

19-7399

No. _____

Supreme Court, U.S.
FILED

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OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Frederick Charles Harris II

— PETITIONER
(Your Name)

vs.

United States

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S Court of Appeals For The Federal Circuit

PETITION FOR WRIT OF CERTIORARI

Frederick Charles Harris II

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ORIGINAL

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QUESTION PRESENTED

- 1. Why was my demand denied when the defendant, the Commissioner of the IRS, admitted in writing that they didn't have jurisdiction to take my assets?**

PARTIES

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

TABLE OF AUTHORITIES

CASES

Cheatham v. United States, 92 U.S. 855, 6

OPINIONS BELOW

The opinion of the United States Court of Appeals for The Federal Circuit appears at Appendix C to the petition and is unpublished.

The opinion of United States Court of Federal Claims appears at Appendix D to the petition and is unpublished.

JURISDICTION

The date on which the United States Court of Appeals for The Federal Circuit decided my case was October 10, 2019. A timely petition for rehearing was denied by the United States Court of Appeals for The Federal Circuit on the following date: November 27, 2019, and a copy of the order denying rehearing appears at Appendix A. The Jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

RELEVANT CONSTITUTIONAL AND STATUTORY PROVISIONS

This case arises under the Fourth Amendment of the Constitution. The Fourth Amendment states in part, “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated...” U.S. Const. amend. IV.

STATEMENT OF THE CASE

In *Cheatham v. United States*, 92 U.S. 85, this court describes remedies to taxpayers as follows: “So also, in the Internal-revenue department, the statute which we have copied allows appeals from the assessor to the commissioner of internal revenue; and, if dissatisfied with his decision, on paying the tax the party can sue the collector; and, if the money was wrongfully exacted, the courts will give him relief by a judgement, which the United States pledges herself to pay.” After submitting my claim of \$40,000 being wrongfully taken from, admitted by the Commissioner of the IRS in the United States Tax Court (please see attached Appendix E), both the Court of Federal Claims and United States Court of Appeals for the Federal Circuit continued to ignore my claim and ruled against me for failure to prosecute and failure to comply with a court order (please see attached Appendix D, Appendix C and Appendix B).

REASON TO GRANTING THE WRIT

This Court should grant certiorari to reverse the rulings of both the Court of Federal Claims and the United States Court of Appeals for The Federal Circuit on the grounds that the Commissioner of the IRS admitted to wrong doing by taking my assets without jurisdiction. The lower courts ruled against me refusing to recognize the jurisdictional challenge, which makes them complicit in the fraud perpetrated against me, which is also in clear violation of the Supreme Law of the Land (Cheatham v. United States, 92 U.S. 85) and of my Fourth Amendment right.

The lower courts have stood on the grounds that jurisdiction doesn't matter, in other words, the defendant can come into my home, at any time under any condition to take anything they want at any time as much as they want as there is No Protection. But this Court is about holding the defendant to the same standards that I, the plaintiff, am held at.

The IRS admitted in writing that they didn't have jurisdiction over me, and yet they took my assets of \$40,000 by threat, duress and coercion, knowingly without jurisdiction to do so. I believe I'm entitled to more than the \$40,000 that was taken from me because of the damages I endured during this entire process, however I would like to see the \$40,000 plus interest at a minimum returned to me that the IRS knowingly have taken from me or whatever this Court deems reasonable.

CONCLUSION

The Petition for a writ of certiorari should be granted.

Respectfully submitted,

Frederick Charles Harris II

Date: January 15, 2020