

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

RAYLAND J. BRUNSON,
Petitioner,

v.

ALMA S. ADAMS, *et al.*,
Respondents.

**MOTION FOR LEAVE TO FILE AN ADDENDUM/ERRATA
TO THE AMICUS BRIEF PREVIOUSLY FILED,
MOTION FOR LEAVE TO FILE BRIEF ON 8½ BY 11 INCH
PAPER ON BEHALF OF PAUL PRESTON, AND
NEW CALIFORNIA STATE
IN SUPPORT OF PETITIONER**

To the Honorable John G. Roberts, Jr
Chief Justice of the United States

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**MOTION FOR LEAVE TO FILE ADDENDUM/ERRATA TO THE
AMICUS BRIEF IN SUPPORT OF PETITIONER BY
PAUL PRESTON, INDIVIDUALLY AND
AS PRESIDENT OF THE NEW CALIFORNIA STATE MOVEMENT**

Paul Preston, individually and as President of the New California State Movement, and New California State (NCS51) respectfully moves for leave of Court to file the accompanying Addendum/Errata to the *Amicus Curiae* brief previously filed in support of Petitioners Raland Brunson's Petition for Writ of Certiorari.

IDENTITY AND INTEREST AND MOVANT¹

Paul Preston is an elector in Sutter County, California, and the President of the New California State Movement.

The New California State Movement is an unincorporated Association. The New California State Movement is a movement to form a new state out of the existing state of California pursuant to the United States Constitution, Article IV, Section 3. This Movement is modeled after the formation and procedure of what is now West Virginia, and expects to stand up as a State in the first quarter of 2023 by submitting a Resolution of Statehood to the United States' Congress.

Neither this attorney, Mr. Preston, nor the New California State Movement has received any payment nor any offer of payment from anyone to file this proposed *Amicus Curiae* brief. Consistent with Federal Rule of Appellate Procedure 29(a)(4)(E) and this Court's Rule 37.6, counsel for Movant and *Amicus* authored these motions and brief in whole, and no counsel for a party authored the motions and brief in whole or in part, nor did any person or entity, other than the Movant/*Amicus* and their counsel, make a monetary contribution to preparation or submission of the motions and brief.

¹ Counsel for Applicants have orally consented to the filing of this Addendum/Errata to their brief on December 30, 2022. Counsel for Respondents signed a waiver of right to file a response so were not asked their position regarding the filing of this brief.

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STATEMENT OF THE CASE

Proposed *Amicus* adopts Petitioner's STATEMENT OF THE CASE specifically including the identities of the Defendants; that said Defendants were requested to investigate possible voter/election fraud; and that said Defendants failed and neglected to so investigate.

In Proposed *Amicus*'s initial filing, Proposed *Amicus* said he could not find written proof of the objection Petitioner referred to. Proposed *Amicus* has now found that missing information and is requesting this Honorable Court to allow Proposed *Amicus* to submit this Addendum/Errata to supplement the earlier filing as though it had been included in the original filing.

As set forth below, in the printed Congressional Record for January 6, 2020, the written record reflects a written objection was filed on page H77. Then-Vice President Pence certified the objection was properly filed. The objection requested the Arizona delegation not be seated, but that the Arizona State certification be remanded to the Arizona Governor and Secretary of State to investigate the irregularities complained of as set forth in the body of this Addendum/Errata. The objection and request for remand was debated between pages H77 and H93, then voted on.

One hundred twenty-one (121) members of Congress voted in favor of the written objection and the Defendants voted against the objection.

Proposed *Amicus* also agrees with Petitioner that, if an election were "rigged," the net effect would be the same as if the person for whom the election were "rigged" would have been put in office by force of arms.

SUPPLEMENTAL POINTS, AUTHORITIES, AND ARGUMENT

- I. THERE *WAS* A REQUEST BY 121 MEMBERS OF THE U.S. CONGRESS TO REMAND THE CERTIFICATION OF THE ARIZONA VOTE TOTAL TO INVESTIGATE LEGALITY AND PROPRIETY OF THAT DELEGATION'S CERTIFICATION.

Proposed *Amicus* has found in the written Congressional Record, Volume 167 dated January 6, 2021, page H77 a reference to and a *verbatim* text of a written objection to the certification of the vote for the Arizona delegation. Then-Vice President Pence found that the objection was in the proper form and needed to be considered. This Honorable Court is bound by such factual finding.

Proposed *Amicus* has appended hereto and incorporated by reference as though fully set forth herein Exhibit 1, a quick guide to the relevant quotes, citations, and pages of the pages giving all members of Congress notice of the election irregularities and the investigation demand.

The objection challenged the irregularities in several states, requested investigations in those states, and specifically requested requested the certification of the Arizona Electors delegation should be remanded to Arizona for investigation. That request was debated from pages H77 to page H93 when a vote was taken. On page H93 is a list of the 121 Congressional members who supported the request for investigation. The Defendants voted against the investigation.

During the debate, Arizona Representative Andy Biggs pointed out [in the first column of page H80] the Arizona trial court unconstitutionally changed the Arizona voting laws in violation of the U.S. Constitution, Article II, Section 1, which states,

Each State shall appoint, in such Manner as *the Legislature* thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector. [Emphasis added.]

In the middle column of page H80, Representative Biggs pointed out that more than 32,000 people were allowed to unlawfully cast ballots, more than the alleged margin of victory for President Biden in the state of Arizona. These are serious allegations begging for investigation that threaten the very core of our Republic.

Representative Biggs' allegations were not addressed nor rebutted and, for the purposes of Petitioner's Petition for Writ of Certiorari, the previously filed *Amicus* briefs by Paul Preston, New California State and New Nevada State, should be regarded as true in this proceeding.

II. HOW CAN MEMBERS OF CONGRESS, AFTER TAKING AN OATH TO UPHOLD AND DEFEND THE CONSTITUTION THEN PASS LEGISLATION THAT ALLEGEDLY IMMUNIZES THEM FROM ANY LAWSUIT CHALLENGING THEIR UNCONSTITUTIONAL ACTION?

Petitioner correctly points out two important rights "we, the People" have: a right to petition our government for a redress of grievances; and to hold our government officials, appointed or elected, to their oath of office.

As previously noted, the right to petition our government for a redress of grievances is contained in the First Amendment of the U.S. Constitution, which states:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Petitioner has peaceably come to this Honorable Court requesting this Court to redress an obvious grievance. Proposed *Amicus* supports Petitioners peaceful grievance petition pursuant to *Puerto Rico v. Branstad, Governor of Iowa* (1987) 483 U.S. 219, 228, 107 S.Ct. 2802, 97 L.Ed.2d 187.

Those who should have heard and ordered the investigation of the grievances brought forth

by Representatives Gozar and Biggs and Senator Cruz are bound by an oath to uphold the Constitution. The U.S. Constitution, Article VI, Clause 3 states:

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

All members of Congress assembled on January 6, 2021 had taken an oath to uphold and defend the Constitution before the proceedings recorded in the Congressional Record , Volume 167 beginning on page H67 transpired. In light of the evidence enumerated in the Congressional record, pages H77 to H93, they - the Defendants listed in the Petition for Certiorari - failed to keep their oath.

III. THOSE CONGRESSIONAL OFFICERS BOUND TO THE CONSTITUTION BY OATH HAVE COMMITTED TREASON WITHOUT FORCE OF ARMS BY FAILING TO ORDER THE INVESTIGATION OF THE ARIZONA DELEGATION AS REQUESTED BY A MEMBER OF THAT DELEGATION.

As previously mentioned in the previous filing by this *Amicus*, treason is attacking or betraying a governmental authority to which one owes allegiance. It is Constitutional and in the best interest of *all* voters that every *legal and legitimate* vote be counted. When the votes of those who have illegally voted are counted, the vote of the entire body politic is unlawfully diluted.

This Honorable Courts has already ruled that one need not pick up arms in order to “levy war” in *US v Burr* (1807) 4 Cranch (8 US) 469, 2 L.Ed. 684.

Thus, Petitioner is correct in his assertion that Defendants treasonously violated their oath by failing to investigate and take action against those who act to subvert the Constitution.

CONCLUSION

For these and all the foregoing reasons, Petitioner's Petition for Certiorari should be granted, and, further, granted on its face without necessity of a hearing.

Dated: December 31, 2022


/s/ Robert E. Thomas, III

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