

No. 23-1073

In The
Supreme Court of the United States

Supreme Court, U.S.
FILED
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—◆—
RALAND J BRUNSON,

Petitioner,

v.

SONIA SOTOMAYOR, et, al.,

Respondents.

—◆—
On Petition for Writ of Certiorari
To The United States Court Of Appeals
For The Tenth Circuit

—◆—
PETITION FOR A WRIT OF CERTIORARI

—◆—
Raland J Brunson
4287 South Harrison Blvd., Apt 132
Ogden, Utah 84403
Phone: 385-492-4898
Petitioner in pro se

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SUPREME COURT, U.S.

QUESTIONS PRESENTED

A serious conflict exists between decisions rendered from this Court and lower appeal courts, along with conflict that exists between constitutional provisions and statutes that do or do not protect treason and misprision of treason.

1. Also, under the U.S. Constitution and supportive citations as demonstrated in this case, doesn't the lower court have jurisdiction to try the merits of this case?
2. Also, under acts of treasons doesn't the lower court have the authority to remove sitting Justices of this the Supreme Court of the United States, while deeming them unfit from ever holding a office under Federal, State, County or local Governments found within the United States of America?
3. Also, the doctrine of equitable maxim, created by this Court, doesn't it set in direct violation of jurisprudence affecting every court in America?
4. Also, doesn't the requirement that permission must first be granted before suing a Federal Officer place a unconstitutional restriction against the free exercise of the First Amendment to petition the government for a redress of grievances?
5. Also, isn't it unconstitutional for any statute, or citations or any legalese that provides a shield of immunity towards the protection of the guilty rather than the accountability of the guilty?

6. Due to the fact that the last few words of the oath of office state "So help me God" does this not mean that when this oath is taken they have sworn to God with allegiance to God and the Holy Bible?
7. Also, when one violates the oath of office is it not an act of treason?
8. Also, does not a remedy exists that supersedes the unconstitutional governmental immunity while still protecting governmental officials making other remedies redundant and unconstitutional?

These questions/conflicts call for the supervisory power of this Court to resolve these conflicts, which has not, but should be, settled by this Court without delay.

PARTIES TO THE PROCEEDING

Petitioner Raland J Brunson is an individual representing himself and is a Plaintiff in the trial court.

Respondents are Sonia Sotomayor, Elena Kagan and Ketanji Brown Jackson.

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- *Raland J Brunson v. Sonia Sotomayor, et al.*, No. 1:21-cv-00111-CMR, U.S. District Court for the District of Utah. Judgment entered August 11, 2023.
- *Raland J Brunson v. Sonia Sotomayor, et al.*, No. 23-4108, U.S. Court of Appeals for the Tenth Circuit. Judgment entered February 9, 2024.



JURISDICTION

Jurisdiction is found under *28 U.S.C.A. §1257(a)*

“Final judgments...rendered by the highest court of a State...may be reviewed by the Supreme Court by writ of certiorari...where any...right [or] privilege...is specially set up or claimed under the...statutes of...the United States.”



SUPREME COURT RULE 14(F) PROVISIONS

Amendment I of the Constitution of the United States: "Congress shall make no law respecting an establishment of religion, or prohibiting . . . the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Article VI of the Constitution. “This Constitution, and the Laws of the United States which shall be made Pursuance thereof; . . .shall be the supreme Law of the land; and the Judges in every State shall be bound thereby.”

Fourteenth Amendment to the Constitution of the United States; “. . . nor shall any state deprive any person of life, liberty, or property, without due process of law. . . nor deny to any person within its jurisdiction the equal protection of the laws.” **Section 3:** “No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.”

Fifth Amendment of the United States Constitution: “No person shall...be deprived of life, liberty, or property, without due process of law . . .”

Ninth Amendment of the Constitution of the United States; “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.”

Article I Section 7 of the Constitution of Utah; “No person shall be deprived of life, liberty or property, without due process of law.”

Article 1 Section 2 of the Constitution of Utah; “All courts shall be open . . .which shall be administered without denial or unnecessary delay; and no person shall be barred from prosecuting or defending before any tribunal in this State, by himself or counsel, any civil cause to which he is a party.”



STATEMENT OF THE CASE

This case presents the argument that this Court's supervisory powers is needed to rule;

1. That the Tucker Act as used in this case is unconstitutional.
2. That sovereign immunity as applied in this case is unconstitutional.
3. That the removal of this case from State Court to Federal Court is unconstitutional.
4. That the legal lease holding that State court does not have subject matter jurisdiction in this case is unconstitutional.
5. That the legalese holding that the Court of Federal Claims has exclusive jurisdiction to try the merits of this case is unconstitutional.
6. That the legal requirement to obtain a waiver of sovereign immunity before pursuing the claims of this case is unconstitutional.

The issues presented in this case are very sensitive, serious and wide spread and affects all of America, therefore "It is emphatically the province and duty of the judicial department to say what the law is [on this issue]." Marbury v Madison, 5 US 137 (1 Cranch) (1803) (*bracket emphasis added*)

Should the Justices of this Court address the merits of this case then they will have supported the "Law of the Lord" per the words of Isaiah.

The "law of the Lord" as defined by religious scholars is the Constitution. See page 5 of the complaint.

—IMMUNITY & SUBJECT MATTER JURSDICTION—

It is the position of the Respondent's that "Article III generally requires a federal court to satisfy itself on its jurisdiction over the subject matter before it considers the merits of a case." Ruhrgas AG v. Marathon Oil Co., 526 U.S. 574, 583 (1999). In this consideration the lower courts ruled in support of Respondents argument, that Petitioner Raland J Brunson ("Brunson") lacked subject matter jurisdiction and that Respondents had immunity against Brunson's claims as dictated by, but not limited to, the following legalese; the Tucker Act, the Federal Tort Claims Act, 28 U.S. C. § 1442 & 1441(f) & 2679(b)(1) & 1346(b)(1), Minnesota v. United States, 305 U.S. 383, 389 (1939), Crow v. Wyo. Timber Prods. Co., 424 F.2d 93, 96 (10th Cir. 1970), Arizona v. Manypenny, 451 U.S. 232, 242 n. 17 (1981), Bowers v. J & M Disc. Towing, LLC 472 F. Supp. 2d 1248, 1254 (D.N.M. 2006) James v. United States, 970 F.2d 750, 753 (10th Cir. 1992, and United States v. Mitchell, 463 U.S. 206, 212 (1983).

The said legalese used to dismiss Brunson's claims are set in direct violation of Brunson's due process rights and are unconstitutional as played out against Brunson. More specifically, the State Court had jurisdiction to address the merits of Brunson's claims and the Respondents had no protection of immunity. This is dictated by the supreme law of the land.

It is self-evident that the U.S. Constitution was not written to protect treason by providing immunity or restrictions against the right to pursue claims of treason or a redress of grievances under Amendment I. Instead its powers are incorporate for the expedient free pursuit of such claims in any Article III Court of both State and Federal. (State Courts are also Article III Courts—"The judicial Power shall extend to all Cases" Article III § 2)

The U.S. Constitution, which is the supreme law of the land, has provided the mechanism of protection for Brunson to bring his claims against the respondents in

State Court and for his claims to be addressed as a matter of law. The extent of this argument is more fully found in the appendixes wherein Brunson gives a full legal analysis of this argument while only incorporating bits and pieces of it herein as set forth.

Brunson's objection to report and recommendation ("OtoR&R") under appendix 6 provides the legalese clearly pointing to the fact that the Respondents clearly are accountable to Brunson, and that it is Brunson whom is sovereign, and against Brunson's sovereignty Respondents have no constitutional right to claim any immunity as protection against Brunson's claims.

Again, the Respondents are accountable to Brunson, they do not have immunity against Brunson's claims, and the State Court has jurisdiction to try the merits of this case. this is the law. See OtoR&R at *Alden*.

Again, the legalese that the lower courts relied upon to rule against Brunson are unconstitutional as put forth in the OtoR&R and the other appendixes from Brunson.

Again, the government/Respondents are not above Brunson and as such they cannot claim immunity against Brunson's claims. To argue that their immunity can be pierced by permission from the government is the same as to say that it is the government that is above Brunson and Brunson must seek permission from the government who can deny this permission.

And to claim that Brunson can sue the Respondents, but only in a special court known as Court of Federal Claims once again puts the government above Brunson, for it dictates to him where he can sue instead of Brunson being able to freely exercising under his 1st Amendment protected right to seek a redress of grievances in any Article III

Court. See the whole of the OtoR&R and Appendix's 31 & 41..

Giving immunity to the Respondents is also a violation of title of nobility clause. "No title of Nobility shall be granted by the United States". Article I, Section 9, Clause 8 of the Constitution, also see Appendix >>

The U.S. Constitution is a restriction against the government, not Brunson. In addition, this Court has stated "we have made clear that individual rights enumerated in the Bill of Rights and made applicable against the States through the Fourteenth Amendment have the same scope as against the Federal Government." New York State Rifle & Pistol Association, Inc., et al. v. Bruen et al., 597 U.S. (2022). See also appendix's 6, 31 & 41.

It is the government that must be careful in creating and prosecuting laws that do not violate our self-evident God-given rights. See appendix's 6, 31 & 41.

One step closer to foreclosing on Brunson's right to sue the Respondents is found by the said restriction Respondents used against Brunson's right to freely sue. These restrictions are unconstitutional because they place the government above the man (Brunson).

The oath of office requires all those who take it to protect the constitution against all enemies foreign and domestic, this is a contract, an obligation, a duty to each American. When it is violated this is an act of treasons and a breach of contract.

Because the oath of office is freely taken, it instills the belief that it will not be violated, and when it is violated this becomes an infliction of emotional distress against one believing in the oath taker.

A violation of the oath is also an act of fraud, because the oath taker made people believe it would never be violated.

And when the oath is violated by several oath takers over the same known matter who are in a position of judicial power, this becomes an act of civil conspiracy.

Brunson has a right to enjoy the promises the oath of office it employs, and when it is violated he has a remedy at law for compensation. See the OtoR&R at *Alden and Marbury*.

Again, Brunson claims against the Respondents are for breach of contract, intentional infliction of emotional distress, fraud and civil conspiracy. All developed under their oath of office. Brunson's complaint factually alleges that the Respondents have taken the oath of office, and after having done so have violated their oath of office by giving aid and comfort to enemies of the Constitution, which is an act of treason, fraud and a breach of contract.

"Let it simply be asked, where is the security for property, for reputation for life, if the sense of moral and religious obligation desert the oaths which are the instruments of investigation in courts of justice." —George Washington on the sanctity of oaths.

Furthermore, had the trial court adhered to the doctrine of the object principle of justice, which sets is direct opposition to the doctrine of equitable maxim, which was created by this Court, this appeal would not have been necessary.

The doctrines of equitable maxim and the object principle of justice are fully explained in a petition before this court under docket No. 18-1147. To avoid being repetitious, Brunson herein incorporates the argument found therein as though fully stated herein and moves this court to address

the question either under this petition or docket No. 18-1147.

◆

REASONS FOR GRANTING THIS PETITION

Brunson's complaint alleges fraud, violations of the Oath of Office and touches on acts of treason committed by the Respondents. These serious offenses need to be addressed immediately with the least amount of technical nuances of the law and legal procedures because these offenses are flowing continually against Brunson's liberties and life and consequently is a continual national security breach.

Seeking a redress of grievances, as Brunson has done herein, is a great power one retains to protect himself from the encroachment of a tyrannical government. It is Brunson's personal voice and the way he can protect his personal constitutional protected rights and the U.S. Constitution.

This case represents a national security interest. Brunson moves this court to be swift by going beyond granting this petition, it should order the lower court to grant Brunson's complaint to avoid any further delay.

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CONCLUSION

This petition is set forth in the interest of justice in protecting Brunson's right to petition for a redress of grievances against the Respondents, and ensuring his right of due process against the encroachment of the doctrine of equitable maxim, and charging the Respondents who failed to honor their oath of office to answer Brunson's complaint.

Dated: March 11, 2024

Respectfully submitted,

/s/ Raland J Brunson
Raland J Brunson
4287 South Harrison Blvd., Apt 132
Ogden, Utah 84403
Phone: 385-492-4898
Petitioner in pro se