sup>th</sup> Amend- private land patent without a day at court, and determining whether there is a genuine issue of disputed fact. Petitioner, claim to Quiet Title, invoked this Supreme Court of U.S. Equity common law jurisdiction, *Howard v. Adle* 53, 8F Supp 504, 508 Ed Mich (1982). The question is of the validity of the tax deed at issue must be determined in accordance with Federal state Law, *Popp v. Eberlein*, 409 F2d 309,311,Ca6,

(1969). State Court has refused jurisdiction, to decide such question when a delinquent tax payer contest a third party. The purchaser, 12 USC 411, 153. deed, to title to land acquired through a tax sale the general rule is that the burden of showing literal compliance with statute governing the sale of land for taxes is upon the defendant under the tax sales. See *McAndrew v. Belknap*, 141 F2d 111, 115, Ca 6, 1944 *Johnson v. Gartlan*, 470 F2d 1104, 1106 1073 ca 4 1973. This rule initially announced in *More v. Hanthorn*, 148 U.S 174. 13 Ct 508 37 LEd 410 (1893). The Supreme Court held it is the rule when modified by statute that the [Burden] of proof is on the holder of the tax deed to maintain his title by affirmative showing that the provision of the law have been complied with at 180 this is consistent with the inarguable preposition that the tax sale purchaser can not be obtained with cloud on Title. A clear title if the government failed to perfect its right to sell ones land consequently if an alleged delinquent claimant present a claim contesting the government ability to follow pass a clear title. See Stat.701- an Fl Stat.196.181 31USC 3124 that is violated by fraud. There is no money in circulation FRN 12 USC 411, are not money, no contract. The government failed to follow required procedural safeguard, the purchaser bear the burden of proof that his title is superior by demonstrating that such requirements were met. Petitioner specifically raised 4 defect #1, 2-201 fraud, there is a land patent on the land ,there is a lien by secured party owner on the land there is a BLM certified true copy land patent receipt. **App # 1**, which means government, sold all taxing rights, claim there is no proven taxing statute law that can be exhibited by respondents. There is no statute required to tax this land patent. Respondents in caption did not properly serve petitioner, 28USC 1691. The name which appeared on the title deed was not properly served on:

Perelena-Oliver: Douce, owner in fact, who owed no such, tax. There is no statute laws that require private land to be taxed by any entity nor is there any contract between the parties, *Hale v. Henkel*, 201 US 43,74. No lien search was made, or was provided; violation of personal liberty or the right to enjoyment of life and liberty, is one of the fundamental or natural rights, which has been protected by its inclusion as a guarantee in the various constitutions, which is not derived from, or dependent on the U.S Constitution. It does not depend on the outcome of a vote. It is one of the most sacred and valuable right as sacred as the rights to private land and is regarded as inalienable. The common law, UCC1 lien, land patent protects, **App# 12**, 6/15/15 block the Sheriff tax sale. The only one that can sell land is one who owns it and has title to it, and' violation of title 31 USC 742 was 196.181\\a\_Violation of Fl.Stat. exempt prohibit all taxation the very alleged tax to said land which defendant violated to created a false tax. Fraud schemes are prohibited, by 31 USC 742, a violation of a statute to create a liability from alleged regulation which is not law, to defraud the people of their land patent right, **App# 1 through 8**, and punish them when they exercise their rights, in fact when they respondents owed their existence to. We the people, See 552 a., are the true creditors because all corporation are bankrupt artificial created see "On June 5th, 1933 HJR 192 known fact U.S. is bankrupt. The United States congress passed House Joint Resolution 192, which served as a declaration of bankruptcy. Congress declared in HJR 192 that demanding payments in Gold (constitutional money) or in any particular form would now be against public policy. At the same time President Roosevelt issued executive order 6102 forbidding the hoarding of gold coins, gold bullion and certificates. With this executive order Roosevelt ordered that most of the gold in circulation be

turned into Federal Reserve Banks across the nation under the threat of fines and 10 years imprisonment. Government entities are not real incompetent, can't testify at court entity cannot bring claim against the real live man R.17. A bank cannot repossessed land that is owned absolutely because the owner by warrantee deed original Title **App# 13** abstract or devise has lawfully claimed the contract forever benefits of the original land patent grant contract. A city or the defendants of Brevard county does not have lawful authority to enforce color of law codes against one who has lawfully claimed absolute ownership of his /her land by claiming the contractual forever benefit of the original land patent 7/23/15, **App 19, App# 1 through 8**. For example, the hunting and fishing taxes codes of building are not enforceable on land that has a lawful claim of contractual benefit of the original land patent in the public record. BLM on the other hand try to convincing the putative authority that they have no power may result in their exercising a lot of energy trying to convince you that you're mistaken. A City and county code does not have the lawful authority to confiscate or sell land for taxes if the owner has claimed the contractual 'forever 'benefit of the original land patent contract, is in the public record land patent never expired, Treaty North West Ordinance 7/13/1787 land patent last forever accept the deed with acknowledgement certification a claim of contractual forever benefit of the original land patent contract here in. The public record does not need to be renewed. Land patent was a contract Allodial Title from the U.S. government to the original grantee, his heir an assign forever. In that a patent of land from the government and is the very highest authority evidence of title. You must have one to show that you are the actual owner of this land. It is evidence that all prerequisites have been complied with, and cannot be questioned either in a court of law or equity, unless it is on the grounds of fraud or

mistake. See *POINT CARTER v. SPENCER*, 5 MISS (4 HOW) 42,56, 34 A.M. DEC 106. Nobody owes any public duty to the treasury than the law demands these are the words of Judge Learned Hand in (1872 -1961). Judge by U.S Court of Appeals in the case of *Gregory v. Helvering*, 69F2d 809,810 2d Cir 1934) aff d,293 US 465,55,S.Ct. 266, 79L.Ed.596 (1935), any one may arrange his affairs that is tax shall be as low as possible he is not bound to chose the pattern which best pays the Treasury; indicator.

#### **501. Infringement of copyright Memorandum law**

(a) Anyone who violates any of the exclusive rights of the copyright owner as provided by sections 106 through 122 or of the author as provided in section 106A(a), or who imports copies or phone records into the United States in violation of section 602, is an infringer of the copyright or right of the author; as the case may be. For purposes of this chapter (other than section 506), any reference to copyright shall be deemed to include the rights conferred by section 106A(a). As used in this subsection, the term "anyone" includes any State, any instrumentality of a State, and any officer or employee of a State or instrumentality of a State acting in his or her official capacity. Any State, and any such instrumentality, officer, or employee, shall be subject to the provisions of this title in the same manner and to the same extent as any nongovernmental entity.

The respondents in caption are relevant herein willfully knowingly private law in 10 Stat.701 respondents stealing private land placing petitioner on the street when no lawful tax were deem to be owed. *Westinghouse v. U.S.* violated, 4th amendment search seizure and privacy rights. Petitioner demand a Stay, and remove all illegal occupant from his Allodial private land immediately for violate 4<sup>th</sup> & 5th Amend. violated private

land patent.<sup>3</sup> **App# 1 through 8** land right, 1st Amend right to own land violated enjoyment of land right, U.S. Article 3 sec. 2 diversity citizen state zone. Punitive damages caused from respondents, unclean hands willfully knowing caused Petitioner to suffer from stress, anguish, sleepless nights, intimidate threat and put in harms way of illegal criminal trespassing by sheriff; violation of 1st & 4th amend, eviction by many officers by being forced off his sacred land. If no contract exist between you and the USA they have no legal right to apply tax, city code or apply statutory law, etc to your private land with out a fully known consensual contract in harmony 1-103 with USA. From the moment the UCC1 perfection lien 6/15/15, was filed it extinguished any and all contract presumed "under title 26 USC 6321 C" protection for certain commercial transaction, financial agreement etc.(1). In general to the extent provided in this subsection even though notice of lien imposed by Sec.6321 has been filed 'such a lien shall not be valid with respect to a security interest which came into existence after a tax alleged lien filing; but which (a)(i) a commercials transactions financial agreement, a lien was never produced by government. Therefore defendants, have no jurisdiction. The land has already been title priority. The executor has superior title over all, with land patent, and UCC1 Lien. See USA Art 4 Se.1 Conf.; A treaty is an agreement under international law entered into by actors in international law, namely sovereign states and international organizations. A treaty may also be known as an (international) agreement, protocol, covenant, convention, pact, or exchange of letters, among other terms. Regardless of terminology, all of these forms

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<sup>3</sup> The legal or beneficial owner of an exclusive right under a copyright is entitled, subject to the requirements of section 411, to institute an action for any infringement of that particular right committed while he or she is the owner of it.

of agreements are, under international law, equally considered Treaties and the rules are the same.

For other uses, see Fair dealing (disambiguation). Intellectual property and Intellectual rights law primary rights Copyright Patent Trademark, trade dress, trade secret, geographical indication, Sui generis rights for family only. Petitioner UCC1 Lien rights database right indigenous intellectual property, industrial design right, integrated circuit layout design protection, moral rights, plant breeders' rights, related rights, supplementary protection certificate, utility model, land patent copyright, bio-prospecting, limitations and exceptions to copyright (Fair dealing Fair use Right to quote). Outline of intellectual property v. Fair dealing, is a limitation and exception to the exclusive right granted by copyright law to the author of a creative work. Fair dealing is found in many of the common law jurisdictions of the commonwealth of nations. Fair dealing is an enumerated set of possible defenses against an action for infringement of an exclusive right of copyright. Unlike the related United States doctrine of fair use, fair dealing cannot apply to any act, which does not fall within one of these categories although common law courts in some jurisdictions are less stringent than others in this regard. The court may require such owner to serve written notice of the action with a copy of the complaint upon any person shown, by the records of the Copyright Office or otherwise, to have or claim an interest in the copyright, and shall require that such notice be served upon any person whose interest is likely to be affected by a decision in the case.

#### THIS SECTION INCLUDES COUNTER CLAIM THIRD PARTY INTERVENER R.24a

On Sui Juris Consel Consul Oliver-Vaughn:Douce, Al-Dey as Inpropria Person Sui juris without waiving any rights procedural or defenses retain reserved without

prejudice 1-207 Sue in Petition Extra Ordinary Writ against the government in the suit and Admiralty act. The truth in Admiralty Act is in Title 46, section 742, suits in Admiralty. Title 46, section 781 is the Public Vessel Act. I AM now suing the respondents in suit Title 46, section 740, is the Extension Acts in Admiralty. UCC 1-201 – Rights are remedies. Black's, 5th Ed., page 713: In Rem – A technical term used to designate proceedings or actions instituted against the thing, in contradistinction to personal actions, which are said to be in personam. Common Law is your divine law. You have to have a corpus delicti (body of an offense); there has to be a victim. Petitioner sue them respondents in suit in Title 46, section 740 is The Extension Acts in Admiralty. Black's, 5th Ed., page 713: In Rem – A technical term used to designate proceedings or actions instituted against the thing, in contradistinction to personal actions, which are said to be in personam. The estate, an “action in Rem” is a proceeding that takes no cognizance of owner but determines right in specific property against all of the world, equally binding on everyone. *Flesch v. Circle City Excavating and Rental Corp.*, 137 Ind.App. 695, 210 N.E.2d 865, 868. It is true that, in a strict sense, a proceeding in rem is one taken directly against land, and has for its object the deposition of land, without reference to the title of individual claimants; but, in a larger and more general sense, the terms are applied to actions between parties, where the direct object is to reach and dispose of land owned by them, or of some interest therein. Such are cases commenced by attachment against the land of debtors, or instituted to partition real estate, foreclose a mortgage, or enforce a lien R.9a this UCC1 # 201504126341, Patent No:3386228. 2d, lien, *Pennoyer v. Neff*, 95 U.S. 714, 24 L.Ed. 565.

In the strict sense of the term, a proceeding "in rem" is one which is taken directly against property or one which is brought to enforce a right in the thing itself.

Actions in which the court is required to have control of the thing or object and in which an adjudication is made as to the object which binds the whole world. The Government United States, Brevard County Tax Collectors and its agency that cause damages, under color of law respondents Brevard County Tax Collectors Fl, 1 through their respected agent and employees misconduct. Respondents failed to adhere to federal statutory procedural requirements, notice provision petitioner has superior title land patent while United States and its agency employees failed to listen to prior petitioner who provided evidence for his land patent & UCC1 lien; which officers claim was not valid anymore. The government willfully and maliciously disregarded the inherent right of petitioner; has been defrauded and removed off of his land. The injury sustained by Petitioner was placed in fear, invasion of privacy and of bodily harm with lost of freedom, control of his land and several emotional distress and psychological fear of Sheriff. Petitioner suffers denial and deprivation of civil, common law right, human rights, victim threat, relief south by Petitioners, and return, land, and for suffering nervousness, embarrassment, sleepless nights, mental hardship, anguish and financial hardship.

### CONCLUSION

WHEREFORE, PREMISES CONSIDERED  
 Petitioner respectfully request this Court to grant this  
 Petition For an Extraordinary Writ for Probation and  
 Mandamus and set the matter on the Court's docket for  
 briefing on the issues raised return Land Patent for relief  
 stay herein.

Respectfully submitted,

*Oliver-Vaughn: Douce, Al-Dey Sui Juris*

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