

**NO:**

IN THE

SUPREME COURT OF THE UNITED STATES

JAMES E. WHITNEY

PETITIONER

vs.

---

DONALD TRUMP  
PRESIDENT OF THE UNITED STATES

RESPONDENT

ON PETITIONER FOR WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT

CASE # 17-3060

PETITION FOR WRIT OF CERTIORARI

JAMES E. WHITNEY, PRO-SE  
SUI JURIS IN PROPRIA PERSONA  
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GRADY, ARKANSAS  
71644-0600

## ISSUES PRESENTED FOR CONSIDERATION AND REVIEW

I) Is the living breathing sentient mortal sovereign of the world-of man government constructs know as the United States or a sub-servant and subjugated to this institution among men?

II) Does an affidavit and/or declaration stand as the truth and fact if gone un-opposed?

III) Are not all Representative and Officials of the World-of-Man Government constructs accountable and answerable to the living breathing sentient sovereign mortal?

IV) Should the personal and individual political views a judge or justice be allowed to have a bearing or influence on the orders, judgments, or opinions handed down in the conduct of the business of the judiciary?

## LIST OF PARTIES

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

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**INTHE SUPREME COURT OF THE UNITED STATES**

**PETITION FOR WRIT OF CERTIORARI**

I, James E. Whitney, a living breathing sentient natural sovereign mortal, proceeding pro-se do hereby respectfully request that a Writ of Certiorari be issued to review the judgments below.

**OPINIONS BELOW**

The opinion of the United States Court of Appeals for the Eighth Circuit appears at Addendum A, page 3 to the Petition and is unpublished.

**JURISDICTIONAL STATEMENT**

The date on which the United States Court of Appeals for the Eighth Circuit decided my case was 01 February 2018, a timely Petition for Rehearing was denied by the United States Court of Appeals for the Eighth Circuit on the following date, 10 April 2018 and a copy of the order denying rehearing appears at Addendum A, page 2.

Therefore, knowing that I have 90 days from the date denying my Petition for Rehearing in which to file my Petition for Writ of Certiorari, I pray this Court will render her opinion on the square and by the compass when reviewing the constitutional issues and questions of laws which I have raised and brought before this Court.

Further, I invoke the jurisdiction of this Court pursuant to 28 U.S.C. § 1257(a).



## STATEMENT OF THE CASE

I) The founders of the American Republic found it so sacred, compelling and important that the living, breathing, sentient natural mortal be recognized as by and far the sovereign superior to any World-of-Man Government constructs that they decisively acknowledged this in the creation and textualization of the founding documents, *See* The Declaration of Independence, 04 July 1776; The preamble to and the Tenth Amendment to the Constitution of the United States, 17 September 1787; The preamble to and Article 2 §§ 1 and 29 of The Constitution of the State of Arkansas, to protect the living, breathing, sentient, natural sovereign mortal, not to subjugate or rule over them, to put an end to such corruption and abuse of power as had been previously experienced, so that they should ever be extirpated. Moreover, these founding documents as well as any legislature or statues to be created were/are to be controlling and limiting only over those individuals employed or serving in constitutional or legislative created positions as well as those who contract with such world-of-man government constructs, and I am neither one who holds any such position nor am I under any contract or entered into any agreements with any of these constructs. *See, Afroyim v. Rusk, 87 S.Ct. 1660 (1967); Padleford, Fay & Co. v. The Mayor and Alderman of the City of Savannah (1854).*

The Supreme Court having held in *Hale v. Hinkle, 201 U.S. 43 (1905)*, that since the private man [*that is the living breathing sentient natural sovereign mortal*] is not named in the statutes and all statutes are for the regulation of business due to the fact that the natural persons rights existed long antecedent to the organization of the "State", he owns no duty or loyalty to them, since he receives nothing there from.

I hold no pledges, nor any loyalties or allegiances to any world-of-man government constructs, be they allegedly a state nation or the like, my loyalty and allegiances are pledged In Toto, without reservation, only to the supreme sovereign ruler, YHWH, Leviticus 18:4-5; Deuteronomy 13:5.

I am a living breathing sentient natural sovereign mortal, not simply because I say I am, but by the fact that I was born a sovereign as bestowed upon me by my Creator, Lord and King, YHWH, the source of breath of all flesh, and not by way of any world-of-man "Government" and such may not be modified, altered, restricted, or diminished but by consent of the sovereign, and I have given no such consent or knowingly enter into any agreements with any World-of-Men Governments to subjugate me, my rights, liberators, or protections.

Allowing the ruling below to stand would be akin to placing a failing grade on the founding documents and rendering them null and void.

II) Any and all factual assertions made in an affidavit, declaration or verification submitted in compliance with 28 U.S.C. § 1746 and 18 U.S.C. § 1621, stands on the record as fact and truth unless rebutted point by point, under oath in the form of an affidavit, declaration or verification within the allotted time frame, and failure or refusal to do so by any opposing party is a general and specific acquiescence, agreement and stipulation in all respects to the truth and facts as set forth in the originating-affidavit, declaration or verification, Neal v. Kelly, 963 F.2d 453 (D.C. Cir. 1992); Lewis v. Faulkner, 689 F.2d 100 (7th Cir.); Nygaard v. Continental Resources, Inc. 598 N.W. 2d 851 (1991). As none of the most senior government representatives to which my affidavit of sovereignty was sent to, choose to take any issue with object to, or dispute any of the contents of my affidavit of sovereignty, as the truth and facts cannot be controverted and therefore, they are thereby in default for failure to take any

action or corrective measures to cure or provide for any relief or expiation as to the defects informed of.

III) The Constitution of the United States (17 Sept. 1787) consist of 7 Articles which express the duties, limits, and responsibilities of the three branches, executive, legislative and judiciary of the world-of-man *Government*"". Defining the limits of each of them to impose their will and view of morality upon the rights, liberties, privileges, protections, or any other such power as reserved to the living breathing sentient natural sovereign mortal. These Articles, along with the "*Bill of Rights*", Articles of Amendment I thru X, act as points of contract which operates only upon those employed or serving in constitutional and legislative created positions, and those who contract with the "*Government*" units; allegiance and loyalty in the United States is not due to any of the three branches, but from the executive, legislative and judiciary to the natural people, with whom the sovereign power is found and this relationship cannot be severed but by consent of the natural person. *Afroyim v. Rusk*, 87 S.Ct. 1660 (1967); founding documents.

As President of the United States, the most senior government representative, Mr. Donald Trump, who freely and openly pursued the position and took the oath of office, has the responsibility, when so informed as I have done, to take such action and corrective measures to cure, when any brand or sub-division of the United Republic violates any of the rights, liberties, privileges or protections secured by the contracts, covenants and social compacts of the World-of-Man Government, which he took the oath to uphold, perpetrated against any living breathing sentient natural sovereign mortal, any statutes which in general terms divest any pre-existing rights, liberties, privileges or protections will not be applied to the sovereign without express words to that effect. *U.S. v. United Mine Workers*, 67 S.Ct. 677 (1947).

IV) An individual who openly and actively pursued a position presiding on the bench, representing the judiciary and freely took the oath of office, should not utilize this honorable and authoritative position to advance their personal will or view of morality by arbitrarily and sua sponte dismissing an action for the purpose of harassing, causing unnecessary delay or needlessly increasing the cost of litigation to pro-se prisoner litigants, because the truths and facts found within the pleadings, motions, and exhibits may offend the political, personal and/or emotional sensibilities of the judicial officer, pierces of veil of deceit, faults, defects and fraud perpetrated against the living breathing sentient natural sovereign mortal by the "*Government*"; further upsets the already delicate balance of the public's trust and confidence in the independence, integrity and impartiality of the judiciary or sheds light onto the pathway to knowledge, understanding and wisdom, of which there are those in positions of authority whom wish for it to never see the light of day.

It is not for the courts to determine the factual truths of the affidavit in this matter, that opportunity was afforded to the most senior "*Government*" representatives: United Nations Security General Antonio Guterres; United States President Donald Trump; United States Attorney General Jeff Sessions; Arkansas Governor Asa Hutchinson; Arkansas Attorney General Leslie Rutledge; Michigan Governor Rick Snyder; and Michigan Attorney General Bill Schuette. Yet none of these senior government representatives choose to take any issue with, object to or dispute any of the factual truths presented.

Weighing of the evidence, making credibility determinations and attempting to determine the truth of a matter is the function of a jury, and the court usurp's the jury's role by conclusively resolving an issue. Put another way, the court should not compartmentalize evidence or look at categories of evidence narrowly, but look at evidence as a whole and not consider each piece of

evidence in a vacuum. These issues are for a jury, not a court to resolve, Quick v. Donaldson, 90 F.3d 1372 (8th Cir. 1996).

The original intent, purpose and design of the courts in the American Republic was not based on the King's Bench, but in that of the English Common Pleas, where one individual took action against another in business matters or an individual sought redress against another or the "Government" for a violation of some secured and protected right, liberty or privileges and that is to have been and shall be the sole purpose of the courts in the Republic. There is no provision or article to be found in any of the originating documents which permit the World-of-Man Government to independently pursue, persecute or prosecute any natural person from which they deprive their just powers from or to divest the living breathing sentient natural sovereign mortal of any of their powers of earth, laws of nature or unalienable rights as endowed by our creator, YHWH, in fact quite the opposite is found to be expressed therein. Hale v. Hinkle, 201 U.S. 43 (1905); U.S. v. United Mine Workers, 330 U.S. 258, 1947, to say otherwise is to say the great experiment has failed, thus applying a failing grade to and rendering null and void the documents upon which this republic was formed.

## REASONS FOR GRANTING THE PETITION

This Honorable high court should grant my Petition based upon:

1) That the decisions of the courts below are erroneous and conflicting with opinions previously held by other appellant courts to the extent that in Neal v. Kelly, 963 F. 2d 453 (D.C. Cir. 1992); Lewis v. Faulkner, 689 F. 2d 100, 7th Cir. and Nygaard v. Continental Resources, Inc., 598 N.W. 2d 851 (1991) that an affidavit, declaration and verification ascribed in accordance with 18 U.S.C. § 1621 and 28 U.S.C. § 1746 stands as fact and truth unless rebutted point by point, under oath in the form of an affidavit, declaration or verification within the allotted time frame. However, even to this date none of the senior "Government" representatives that were provided a copy of my affidavit to addendum D, page 8, provided any affidavit, declaration or verification in opposition to my originating affidavit. In fact the only response I received was from the Arkansas Attorney General's Office, in a response to a Request for Admissions in connection to a 42 U.S.C. § 1983 action, Addendum D, page 27, where they state that no response was required, in other words that could not contest or provide any objections to the statements I made in my affidavit as they are the truth and irrefutable.

2) That the opinion of this Honorable Court in Afroyim v. Rusk, 87 S.Ct. 1660 (1967) that the people are the sovereign in the American Republic and not any of the World-of-Man Government constructs or any individual serving in any position or capacity thereof is squarely in conflict with the decisions rendered by the courts below in this instant action.

3) That the opinions of the courts below, if allowed to stand, may have a severely adverse effect on the perception of the courts independence, integrity and impartiality, its function in the checks and balances of power structure that is one of the foundational stones of the republic, and will negatively effect the public's confidence in the judiciary, as it is the court's

duty and responsibility to hold accountable, not protect, all those who serve in any capacity or position within the governments of the United States, their agencies, departments and subdivisions to the sovereign, that being the people and in the American Republic perception is by and far reality for the many.

4) That the Constitution of the United States, Article 2 Section 3, provides that the individual holding the office of the President of the United States “*shall take care that the laws be faithfully executed*”. President Donald Trump, being informed of the constitutional and statutory violations enacted against my natural person chose to take no action or corrective measures and is therefore in default of his duties and responsibilities to the living breathing sentient natural sovereign mortal as the oath of office requires. However the courts below have protected President Trump instead of holding him accountable for his act and deeds or lack thereof. The courts being charged with avoiding improperly or the appearance of impropriety. The actions of the court below are in direct conflict with this mandate.

It is for these reasons herein that I respectfully request and believe that this Honorable High Court will find it reasonable to review the courts below for abuse of discretion, the national importance for the Supreme Court to weigh-in and issue an opinion on the issues, as well as the individual importance to myself and all others currently within this republic as to who is accountable to whom and how one is to go about securing that accountability.

## CONCLUSION


As a pro-se litigant, without formal legal education or professional legal training, the Court before granting any motions of opposing party or entry of any order or judgment, is to review and consider as evidence all of a pro-se litigants contentions offered in pleadings and motions, where such contentions are based on personal knowledge, set forth as facts that would be admissible as evidence, and where the pro-se litigant attested under penalty of perjury to the truth of the contents, national *Hockey League v. Metropolitan Hockey Club, Inc.* 96 S.Ct. 2778 (1976), some would argue that in one breath I invoke the protections secured by the world-of-man "Government" documents. Then in the next cry that they do not apply to me. However, it is they who are attempting to muddy the otherwise clear water, what I am plainly and clearly stating and as is found expressed in the charter, contract, covenant and social compact and what I claim is true and accurate. The founding documents and their subsequent follow-ons are not controlling or limiting over me. They do not define what I can and cannot do. If you find yourself disagreeing, I challenge you to go back and again read these documents. I as a living breathing sentient natural sovereign mortal am not subjugated to them. They were penned with the intent, purpose and design to secure protections for the natural person from the abuses and corruption of powers previously experienced throughout world history so that such should every be rendered unexperienced by current or future generations.

In addition to this action I am filing a notice of Individual Secession and Voluntary Relinquishment of Citizenship with the U.S. District Court for the District of Columbia as it is becoming increasingly apparent that the current form of government within the United States and the direction of those to be "serving" the sovereign wish to take this republic, are not that which were established and expressed in the founding documents as guided by my Creator, Lord



and King, YHWH, that being as such I am called to separate myself from the wicked and abhorrent practices of the people, nations and the great mother of harlots and her harlot daughters.

Respectfully Submitted



22 JUNE 2018 C.E.

James E. Whitney, Pro-Se  
Sui Juris In Pro Pria Persona  
#163817  
P.O. Box 600  
Grady, Arkansas 71644-0600

## STATEMENT OF UNDISPUTED MATERIAL FACTS

1) I, James E. Whitney, am a living breathing sentient natural sovereign mortal, not simply because I say I am, but by the fact that I was born a sovereign as bestowed upon me by my Creator, Lord and King, YHWH, the source of breath of all flesh, and not by way of any World-of-Man Government constructs, be they allegedly a state, nation or the like, and such sovereign may not be modified, altered, restricted or diminished but by consent and I have given no such consent nor have I knowingly entered into any contract or agreement with any World-of-Man Government.

2) I reserve all of my freedoms, liberties, rights and protections at all times and I wave none of them at any time nor will I sign anything that relieves me of my security interest as beneficiary.

3) I do not recognize any pledges, nor any loyalties or allegiances to any such world-of-man government constructs. My loyalty and allegiance is pledged, In Toto, without reservation, only to the supreme sovereign ruler, YHWH, Leviticus 18:4-5; Deuteronomy 13:5.

4) I was made in the image of my Creator, Lord and King, Ehyeh-asher-ehyeh, (YHWH) Genesis 1:26-27.

5) I was given dominion over and tasked as a steward and caretaker over all that is above, below, and on the earth by the Supreme Sovereign ruler, YHWH. Genesis 1:28-30.

6) I am only subject onto the Kingdom of YHWH. Exodus 19:5-6; Exodus 34:10.

7) As a first born son of a descendant of Israel, I am further consecrated as an ambassador of the Kingdom of YHWH. Exodus 13:1-2.

8) There is no other authority, instruction, law or rules, but as those provided by YHWH and recorded in Torah, Leviticus 18:4-5; Leviticus 26:46; Deuteronomy 4:2.

9) Although I may reside within or be confined in the lands or territories of any world-of-man government constructs. I am neither to bend knee to or confirm with their ways or practices. I operate and function as a vassal and ambassador for the expression of the kingdom of YHWH, Exodus 23:24; Deuteronomy 13:1; Judges 2:2.

10). There has been no evidence or documentation provided of my liability to any world-of-man government constructs or that any world-of-man constitutions operate upon me and therefore subject me to any of their rules regulations or statutes or that I am under contract to or have entered into an agreement with any World-of-Man Governments or any of their agencies or sub-divisions.

11) The world-of-man constructs constitutions, rules, regulations, and statutes only apply to those employed or serving in constitutional or legislatively created positions or offices and those who contract with the state. The purpose of the constitutions, agreements, contract, covenants, social compacts and statutes are to limit those in constitutional and legislative created positions and offices and those who contract with government units, to the end of protecting the living breathing sentient natural sovereign mortals whom may reside within their sphere of influence from corruption and abuses of power that have previously been experienced.

12) I am not a person regulated by the "state", I do not hold any position or office where I am subject to the constitutions or legislators. The world-of-man constitutions and legislators do not dictate what I do or do not do, nor am I currently under any oath of office, and rescind any and all prior endorsements of such, I further decline any and all offers to contract and reserve the right to reject any and all, I do not concede to any presumptions to the contrary, whether know or unknown to me, with or without my consent.

13) The world-of-man government construct, nor any of its agencies or subdivisions, may not lawfully move against me, as they did not create the office or position of the sovereign. Therefore they do not regulate or control those in the position of being the sovereign, and I, as a sovereign, have not delegated to them any such power. No world-of-man government construct, now any of its agencies or subdivisions may ascribe penalties for the breach of the office of the sovereign.

14) I am not a party or signatory nor knowingly a descendant of any party or signatory of any of the contracts, covenants, or social compacts that establish or make up the World-of-Man Governments of the United States or any of its subdivisions.

15) The living breathing sentient natural sovereign mortals, are the creators of the "state". My freedoms, liberties, rights, and protections are long antecedent to the creation of the "state" and are inherent, they are not dependant on any world-of-man government construct, benefit, constitutions or piece of legislation, they are non-negotiable, the "state" can list them and protect them that is their duty, buy they are not their's to give away, alter, restrict or diminish in any was and they can not be waived under any circumstance or act. Nor do I agree or consent to any world-of-Man "Government" to subjugate me, my freedoms, liberties, rights, or protections.

16) I am not named in any world-of-man constructs, constitutions, covenants, social compacts or statutes of the United States or the State of Arkansas. If otherwise, produce the evidence and documentation where I am.

17) The Supreme Court having held in *Hale v. Hinkley* 201 U.S. 43 (1905) that since the private man [*the living breathing sentient natural sovereign mortal*] is not named in the statutes and all statutes are for the regulation of business due to the fact that the natural persons rights

existed long antecedent to the organization of the "state" he owes no such duty or loyalty to such, since he receives nothing therefrom.

18) That I am being held captive and illegally by the State of Arkansas. As a prisoner in their Department of Correction, at the Varner/Varner Super Max Unit in Grady, Arkansas, being confined and sequestered in a cell 24/7 approximately 8' x 17' in size under Extended Protective Restrictive Housing pursuant to threats of great physical harm from both staff and prisoners alike since 14 Nov. 2016.

19) That the sentence of 540 years, under which I am currently being held captive under, is a defacto sentence of life without parole, the indictment being duplicitous in nature. The sentence imposed in contrary to and in violation of the Constitutions, Laws, Statutes, and Treaties of the United States and the State of Arkansas. See *Arkansas Code Annotated (A.C.A.)* § 5-1-109; § 5-1-110; §5-1-112; § 5-4-501; § 5-27-602; § 16-90-107; § 16-91-113; 1993 *Arkansas Law Act 550*; *Arkansas Sentencing Standards Grid*; *U.S. Constitution Amendments 1, 4, 5, 8, 9 and 14*; *Constitution for the State of Arkansas Article 2 § 1, § 2, § 6, § 8, § 9, § 15 and § 29.*

20) No individual serving or employed in any World-of-Man Government construct constitutional or legislative created position or capacity is entitled to immunity in any form or fashion for their conduct or decisions made in the course of their duties. The founders of the American Republic found it so sacred, compelling and important that the living breathing sentient natural mortal be recognized as by and for the sovereign superior to any World-of-Man Government Constructs that they decisively acknowledged this in the creation and textualization of the founding documents. See *The Declaration of Independence, 04 July 1776*; *The preamble and Tenth Amendment to the Constitution of the United States, 17 September 1787*; *The Preamble to Articles 2 §§ 1 and 29 of The Constitution of the State of Arkansas, to protect the*

living breathing sentient natural sovereign mortal, not to subjugate or rule over them, *To Put An END* to such corruption and abuse of power as had been previously experienced, so that they should ever be extirpated. Moreover, these founding documents as well as any legislature or statutes to be created were/are to be controlling and limiting only over those individuals employed or serving in Constitutional or Legislative created positions as well as those who contract with such world-of-man government construct and I am neither one who holds any such position nor am I under any contract or entered into any agreement with any of these constructs, *See Afroyim v. Rusk*, 87 S.Ct. 1660 (1967); *Padleford, Fay & Co. v. The Mayor and Aldermen of the City of Savannah*, (1854).

21) Allegiance and loyalty in the United State is not due to any of the three branches, but from the executive, legislative and judiciary to the natural people, with whom the sovereign power is found and this relationship cannot be severed but by consent of the natural person, *See Afroyim v. Rusk*, 87 S.Ct. 1660 (1967); Founding Documents.

22) Any statute, which in general terms divest any pre-existing rights, freedoms, liberties, privileges or protections will not be applied to the sovereign without express words to that effect. *See U.S. v. United Mine Workers*, 67 S.Ct. 677 (1947).

23) It is incorrect to apply or utilize the title of sovereign to refer to any World-of-Man Government constructs, such as the United States, the State of Arkansas, their agencies, department, subdivisions or those who serve in any capacity thereof. The second paragraph of the Declaration of Independence of 1776 states: "*That all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, Governments are instituted among men, deriving their just power from the consent of the governed that whenever any from of*

*Government becomes destructive of these ends, it is the right of the people to alter or abolish it."*

This founding document of the American Republic goes on further to state: *"But when a long train of abuses and usurpation, pursuing in variably the object evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such Government."* This is a plain and clear demonstration that those who penned this document decisively acknowledged that the individual living breathing sentient mortal is by and far the natural sovereign superior, this having been established by my Creator, Lord, and King, YHWH, in the beginning, and it is therefore improper and unconstitutional to refer to any World-of-Man Government constructs by the title of sovereign or to infer the powers of sovereign upon them, be they allegedly a state, nation or the like.

24) The original intent, design and purpose of the courts in the American Republic was patterned after the common pleas venue of the English Common Wealth, where one individual took action against another in business matters or an individual sought redress against another person or the "Government" for a violation of some secured and protected right, freedom, liberty or privilege. Where the court was an impartial, un-bias, non-interested third party to assure Court Rules and proceeding where adhered to and render a judgment based solely on the evidence adjudicated before a jury. That is to have been and shall be the sole purpose for the court in the American Republic. There is no provision or article to be found in any of the originating documents which permits the World-of-Man Government to independently pursue, persecute or prosecute any natural person from which they derive their just powers or to divest the living breathing sentient natural sovereign mortal of any of their powers of earth, laws of nature or unalienable rights as endowed by our Creator, YHWH. In fact quite the opposite is found to be expressed in the founding documents. See Hale v. Hinkle, 201 U.S. 43 (1905); U.S.

v. United Mine Workers, 330 U.S. 258 (1947). To say otherwise is to say that the great experiment has failed, thus applying a failing grade to and rendering null and void the documents upon which this Republic was formed and declaring that the United States of America no longer exist as founded.

25) However, with the creation of a criminal division venue and the advent of a state prosecutor, usurping the role of the sovereign or victim proper to make the decision to pursue an action or more so improper when the World-of-Man Government construct presumes to become a victim when no such victim exist, one ends up with the recreation of the King's Bench venue that the founder of the Republic found so abhorrent and abominable as to have expressed that the abuses of the King's Bench as a number of the issues for which they found the need to separate and Declare Independence from the English Monarchy and penned them decisively in paragraphs 11, 12, 16, 18, 21 and 23 of the Declaration of Independence of 1776. In the criminal division venue as with the King's Bench the state court is no longer a impartial, unbiased, uninterested third party but being inextricable intertwined with the state prosecutor and through the simple logic that a house divided against itself cannot prosper by necessity the state court must side with the state prosecutor, with rare exception, who as an interloper has illegally and improperly taken on the role of victim with indifference and insolent as to whether or not there is an actual victim proper and disregarding the choice and option of any victim proper as to proceed or not with an action. This impropriety is demonstrated by Article 5 § 20 of the Constitutional of the State of Arkansas which state: *"The State of Arkansas shall never be made defendant in any of her courts,"* and *Arkansas Code Annotated § 16-58-101* which states: *"No action shall be entered upon the docket of any court nor any original mesne or final process issued in the action, except in criminal cases and cases where the state is Plaintiff, until the fees for entering the case upon*




*the docket and for issuing the writ and the taxes thereon, if any, are paid, bond and security to the approval of the clerk given therefore.*” In other words the sovereign must pay a fee to access the state court, but the state prosecutor need not pay any fee to access their court, thereby rendering the criminal court venue contrary to the originating documents of the American Republic and unconstitutional in nature, to publish an opinion otherwise is to rule that the documents upon which the United State of America was founded are null and void and the republic which they formed no longer exist as it was intended and designed.

Expressio unius est exclusio alterius

Falsus in uno, Falsus in omnibus

Respectfully Submitted,



22 JUNE 2018 C.E.

James E. Whitney, Pro-Se  
Sui Juris In Propria Persona

#163817

P.O. Box 600

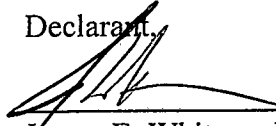
Grady, Arkansas

71644-0600

**DECLARATION**

I, James E. Whitney, a living breathing sentient natural sovereign mortal, do hereby declare and verify, under penalty of perjury in accordance with 28 U.S.C.A. § 1746 and 18 U.S.C. A. § 1621 that the above statements contained herein are true and correct to the best of my knowledge and belief as executed by my hand this 22<sup>nd</sup> day of JUNE 2018 C.E.

Declarant,



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James E. Whitney, Pro-Se  
Sui Juris In Propria Persona