

NO: _____

IN THE SUPREME COURT OF THE UNITED
STATES

Launce Kramer– PETITIONER

Vs.

UNITED STATES OF AMERICA et; al
ON PETITION FOR A WRIT OF CERTIORARI TO

United States District Court Southern District of
Ohio

United States Court of Appeals For The Sixth
Circuit

PETITION FOR WRIT OF CERTIORARI

Launce B. Kramer

C/O 1281 East Fork Rd.

Lower Salem, Ohio [45745]

Questions Presented for Review

The Court lacks subject matter and personal jurisdiction for the reasons below.

1. This Court, and all public offices, is defined under FRCP Rule 4(j) as a FOREIGN STATE; and as defined under TITLE 28 – JUDICIARY AND JUDICIAL PROCEDURE. The Sovereign Immunities Act (FSIA) of 1976 is a United States law, codified at Title 28 §§ 1330, 1332, 1391, 1441(d) and 1602-1611, and is being jurisdictionally challenged, and “full disclosure” of the “true” jurisdiction of this Court has been asked but has stayed “silent”?
2. Any failure to disclose the true jurisdiction is a violation of 15 Statutes at Large. For this was

passed to remove the people of the United States of America from the federal citizenship under the 14th amendment. Chapter 249 (Section I), enacted July 27, 1868?

3. It is the court's responsibility to prove it has subject matter jurisdiction, and where a jurisdiction arbitrarily claims the court has jurisdiction, he is violating the defendant's right to due process of the law. It is, in fact, the plaintiff's responsibility to prove, on the record that jurisdiction exists, and jurisdiction can be challenged at any time, even years later, and even collaterally, as in a private administrative process, as was done herein. It is the petitioner's right to challenge jurisdiction, and

it is the plaintiff/prosecutor's duty to prove it exist. The respondent herein was given the opportunity (multiple times) to the facts of jurisdiction on the administrative record, but was acquiesced by tacit procurement to the fact that the constitutional and due process violations alleged by the petitioner did, in fact occur, and did, in fact, deprive the court of the subject matter jurisdiction, which is now the record before the court?

4. That it is not the prosecutor's duty and obligation to provide ALL of the facts that establish the court's jurisdiction, and place them upon the record even in a collateral attack against jurisdiction?

LIST OF PARTIES

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

☒ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

- 1). Launce-B.:Kramer, Plaintiff and Respondent
- 2). UNITED STATES OF AMERICA,
Robert J. Willie, Tamara W. Ashford,
Caroline D. Ciralo
U.S. Department of Justice
P.O. Box 55 Ben Franklin Station

Washington D.C. [20044]

3). Washington County Prosecutor

Respondent: Kevin Rings

205 Putnam St.

Marietta, Ohio [45750]

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**IN THE SUPREME COURT OF
THE UNITED STATES**

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of
certiorari be issued to review the judgment below.

OPINIONS

For the case from **Federal Courts**:

- 1) The opinion of the United States Court of
Appeals appears at Appendix A p.18 to the
petition and is
[] reported at _____ ; or
[] has been designated for publication but is
not yet reported; or
[X] is unpublished

- 2) The opinion of the United States Court of Appeals appears at Appendix A p.18 to the petition and is
- ☐ reported at _____ ; or
- ☐ has been designated for publication but is not yet reported; or
- ☒ is unpublished

For cases from Appellate Court:

- 1) The opinion of the Appellate Court to review the merits appears at Appendix B p.27 to the petition and is
- ☐ reported at _____ ; or
- ☐ has been designated for publication but is not yet reported; or
- ☒ is unpublished

2) The opinion of Appellate Court of the Sixth
Circuit appears at Appendix B p.27 to the
petition and is

☐ reported at _____ ; or

☐ has been designated for publication but is
not yet reported; or

☒ is unpublished

JURISDICTION OPINION

For cases from **Federal Courts**:

1) The date on which the United States Court of
Appeals decided my case was April 5, 2018.

☒ No petition for rehearing was timely filed in
my case

☐ A timely petition for rehearing was denied
by the United States Court of Appeals on the

following date: _____, and a
copy of the order denying rehearing appears at
Appendix _____

[] An extension of time to the petition for the
writ of certiorari was granted to and including
_____ (date) on _____ (date) in

Application No: N/A

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully petitions for a Writ of Certiorari before judgment to review a decision of a United States District Court for the Southern District of Ohio.

OPINIONS BELOW

The opinion of the United States District Court for the Southern District of Ohio for which this petition is filed is reported of Cause Number 2:14-cv-2651 in which was filed under 28 USC 1331. [Decision is shown in Exhibit "A"]

JURISDICTION

The case is docketed in the United States for the Court of Appeals for the Sixth Circuit as Cause 17-

3900 and decided on April 05, 2018 before Gilman, Donald and Hood, Circuit Judge(s). [See Exhibit "B"]

CONSTITUTIONAL AND STATUTORY

PROVISIONS INVOLVED

1. The Equal Protection Clause of Section 1 of the Fourteenth Amendment provides that no State shall "deny to any person within its jurisdiction the equal protection of the Laws."
2. Under Federal Criminal Rule F.R.C.P. 12 (e) and the Administrative Act, to insure the right to disclosure of the Nature and cause of "The Respondent's Action(s)" by ordering the Respondent to answer the "Petition for Redress/Demand for more definite Statement

to determine the nature of Cause of "The Respondent's Action."

3. The United States Court of Appeals for the Sixth in moving forward, knowing that the Plaintiff had served a Special Visitation, Commercial Affidavit and Petition for Redress upon the Respondent as the Plaintiff's demands have not been answered and avoided by the Respondent, was a clear act of bad faith on the part of both the Court of Appeals and the Respondent.

4. As the Plaintiff, was never a party in interest, a substituted party of record or a proper party to any other pleading regarding "The Respondents Action" The United States

District Court For The Southern District of Ohio did not acquire jurisdiction over the Plaintiff, a violation of F.R.C.P. 12(b) (2) lack of jurisdiction.

STATEMENT OF THE CASE

Petitioners request this Court to exercise its power and discretion under Rule 11 of its rules to grant a Writ of Certiorari after judgment to the United States Court of Appeals for the Sixth Circuit, which has entered judgment on an appeal of this case. The case presents questions about jurisdiction. This Court, and all public offices, is defined under FRCP Rule 4(j) as a FOREIGN STATE, and as defined under TITLE 28- JUDICIARY AND JUDICIAL PROCEDURE the Sovereign Immunities Act (FSIA) of 1976 is a United

States law, codified at Title 28, §§ 1330, 1332, 1391 (f), 1441 (d), and 1602-1611, and is being jurisdictionally challenged, and “full disclosure” of the “true” jurisdiction of this Court has been challenged.

FACTUAL BACKGROUND

A. Plaintiffs

Plaintiff Launce-B.:Kramer, is a Secured Party Creditor with Filings with the Secretary of State of Ohio, UCC Number OH00184160776. An Affidavit of Notice was sent to the all Courts Rescinding Signature for Non-Full Disclosure of Contract sign, showing that I'm Holder-In-Due Course of all document(s). I do not take any Benefits from the Government as the Birth Certificate and Social

Security was discharged to the U.S. Secretary of State, as well as other Government Agencies.

PROCEEDINGS BELOW

A. The District Court

This action commenced under a Complaint alleging that the defendants prove jurisdiction under Federal Question pursuant to 28 USC 1331. The request of 28 USC 1331, was changed to the Clerks likings of the change of the 28 USC 1331 and was ruled under other statute(s). The request of Jurisdiction was ignored in any/all matters. [See Exhibit "A" for ruling on United States District Court Southern District of Ohio]...

(a) "The law provides that once the State and Federal Jurisdiction has been challenged, it

must be proven.” Main V. Thiboutot, 100 S. Ct. 2502 (1980);

(b) “Once jurisdiction is challenged, it must be proven.” Hagans V. Lavine, 415 U.S. 533;

(c) “Where there is absence of jurisdiction, all administrative and judicial proceedings are a nullity and confer no right, offer no protection, and afford no justification, and may be rejected upon direct attack.” Thompson V. Tolmie, 2 Pet. 157, 7 L. Ed. 381; Griffith V. Frazier, 8 Cr. 9, 3 L.Ed. 471;

(d) “No sanctions can be imposed absent of proof of jurisdiction.” Standard V. Olsen, 74 S. Ct. 768; Title 5 U.S.C., Sec. 556 and 558(b);

- (e) "The proponent of the rule has the burden of proof." Title 5 U.S.C., Sec. 556(d);
- (f) "Jurisdiction can be challenged at any time, even on final determination." Basso V. Utah Power & Light Co., 495 2nd 906 at 910.
- (g) When Jurisdiction challenges the act of Federal or State official as being illegal, that official cannot simply avoid liability based on the fact that he is a public official. [United States V. Lee 106 U.S. 196, 220, 221, 1 S. CT 240, 261].

Let it be known, until such a time as written proof of jurisdiction is demonstrated and filled in the court record of this case, the Accused shall be entitled to the conclusive presumption that lawful jurisdiction is lacking in Personam and In Rem. Let this statement

serve as Constructive Notice that this common-law constitutional entity, in the eyes of the Law, intends to prosecute to the fullest extent of the Law anyone who infringes its rights as “officers of the court have no immunity, when violating a constitutional right, from liability, for they are deemed to know the law, Owens V. City of Independence, 448 U.S. 1, 100 S. Ct. 2502; Hafer V. Melo, 502 U.S. 21.

B. The court of Appeals

The Appeal was submitted on and again, jurisdiction issues were disregarding in all matters affirming with the United States Court of Appeals for the Sixth Circuit [See Exhibit “B” for ruling on Appeals Court].

REASONS FOR GRANTING THE WRIT

I. This Court Should Exercise Its Power to Grant Review Before Judgment.

For several reasons, the circumstances of this case make it appropriate for granting Plaintiffs request for proof of jurisdiction.

First, the case presents issues of fundamental importance. It concerns important constitutional and civil rights, and the resolution of these issues will almost certainly have effects that extend far beyond the parties to the case.

Second, this Court knows, It is the court's responsibility to prove it has subject matter jurisdiction, and where a judge arbitrarily claims the court has jurisdiction, he is violating

the defendant's right to due process of the law.

It is, in fact, the Court responsibility to prove, on the record, that jurisdiction exists, and jurisdiction can be challenged at any time, even years later, and even collaterally, as in a private administrative process, as was done herein. It is the petitioner's right to challenge jurisdiction, and it is the State's/Agent(s) duty to prove it exists. The respondent herein was given the opportunity (multiple time) to put the facts of jurisdiction on the record, but acquiesced by tacit procurement to the fact that the constitutional and due process violations alleged by the petitioner did, in fact, occur, and did, in fact, deprive the court of subject matter

jurisdiction, which is now the record before the court.

While voidable orders are readily appealable and must be attacked directly, void order may be circumvented by collateral attack or remedied by mandamus, *Sanchez v. Hester*, 911 S.W. 2d. 173, (Tex. App.-Corpus Christi 1995).

The law provides that once State and Federal jurisdiction has been challenged, it must be proven. *Main v. Thiboutot*, 100 S. Ct. 2502 (1980)

Void judgment under federal law is one in which rendering court lacked subject matter jurisdiction over dispute or jurisdiction over parties, or acted in manner inconsistent with due process of law or

otherwise acted unconstitutional in entering

judgment, U.S.C.A. Const. Amend. 5, *Hays v.*

Louisiana Dock Co., 452 N.E. 2d 1383 (III App. 5

Dist. 1983). [Emphasis added].

CONCLUSION

For the foregoing reasons, Launce-B.:Kramer respectfully request the Court to grant his petition for certiorari before judgment.

The petition for writ of certiorari should be granted.

Respectfully submitted,

Launce-B.:Kramer
Launce-B.:Kramer

Date: *April 24, 2018*