ORIGINAL

23-5856

Case No.

IN THE SUPREME COURT OF THE UNITED STATES

Dmt MACTRUONG, also known as MAC DR. TRUONG
Appellant-Petitioner

versus

Greg ABBOTT, *Governor;* Dan PATRICK, *Lieutenant Governor;*
Dade PHELAN, *Representative;* Donald J. TRUMP,
Brett KAVANAUGH, *Justice;* Neil GORSUCH, *Justice*;
Amy Coney BARRETT, *Justice.*
Appellees-Respondents

On Petition for Writ of Certiorari to the
United States Court of Appeals for the Fifth Circuit

PETITION FOR A WRIT OF CERTIORARI

Dmt MacTruong, J.S.D., Ph.D., LL.M., Petitioner ***pro se***
875 Bergen Avenue
Jersey City, NJ 07306
(914) 215-2304
Email: dmtforest@aol.com

QUESTIONS PRESENTED

1. Does Petitioner, Dmt MacTruong, a U.S. citizen living in New Jersey, have standing to sue in the U.S. District Court for the Western District of Texas, Austin Division, seven Defendants, some of whom live in Texas, other outside, who have maliciously acted in concert to achieve their Trumpist MAGA racist and **misogynist** agenda for all of America by making unconstitutional anti-abortion legislation in violation of Petitioner's original copyrighted intellectual property entitled the **CCO Network** that was minutely and articulately explained and tangibly documented as a legal playwright scenario, in undisputed egregious violation of Petitioner's constitutional and civil rights being expressly protected by 10 U.S.C. § 921 - Art. 121, (Larceny and wrongful appropriation); and/or other applicable provision of the U.S. Laws and Constitution, such as 18 U.S.C. § 1512(k) (Conspiracy to Obstruct an Official Proceeding), or 18 U.S.C. §§ 1512(c)(2) (Obstruction of and/or Attempt to Obstruct an Official Proceeding,) and/or 18 U.S.C. § 241 (Conspiracy Against Rights.)

2. In the event all elected Democratic and Republican representatives and leaders of America have publicly failed to perform their duties of defending and upholding the most important values, highest goals, and principles of the U.S. Constitution and the Declaration of Independence, would any U.S. citizen, such as Petitioner herein, have both the sacred duty and legal standing to move a U.S. Court of competent jurisdiction or ultimately this USSC to unmask and hold accountable racist and misogynist criminals, such as the Respondents herein, who have acted in concert under color of State law known as the **Texas Heartbeat Act**, Senate Bill 8 (SB 8), by misrepresentations of fact or law to rape and murder innocent child-bearing-aged (CBA) women, sometimes as young as 10 years of age, in egregious violation of the latter's constitutional rights to life, liberty, property, privacy, and the pursuit of happiness, the 13th and 14th Amendments to the U.S. Constitution, the 1866 and 1964 Civil Rights Acts, and the constitutional *Roe v. Wade* ruling by this Court in 1973?

PARTIES TO THE PROCEEDING

There are no other parties than those named in the following NEW CAPTION of this proceeding, to wit:

Dmt MACTRUONG, Appellant-Petitioner

Appellees-Respondents:

(1) Texas Governor Greg Abbott,
(2) Texas Lt Governor Dan Patrick,
(3) Texas Representative Dade PHELAN,
(4) Former U.S. President Donald J. Trump,
(5) U.S. Associate Justice Amy Coney Barrett,
(6) U.S. Associate Justice Neil M. Gorsuch,
(7) U.S. Associate Justice Brett M. Kavanaugh,

[SIDENOTE (*): The Original Caption of this Civil Action is CHANGED intentionally by Petitioner herein to remove U.S. Associate Justice Samuel Alito, and U.S. Associate Justice Clarence Thomas, from being Appellees-Respondents in this legal proceeding, and in the instant Petition for a Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit.]

RULE 29.6 STATEMENT

Petitioner MacTruong is an individual. I have no stocks for any private or publicly traded company to own 10% or more.

OPINIONS BELOW

In a nutshell, the U.S. District Court for the Western District of Texas, Austin Division, [See, A: 5-14.b] made up a series of immaterial irrational baseless findings of fact, and misplaced

legal authorities, then arbitrarily and incorrectly dismissed under 28 U.S.C. 1915(e) or actually FRCvP 12(b)(6) Petitioner's complaint. To articulate better the Court's barely intelligible findings and conclusions of law, it incorrectly contends that (i) an idea is not protected by federal copyright law 17 U.S.C. § 102(a), and (ii) Petitioner Dmt MacTruong, being a male citizen of New Jersey, has no standing to sue Texan Governor Greg Abbott, some key lawmakers of the U.S. State of Texas, former U.S. President Donald J. Trump, five (now changed to three) Associate Justices of SCOTUS, for having acted in concert, hence together committing a serious federal felony, as a Trumpist MAGA racist and misogynist leading group, which has created the Texas Heartbeat Act, [THA] Senate Bill 8 (SB 8), in undisputed violation of (a) Petitioner MacTruong's original copyrighted intellectual property pursuant to 17 U.S.C. § 102(a), entitled the CCO Network, [A: 15-16] helping law enforcers to effectively detect criminal conspiracies, and (b) the 13th and 14th Amendments to the U.S. Constitution, and *Roe v. Wade* ruling, among other constitutional and legal authorities of the United States of America, guaranteeing to U.S. female citizens, like to all others, their rights to life, liberty, property, privacy, and pursuit of happiness, that include the right to use professional medical service to obtain safely induced miscarriages.

In simple terms, the Court irrationally and incorrectly opines that MacTruong's CCO Network [A: 15-16] is only an idea, and as such it is not protected by any Copyright Law, and as such MacTruong has no standing to seek remedy in the U.S. federal courts even when my such rights are violated by Respondents herein.

The Court further unconstitutionally opines that whether all or some child-bearing aged (CBA) women in Texas are murdered by the Respondents herein, it is none of Petitioner's concern as a U.S. Citizen having been duly sworn in to have the sacred duty of taking any appropriate legal measure to protect the U.S. Constitution by exercising all my First Amendment Right to sue in a court of law for such heinous felonies undisputedly committed by the Respondents herein, because allegedly Petitioner MacTruong fails to show any bodily injury that such Respondents' criminal and murderous acts have or would have imminently caused to me.

JURISDICTION

(1) Basis of the U.S. Supreme Court's Subject-Matter Jurisdiction:

28 USCS §1254 provides that cases in the U.S. Courts of Appeals may be reviewed by the Supreme Court by writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree. Appellant-Petitioner herein appeals from the following final order(s) of the **U.S. Court of Appeals for the Fifth Circuit (USCA5 hereafter): Order dated 8/1/2023 in *MacTruong v. Governor Abbott, et al.* Docket No. 22-51024 [See, A: 1-4]**

(2) Basis of the USDC-WD AUSTIN DIVISION's Subject-Matter Jurisdiction:

The United States District Court for the Western District of Texas, Austin Division, has jurisdiction over Plaintiff-Petitioner Mac Truong's Complaint in that I sue the Respondents herein for their acting in concert to violate **(i)** the Federal Copyright Law protecting tangible expressions of original intellectual properties under 17 U.S.C. § 102; and **(ii)** the 13th and 14th Amendments to the U.S. Constitution and *Roe v. Wade* ruling, among other constitutional and legal authorities of the United States of America, guaranteeing to U.S. women, like to all other U.S. citizens, their rights to life, liberty, property, privacy, and pursuit of happiness, which undisputedly include their fundamental right to make choices regarding the health and safety of their own bodies.

More specifically the U.S. District Court has subject-matter jurisdiction over this civil action pursuant to 28 U.S.C. §1331, which grants **federal district courts** original subject-matter jurisdiction over "all civil actions arising under the Constitution, laws, or treaties of the United States" including but not limited to **17 U.S. Code § 102 and/or 18 U.S.C. § 371, 10 U.S. Code § 921 - Art. 121;** or other applicable provisions of the U.S. Constitution and/or relevant controlling federal legal authorities such as 05-0552 **Right to Privacy Act**; 17-0501 & 17-0504 & 28-1338 **Infringement of Copyright**; 18-0241 **Conspiracy v. Citizen rights**; 28-1331v **Violation of 1st, 4th, 5th & 8th Amendments**; 28-1343 & 28-1981 & 28-1983 **Violation of Civil Rights**; 18-0241 **CoConspiracy v. Citizen rights**; 28-1331v **Violation of 5th & 8th Amendments.**

Basis of the USCA5's Subject-Matter Jurisdiction:

The Order(s), being appealed to the USCA5, are final Decision(s) and Judgment(s) of the USDC-WD of Texas, Austin Division, dated October 18, 2022 [A: 5-7] under 28 U.S.C. 1291.

1. Brief Statement of the Case.

2. Statement of the Case. (A brief summary of the proceedings in the Texas District Court, then the USCA5.)

1. This action was initiated on or about May 9, 2022, in the U.S. District Court for the Western District of Texas, Austin Division. Case No. 2:22-CV-476-LY-ST.

2. About more than three months following the date of service of Summons and Complaint, **none of the nine Defendants appeared or answered and were in default as an undisputed matter of court record.**

3. Notwithstanding, on August 31, 2022, Magistrate Judge (MJ hereafter) Susan Hightower, being assigned to this case, filed her honor's Order granting Plaintiff IFP status. MJ Hightower then illegally appointed herself attorney for all the Respondents and filed with the Court an arbitrary, irrational, and baseless Report and Recommendation (O&R&R hereafter) suggesting to U.S. District Judge Lee Yeakel to dismiss Complaint allegedly for being frivolous, i.e., lacking an arguable basis in facts or in law. **[A: 8-14.b]**

4. On October 18, 2022, Judge Lee Yeakel signed the Court's DISMISSAL ORDER **[See, A: 5-6]** stating conclusively and very shortly as follows:

> ***"(T)he court has undertaken a de novo review of the entire case file and finds that the magistrate judge's Report and Recommendation should be approved and accepted by the court for substantially the reasons stated therein. (...)***
>
> ***IT IS THEREFORE ORDERED that Plaintiff Dmt MacTruong's objections to the magistrate judge's Report and Recommendation (Docs. ##10—11) are OVERRULED.***
>
> ***IT IS FURTHER ORDERED that the United States Magistrate Judge's Report and Recommendation (Doc. #6) is hereby APPROVED and ACCEPTED by the court.***

IT IS FINALLY ORDERED that Plaintiff Dmt MacTruong's lawsuit is DISMISSED WITHOUT PREJUDICE as frivolous under 28 U.S.C. 1915(e).
[See, A: 5-7 District Court's 10/18/2022 Dismissal Order, and Final Judgment]

5. Plaintiff timely appealed to the USCA5 from Judge Lee Yeakel's foregoing Dismissal Order WITHOUT PREJUDICE and Final Judgment. The USCA5 also irrationally and arbitrarily affirmed Judge Lee Yeakel's incorrect and meritless Dismissal Order WITHOUT PREJUDICE. [A: 1-4] To rationalize its Decision, the Fifth Circuit just conclusively stated that MacTruong's first cause of action against Respondents for alleged violation of his copyrighted intellectual property called THE CCO NETWORK [A: 15-18] helping legislators and law enforcers to effectively detect and lawfully eliminate all types of organized crime without any cost to society at all while creating millions of exciting productive jobs, is so frivolous that the District Court is correct to dismiss Plaintiff's such claim for lack of subject-matter jurisdiction pursuant to 28 U.S.C. 1915(e). [A: 6, Lines 5-6] The USCA5 also summarily and groundlessly dismissed Plaintiff's second cause of action seeking a judgment declaring null and void Respondents' Texan anti-abortion legislation, formally known as Texas Heartbeat Act (THA), for being, as a matter of fact, life-threatening or murderous of child-bearing-age (CBA hereafter) women, and, as a matter of law, illegal and unconstitutional, in that it violates women's rights to life, liberty, privacy, property, and the pursuit of happiness, which constitutional rights is held valid and enforceable by the *Roe v. Wade* ruling of this USSC, based on the "undisputed" fact that "MacTruong, a citizen of New Jersey, had failed to prove that I had or would imminently sustain tangible damages or injury resulting from the enforcement of the THA."

6. The USCA5 was finally so proud, sure, and certain of the wisdom of its dismissal decision that it issued a stern unambiguous warning that if your Petitioner MacTruong continues to refer to Respondents SCOTUS Justices as murderers,

misogynists, racists, criminals, traitors, cheaters, and mass-sex abusers, who have committed perjury and treason and who "deserve the death penalty or at least to be disbenched (...)," then I will surely be held in contempt of Court and sanctioned. [A: 3-4]

7. Petitioner timely files the foregoing Petition in this Highest Court of the Land, seeking justice under the U.S. Constitution not only for myself but also for all Americans and all U.S. legal aliens.

1. Statement of Facts and the Issues Presented for Review.

SUMMARY OF ARGUMENT

1. Petitioner's two separate meritorious causes of action in my complaint were both artificially and incorrectly separated then dismissed by the USCA5 that affirmed the U.S. District Court for the Western District of Texas, Austin Division. **[A: 1-14.b]**
2. The Court dismissed Petitioner's first cause of action for alleged violation of my copyrighted intellectual property called **The CCO Network [A: 15-18]** against all the Appellees-Respondents herein based on the incorrect conclusory arbitrary finding without any comprehensible analysis by any independent objective legal defense expert in the matter that ***"Plaintiff's copyrights claims are so 'insubstantial, implausible, or otherwise completely devoid of merit' that the Court lacks federal jurisdiction to entertain them."*** [A: 13, Lines 20-22]
3. The Court indeed erred because the CCO Network [See, A: 15-18] is not only an original idea. It's also a complete expression physically made on two tangible media of a coherent well-structured set of innovative ideas for specific actions, capable of changing the American and world justice systems for the better, far more valuable in practice than a mere playwright or scenario for a motion picture. [A: 15-18] It is expressly protected by federal copyright laws. Upon information and belief, Pulitzer Prize-winning columnist Art Buchwald would not have won his $5,000,000.00 lawsuit against Paramount Pictures had Judge Harvey Schneider declared that even though it was the basis for Eddie Murphy's box

office bonanza **"Coming to America,"** the well-known columnist's original script idea was only an idea, which was neither patented nor made into an artistic expression like a movie, hence unprotected by copyright law. In a way, the Texan District Court holds the senseless opinion that while Edie Murphy's movie entitled "Coming to America" is protected by copyright laws, Art Buchwald's original idea called "Coming to America" is not. Undisputedly, Judge Harvey Schneider knew what the laws and justice in the matter were and correctly ordered Murphy to **share** his enormous profits with Buchwald. Indeed, the truth is one would not have made any money without the idea or contribution of the other. It is what Petitioner herein calls Universal Partnership, the main principle of collective social actions based on **ABSOLUTE RELATITY**, (**AR** hereafter), the supreme principle of the changing universe, that no judge in America, especially the SCOTUS Respondents herein, would deserve their wages or honors without having first learned to know how to apply daily everywhere to resolve any issue, big or small from all points of view or systems of reference. [See, A: 73, a Summary in 20 Statements on AR.]

4. Viewing the foregoing, in the instant action, even though Petitioner may not be awarded the full amount of my claim for damages in my complaint, while Respondents would be locked in jail for their undisputed violation of my intellectual property, Petitioner certainly deserves some reward, be that non-monetary but only honorific, and as such **have standing to sue Respondents in this case** to challenge them for having failed to grant me at least some verbal or written recognition or credit for my great and useful invention, **[See, SIDENOTE (**)]**, without which admittedly they could not have been able to legally enforce their anti-abortion legislation by illegally relying on federal or State official investigators or detectives.
5. **[SIDENOTE (**):** May it please the Court to open and review **A: 70** to review the New York Times December 21 1998 article on the most remarkable U.S. patents of the year. It praises MacTruong of New York City patenting what I call Trees and Forests of Life to be ***"another altogether concept of invention."*** **[A: 70]**
6. The USCA5 also plainly erred when the Court affirmed the Texan District Court's Order summarily dismissing Petitioner's second cause of action against the Texan THA, or Respondents' violation of my copyrighted intellectual property entitled the CCO Network, [A: 15-18] that had allowed them to create and enforce their such anti-abortion legislation,

which is one of the most criminal and murderous conspiracies in the legal history of the world, with which I do not wish to be associated in any manner of form. **[See, A: From Page 10, Line 8 to Page 11 Line 6]**

7. First, it is undisputed that, after having been duly served with my summons and complaints, none of the 9 original Respondents in this action have served on Appellant-Petitioner herein or filed with the Court an answer objecting to the complaint. As such, all the Respondents have failed to dispute, hence admitted that they had violated Petitioner's intellectual property right under 17 U.S.C. § 102, to be able to create their anti-abortion legislation in violation of CBA women's rights under the 13th and 14th Amendments to the U.S. Constitution, the 1866 and 1964 Civil Rights Acts, and the 1973 *Roe v. Wade* ruling, among other constitutional and legal authorities of the United States of America, guaranteeing to U.S. women, like to all other U.S. citizens, their rights to life, liberty, property, privacy and pursuit of happiness, like any other U.S. citizen, which constitutional rights undisputedly include the right to have access to safely induced miscarriages, and the right to live in a free and democratic civilized country where Trumpist MAGA racist white supremacist and misogynist people's secret or open agenda keeping women as second-classed citizens like prior to the 1861-1865 Civil War, or 1973 *Roe v. Wade*, must be outlawed or neutralized.
8. To find that Petitioner herein does not have standing to sue Respondents in the U.S. District Court for the Western District of Texas, Austin Division, the Court literally determines **in substance to the effect that:**

> ***"Plaintiff is a male citizen of New Jersey and has lived there since 2008, has provided no plausible facts to indicate that Plaintiff would be "actually or imminently" affected in any way by Texan anti-abortion laws. As such, he lacks standing to challenge them." The complaint asserts that women's constitutional rights have been violated but does not allege that Plaintiff has suffered an injury."*** **[A: 2, Lines 18-24] [See, SIDENOTE (***)]**

9. **[SIDENOTE (***):** With due respect, because of the Lower Courts' manifest bias and prejudice, and a fixed purpose of dismissing at any cost quickly by any excuse imaginable, the preceding writing is introduced to help the Courts visualize more articulately their arbitrary arguments as unlawful self-appointed defenders of their co-conspirators, the Respondents herein.]
10. Literally the foregoing argument is faulty, from many points of view, in that the injury or

damages being fully alleged in Petitioner's Complaint as the result of Respondents' violation of Petitioner's copyrighted intellectual property, which is assumed, and of the woman's rights to life, liberty, property, privacy and the pursuit of happiness, which undisputedly include the right to have urgent access to adequate medical services ensuring affordable convenient and safely induced miscarriages to protect their lives, health, safety, and to live in a free and democratic civilized country where hidden Trumpist MAGA racist misogynist agenda keeping women as an inferior group of second-classed citizens, or worse, like cattle and bitches must be eliminated by the rules of law.

11. It is further of note that, viewing that contrary to the Lower Courts' illegal finding, Petitioner has standing to litigate my first cause of action based on 17 U.S.C. § 102(a) (Copyright Violation), undisputedly, I may not be denied under the doctrine of "appealable collateral order" my standing to litigate my second inextricably intertwined cause of action, to wit the serious violation resulting in the mass murder of CBA women under the jurisdiction of Respondents Greg Abbott, and some Texan prominent lawmakers, who had used or rather seriously abused, hence caused injuries or bad reputation to, my great life-changing moralistic and positive intellectual property called the CCO Network. [A: 15-18].

12. As such, it is further of note that even though at first sight the two issues of violation of Petitioner's intellectual property right and of women's constitutional rights to make their own choice concerning their health and bodily maintenance may seem to be distinguishable, they are indeed inextricably intertwined in that both of them are two inseparably aspects of the same cause of action and same injury in the instant matter before this Court, as later agreed to by this Court in its Minority Opinion in *Dobbs v Jackson.* [See, this Petition, Pages 33-34]

13. In other simple words, since Respondents use Petitioner's original ideas to institutionalize various CCO Networks that are specifically designed to fight against and eliminate criminal activities, to serve a large group of skillful hypocrite Trumpist MAGA racist misogynist radical corrupted conservatives, pretending on one hand to be pro-life (potential life of a fertilized egg at conception) but actually pro-death [death of the vibrant mother of such egg which is unwanted for her] by literally murdering women under color of law, your Petitioner has standing as a matter of law and actual responsibilities to sue the Respondents herein to dissociate myself from such dishonorable dangerous heinous organized crime

networks, being headed by Respondents Trump and some SCOTUS Associate Justices and three top officials of the State of Texas, which Lone Star State is well-known for being racist and misogynist, in spite of their undoubted numerous other great moral values.

14. **The Texan District Court's argument to summarily dismiss Petitioner's complaint in its entirety, based on my alleged lack of personal injury, is further indisputably faulty** because it views "injury" as only physical damage to a Petitioner's body. The Court fails to consider emotional and/or mental suffering such as that of a party who lost a loved one's presence or company in this world or their services, such emotional injuries or mental sufferance are well acknowledged and compensated routinely in all States including Texas. As such, for the least, the issue becomes one of fact. It may not be dismissed without a trial, and a defense 12(b) motion would be futile, especially, it had never been filed, Respondents having been in default. The District Court acted unlawfully as defense attorneys without neither Plaintiff nor Defendants' consent in violation of 18 U.S.C. § 1512(k) (Conspiracy to Obstruct an Official Proceeding), or 18 U.S.C. §§ 1512(c)(2) (Obstruction of and/or Attempt to Obstruct an Official Proceeding,) and/or 18 U.S.C. § 241 (Conspiracy Against Rights.)
15. In this case, Respondents did not file any 12(b) motion, the Court illegally made one for them based on its undisputed prejudices and biases and lack of an advanced legal education, which lowers the quality of the American justice system down to the pre-Civil War level, instead of raising it to the next level of interplanetary civilization in freedom, peace, justice, harmony, and happiness, as hereinafter undisputedly demonstrated in due time.
16. As such the Texan District Court and the USCA5 erred when the Courts just decided, without any rational or even some kind of irrational opposition by any defendant, to dismiss the complaint based on the conclusory alleged lack of standing for Petitioner herein to sue.
17. It is finally of note that the manner in which the District Court has disconnected and even opposed a male U.S. citizen living in New Jersey to a female citizen in Texas undisputedly demonstrates the Court's sexist, misogynist and anti-American attitude of not considering the United States of America as one single lawful united nation, in which a citizen of one U.S. State is supposed to, and should, treat and love another citizen in another U.S. State be that citizen their next-door neighbor or one faraway in Alaska. Such an outlook of the District Court is anti-constitutional and un-American. Indeed, nothing in the U.S.

Constitution would lend to such interpretation of the highest and most respected document of the land of the free and the brave, and for which so many of our brave and devoted compatriots have sacrificed their lives with pride and without any regret.

18. **It is finally the law that once a U.S. District Court in one U.S. State has subject-matter jurisdiction over some issues, then all other U.S. District Courts have it as well. The distinction is then only one of <u>venue</u> over the issues being raised in the complaint. And it must be raised by the objecting party within a reasonable time frame, or it will be lost as in the action at bar, <u>where none of the Respondents had filed a motion to object to venue selected by Plaintiff and request a change of venue.</u>**

19. In conclusion, the District Court erred as a matter of law when it dismissed the complaint for alleged lack of subject-matter jurisdiction, while the Court certainly has it as a matter of law. Improper venue, if any, is an issue to be raised by the defendants, and certainly not *sua sponte* by the Court, when none of the defendants have appeared to oppose.

20. The Court also errs when, on one hand, it recognizes Petitioner's standing to sue to be able to unfairly dismiss, without trying any disputed issue of fact, my first cause of action under 17 U.S.C. § 102(a) on the merits, and, on the other hand, as a matter of law, when it dismisses my second cause of action against Respondents' conspiracy to mass murder millions of child-bearing-age women for Plaintiff-Petitioner's <u>alleged</u> lack of standing to sue, due to Petitioner's alleged failure to show that my heart had bled dangerously to the point I was going to die, even though I could truly show that my mind does, when I think of Respondents' super mass-murder plot to discreetly kill or cause to severely suffer or at least gravely and permanently humiliate millions of innocent American women by putting them at the level of domestic animals living in the servitude of Trumpist MAGA white supremacist heartless and mindless misogynist Respondents herein and their supporters.

Statement of Issues.

a. **First Issue:** ***Petitioner has no standing to sue the U.S. State of Texas because I am a resident of New Jersey.***

Argument and Authorities: The District Court's foregoing finding, and determination are incorrect and unlawful as a matter of fact and law. Nowhere in the

Complaint has Petitioner made the State of Texas a defendant in this civil action. Also, nowhere in the entire U.S. Constitution is it written that an individual U.S. citizen Petitioner may not sue another individual U.S. citizen in another State in a U.S. federal court for alleged violation of federal laws, as in this case.

Regarding this issue, it is further pertinent to read the following excerpt of research made by two acknowledgeable professors of Constitutional Law: ***While the States continue to enjoy broad sovereign immunity from suit, the Supreme Court does allow suits against state officers in certain circumstances, thus mitigating the effect of sovereign immunity. In particular, the Court does not read the Amendment to bar suits against state officers that seek court orders to prevent future violations of federal law. Moreover, suits by other states, and suits by the United States to enforce federal laws, are also permitted. The Eleventh Amendment is thus an important part, but only a part, of a web of constitutional doctrines that shape the nature of judicial remedies against states and their officials for alleged violations of law.*** [See, Published Article **by Bradford R. Clark,** William Cranch Research Professor of Law, George Washington University Law School, and by **Vicki C. Jackson,** Thurgood Marshall Professor of Constitutional Law at the Harvard Law School.]

8. **The District Court and the USCA5's finding to dismiss Complaint without prejudice based on Petitioner's alleged lack of standing to sue for lack of injury is further erroneous because the Courts have overlooked the applicability of the doctrine of "appealable collateral order."** [See, SIDENOTE (****)] in this Petition. **Indeed, undisputedly, in this Petition,** Plaintiff-Petitioner raises two inextricability intertwined major issues: (i) violation by Respondents of my copyrighted CCO Network, and (ii) unconstitutionality of Respondents' anti-abortion legislation.

9. **[SIDENOTE (****):** For this very complicated "appealable collateral order" doctrine, may it please the Court to start by reviewing the following legal precedents and discussions: By statute, federal courts of appeals have "jurisdiction of appeals from all final decisions of the district courts," except where direct review may be had in this Court. 28 U.S.C. § 1291. "The collateral order doctrine is best understood not as an exception to the 'final decision' rule laid down by Congress in § 1291, but as a 'practical construction' of it." Digital Equipment Corp. v. Desktop Direct, Inc., 511 U.S. 863, 867 (1994) (quoting Cohen, 337 U.S., at 546). In Cohen, we held that § 1291 permits appeals not only from a final decision by which a district court

disassociates itself from a case, but also from a small category of decisions that, although they do not end the litigation, must nonetheless be considered "final." Id., at 546. That small category includes only **decisions that are conclusive,** that resolve important questions separate from the merits, and that are effectively unreviewable on appeal from the final judgment in the underlying action. Ibid."] [Emphasis added]

1. **As such, even though, the District court may find that it had no subject-matter jurisdiction to declare the THA of Respondents null and void for being unconstitutional, nothing could prevent this USSC from doing so as a matter of law.**

b. Second Issue:

The Texan District Court and the USCA5 determine that Petitioner's claim that Respondents' anti-abortion legislation is in violation of the U.S. Constitution and 1973 Roe v. Wade is meritless and futile as a matter of law because of SCOTUS's 2022 ruling in Dobbs v. Jackson.

Argument and Authorities: The lower Court's finding and determination on this issue are incorrect and must be reversed as a matter of fact and law. The Dismissal Order, which is the main focus of this Petition, has neither openly discussed this issue on the CBA women's right to abort nor has it dismissed relief sought by Petitioner to annul and void Respondents' anti-abortion legislation. The Court has only dismissed without prejudice the Complaint on the incorrect finding that Petitioner has failed to show physical injury to my body when Texan CBA women's right to abortion is violated by Respondents herein. The order is therefore not a fatal and direct blow against Petitioner's Complaint on the merit and in its totality. As such, Petitioner herein is not compelled to immediately deal with it at this time.

It is also the reason why, in the District Court's final order dismissing the Complaint, the Court only dismissed **without prejudice** the substantive issue(s) of the unconstitutionality and/or illegality of the Texas Heartbeat Act. **[A: 6, Lines 5-6]**

Notwithstanding, this issue certainly needs an exhaustive clarification by Appellant-Petitioner herein to submit to this Supreme Court that overall the October 18 2022 Final

Dismissal Order of the District Court being appealed **[A: 5-7]** is only a skillful way for Judge Yeakel to kick the can down the road, and, after all, Plaintiff-Petitioner herein must undisputedly show both my standing and good substantive grounds before being able to ask this U.S. Supreme Court to reverse the Dismissal Orders, and decide the issues on the merits in the favor and the vital interests of millions of American CBA women and their loved ones in Texas and all America.

2. Do you think the Texan District Court and USCA5 applied the wrong law? If so, what law do you want SCOTUS to apply?

The United States District Court for the Western District of Texas, Austin Division, **and the USCA5 have failed to reject SCOTUS's June 24, 2022 *Dobbs* ruling, which allows some States like Texas to issue unconstitutional misogynist irrational legislation, which is patently the wrong law. Petitioner strongly wishes that this Highest Court of the land return 1973 *Roe v. Wade* to America.**

Dobbs is the wrong law to apply to dismiss the instant proceeding because it is not a controlling federal law but only a decision by SCOTUS in one specific case, to wit: *Dobbs v. Jackson.* There can be neither *res judicata* theory nor collateral estoppel doctrine to apply *Dobbs* ruling to the instant civil case entitled *MacTruong v. Greg Abbott, et al.* Neither the parties nor the issues being raised are the same.

As reported by the New York Times, during his September 9 2022 interview with two Judges of the USCA10, U.S. Chief Justice John Roberts defended SCOTUS's main role of interpreting the U.S. Constitution over Congress and the Government. Justice Roberts is quite correct on this important point. However, the three U.S. Justices, are sued in this action, not because they did their honest job of interpreting in good faith, honesty, reason, and intelligence the U.S. Constitution, but on the contrary, they have betrayed the straightforward trusting American people by writing literally a legal piece of irrational findings of fact and inconsistent controlling legal authorities not to uphold but destroy it to meet their unconstitutional conservative **misogynist** agenda

that has been planned and supported by legally-uneducated hardcore fraudster twice impeached and three-timed criminally indicted former President Donald J. Trump, another conservative misogynist Defendant-Respondent herein, who has publicly bragged that he had singlehandedly destroyed *Roe v. Wade* by having conspired to appoint three of his co-conspirators to be associate justices of current SCOTUS conservative majority. **[See, A: 55-58]**

As such, the main point of this civil action is to unmask the conspiracy of the Appellees-Respondents herein and **lawfully** remove them from SCOTUS to save and restore the integrity and capital role of one of the three most important institutions of our valuable historic American democracy, which must remain the greatest in human history and hopefully lead all humankind to the next level of interplanetary civilization in a brand-new era. No individual can be above the law, especially when their misrepresentations of fact to obtain one of the most prestigious positions in the official moral leadership of America are material, not at all trivial, known to all the country, and undeniable. Resignation or removal of these Respondents is the only choice to save the integrity of the Court.

The precise foundation of the Respondents' extremely difficult-to-prove-beyond-a-reasonable-doubt deceiving scheme in the history-changing matter of *Dobbs* is **Justice Alito's calculated absurd irrational incorrect finding that even though the U.S. Constitution protects all U.S. citizens' rights to life, liberty, property, privacy, and the pursuit of happiness, it does not protect CBA women's natural inalienable right to have sex for pleasure, happiness, reproduction, or, if need be, safely induced miscarriages.**

The task of proving that Justice Alito's legally devious, unconstitutional, and illegal finding to deceive America must be rejected by this USSC is indeed very difficult to do beyond a reasonable doubt. Such a job, however, is not impossible. **It can be done rationally and scientifically beyond a reasonable doubt if Petitioner herein is granted an opportunity to express myself properly and base my demonstration on a much higher and correct method of reasoning than the Aristotelian non-contradictory logical system, the whole Western educated modern world has been taught so far in colleges and law schools. [See, SIDENOTE (*****)]**

[IMPORTANT SIDENOTE (*****): The essential of UPAC doctrine or basic software of Version 3.0 of God may be summarized in 6 words: "RPR IN AR. First "R" = Reliability (meaning, keep one's word, no fraud or cheating) - "P" = Productivity (meaning, create useful products and services) - Second "R" = Respectability (meaning, respect Life, Property and Freedom) "in AR" = in "Absolute Relativity" (meaning, Liberty, Good Faith, Reasonability, Balance, Wisdom, and Creativity)

MAY IT PLEASE THE COURT IN THE INTEREST OF JUSTICE, THE FUTURE OF AMERICA AND THE WORLD, TO REVIEW APPENDIX FROM PAGE 59 TO 99, [A: 59-99] *to share the insight of an out-of-the-box extraordinary system of reasoning completely unknown to even the most educated members of humankind so far, such as Aristotle, Plato, Galileo, Descartes, Hegel, and Einstein, to discover truth and reality regarding the logical and rational foundation of the main theme of Petitioner MacTruong's 1970 414-page Ph.D. thesis at the Sorbonne University, Paris-France, entitled "**ABSOLUTE RELATIVITY**," (AR) the Supreme Principle of the Changing Universe and its conceptual relationship with Confucius's teaching of the Just Middle, Lao-Tsu's Taoism, Buddha's Nirvana, Socrates' Wisdom, Plato's Dialectics, Aristotelian Principle of Non-Contradiction and Metaphysics, Jesus' relative common sense, Galileo's regular relativity, Einstein's theories of Special and General Relativity, and some biographical notes on AR author, Dmt God 3.0, seriously victimized and unjustly abused by some modern American judges, including honorable MJ Susan Hightower and Lee Yeakel, lacking some degree of honesty, fairness, open spirit, impartiality, and above all, intelligence and a correct rational intellectual formation to administrate justice in an ideal democracy, which has been very simply but nonetheless majestically conceptualized by the greatest 1789 U.S. Constitution and its subsequent Amendments, for all Americans to live by, build, and advance our dearest country and all humankind to the next level of interplanetary civilization in peace, justice, freedom, equality, harmony, love, and happiness.]*

3. Did the Texan District Court & USCA5 incorrectly decide the facts? If so, what facts?

Texas's THA is patently misogynist unconstitutional and an admitted direct violation of *Roe v. Wade.* The lower courts impliedly acknowledge it when they denied Petitioner's complaint based on lack of standing, hence not on the merits, Petitioner's request for relief striking down Respondents' anti-abortion legislation and of course holding all Respondents herein accountable for their respective criminal roles when they have acted in concert with one another literally making numerous material misrepresentations of fact and law to achieve their conservative misogynist agenda by reversing 1973 *Roe* and adopting on June 24, 2022, the new *Dobbs* ruling, in which SCOTUS Majority **maliciously** and **falsely** proclaims in substance that nowhere in the U.S. Constitution can one say that it supports an abortion right, as clearly as the right to bear arms for

example, and as such the abortion issue is not a federal one but should be returned to the States and their people to formulate their respective low-standard rational legislation.

***Dobbs* ruling is irrational, contrary to common sense, illegal, unconstitutional, and can be proven to be so beyond a reasonable doubt as follows.** A woman's right to make a final decision to remove or not a blood clot, that may be just so or the beginning of a viable healthy desirable unborn human being in her uterus, is not at all a moral issue or a matter of political opinion for her whole neighborhood or State or nation to get involved and make law to regulate, as Justice Alito has incorrectly stated in the opinion his honor wrote for the USSC in support of Dobbs v. Jackson. It only becomes so because powerful and nosy people like Justice Samuel Alito or Respondents SCOTUS justices herein, have unwittingly, HASTILY, and **IRRATIONALLY** call right away, without waiting to know for sure anything further in practice and from a good rational scientific standpoint, the said blood clot a sacred gift of God, and want to make laws to protect its so-called personhood at any cost at its very gestation.

Depriving a CBA woman of such right to make such decision, which concerns her the most, more than anybody else, in the entire universe, is as illegal and unconstitutional as murder, rape, physical assault, libel, bullying, misogyny, or slavery is. The true issue is not as Respondents herein have presented to deceive the American people or Ohioan, Oklahoman, Floridian, or Texan citizens. It is not whether the American legislator should be pro-life or pro-choice. Ideally, the law should be of course pro-life, since undisputedly a modern community of human beings living under the rule of law is primarily composed of living, not dead, people with all that may mean or imply. **Obviously, we must be pro-life as much as we can, and not be pro-death as we live.**

However, U.S. law should also be pro-choice since **there is no real or meaningful life without freedom of choice.** To live is to choose. Only dead people do not make choices or need freedom. The American legislator must respect the U.S. Constitution that guarantees the most basic rights of a person male or female, black or white, young or old, to enjoy life, liberty, property, privacy, and pursuit of happiness, which fundamental inalienable rights naturally include our right to make our own decisions concerning the way we live and take care of our own bodies, which undisputedly include our need for sex and to reproduce the way we want it at the time, in the manner, and with whom we want, with or without protection in spite of any risk of becoming pregnant. As mature human beings, none of us would prefer to trust retarded, criminal, insufficiently educated misogynist people such as the Respondents herein to make so many and constant necessary routine personal intimate daily life decisions for us, the same way as when, where, and how to breathe, eat, drink, sleep, urinate, or have sex. On the contrary, unlike the weirdest, nonsensical, and criminal

Respondents herein, the wise authors of the U.S. Constitution, makers of the 1866 and 1964 Civil Rights Acts or the 1973 *Roe v. Wade* ruling, understood this inalienable natural right and need to have sex, and included it as being among our rights to life, liberty, property, privacy, and pursuit of happiness. As such, under the U.S. Constitution, *WE THE PEOPLE* are free to make our own decisions of preserving or removing any tiny blood clot that eventually appears in the uterus of a CBA woman after she had unprotected sex with a fertile male. By the same token, the U.S. Constitution that protects the woman's right to life does not allow anybody to put her life recklessly in danger by depriving her, under color of law, of her right to liberty to choose a safely induced miscarriage by professionals when she decides it is what she needs to be alive, free, and happy. The U.S. Constitution that protects the woman's right to property does not allow anybody to use her vagina or uterus to serve, for instance, her State or rapists, like the criminal Respondents herein, instead of for her own sake and in her most intimate personal interest. The U.S. Constitution that protects the woman's right to privacy does not allow anybody, including of course Respondents herein, to force her to open wide her vagina or uterus to show to them or the public whether she is pregnant or not or what she can or not do with blood clots that she may have in her uterus a few weeks after she had sex without protection with a fertile man. Undisputedly, that is her own most private personal business and none of anybody else. The U.S. Constitution that protects the woman's right to the pursuit of happiness does not allow anybody to take away her freedom to choose what to do to deal with blood clots that may appear inside her womb a few weeks after she had sex without protection with a fertile man. Obviously, all her constitutional rights to life, liberty, property, privacy, and the pursuit of happiness would be unacceptably abridged if strangers like the crooked but clever reactionary racist misogynist Respondents herein are allowed to gang up to create so-called pro-life legislation to prohibit a raped CBA woman as young as 10 years of age from removing any of the hereinabove mentioned blood clots, even if that's what she and her loved ones would deem such removal desirable or necessary.

Petitioner herein together with almost 80% of all the American mature and balanced intelligent people believe that the reasoning of the majority of SCOTUS Justices in *Roe v. Wade,* protecting the right of the woman to decide whether she wants in her own selfish or unselfish interest to keep or remove a fetus inside her womb before the latter is viable outside her body, is appropriate, correct, balanced, and should continue to be the law of this land of the free and the brave.

Did the Texan District Court and the USCA5 fail to consider important grounds for relief? If so, what grounds?

ROE V. WADE HAS NOT BEEN ANNULLED OR VOIDED BECAUSE OF THE JUNE 24 2022 *DOBBS* RULING

1. Even though Petitioner herein had sued Respondents herein prior to the June 24 2022 adoption of *Dobbs*, I am quite aware of this ruling. Justice Alito's *Dobbs* erroneously found in substance that nothing is clearly said or even implied in the U.S. Constitution that women have the right to abort. As such, it is not a federally protected right and it would be up to each State of the Union to make its own legislation in this matter.

2. Such a finding by Justice Alito *et al.* is a willful and calculated material misstatement of fact and/or law to overturn *Roe v. Wade* to satisfy some radical unbalanced misogynist reactionary conservative members of GOP. These Respondents may and should be prosecuted for betraying the U.S. Constitution by intentionally misreading it. And even if they may avoid prosecution and punishment because of their judicial immunity status as SCOTUS Justices, their finding to turn over *Roe* but support *Dobbs,* which is undisputedly contrary to the U.S. Constitution, is and must be declared null and void by any federal court, including this USSC of course, which has until Dobbs a sound and correct understanding of the post-Civil War U.S. Constitution, especially the 13th and 14th Amendments.

3. **In any event, the June 24 2022 SCOTUS *Dobbs* decision has not changed anything to the merits of Petitioner's instant civil action against the unconstitutionality and illegality of Respondents' State anti-abortion legislation.**

4. Indeed, *Dobbs* is outright incorrect and ludicrous. It is the same and much worse for the Court to refuse to strike down a State law that outlaws same-sex marriage or punishes a black woman for sitting in front of a bus next to a white man or issue a ticket to a black man who enters a public toilet that is reserved for white people only.

5. The right to urinate or to have sex is the same as the right to breathe or eat or drink. When the U.S. Constitution provides all citizens, black or white, male or female, young or old, with their right to life, liberty, property, privacy, and the pursuit of happiness, **it implies their right to have sex and control their sex life, with all the consequences such as pregnancies or childbirths to be terminated or continued, the same way as when a Court issues an order granting an ex-husband the right to remove all his furniture from the former marital residence, it means all furniture including his tables and chairs for instance.** A local sheriff may not stop him from taking his tables and chairs falsely pretending that the Court order indeed mentions "furniture" but does not specifically mention "tables" and "chairs" by name. It's an incorrect, bad-faith, and invalid interpretation of the order. **This was exactly what Justice Alito did to the American woman's constitutional right to abort in the Dobbs ruling.**

6. **The basic natural right of men, and women of course, to have sex for pleasure or procreate does not even need to be written in black and white to be protected by any written constitution or statute that makes sense or reads in good faith.** It is life itself and born with a human being, white or black, male or female, starting immediately at birth. So, regulating a woman's sexual activities is controlling her life in the most intimate vital private personal details possible. She can be literally choked to death in the same way as Floyd had been deprived of his right to breathe by Chauvin. Even shameless and heartless white radical supremacist racist misogynist Respondents Barrett, Gorsuch, and Kavanaugh may not argue with reason to defend Chauvin against Floyd murder charge that nowhere is it written in the U.S. Constitution that a black man has the same right to breathe as a white one.

7. **As such, with or without the U.S. Constitution, women have the right to breathe, urinate, and have sex, and no State would have the power to murder them by unconstitutionally regulating these fundamental natural inalienable rights beyond what would be absolutely rational to protect other citizens' basic rights to enjoy same.**

8. As such, States may not unreasonably interfere with, limit, chip away, or abridge any of those most inherent natural **inalienable** rights, be their protection literally written or not in black and white in the U.S. Constitution, which, of course just unambiguously does, when it conspicuously mentions the right of all citizens to life, liberty, property, privacy, and pursuit of happiness. **It is rather true, in this particular situation, that the contrary finding that what is not prohibited is allowed and protected. It is rather the basic way to write a constitution or statute in a free country. As such, since it is not prohibited by the U.S. Constitution, which conspicuously protects our inalienable rights to life, liberty, property, privacy, and pursuit of happiness, the right to have a safely induced miscarriage is provided, and which right may not be irrationally abridged by any State of the Union.**

9. **The foregoing right to have sex and abort at the woman's sole option, which is unambiguously not at all prohibited by the U.S. Constitution, and even proclaimed to be legal and protected by SCOTUS's 1973 *Roe v. Wade* ruling, can certainly not be taken away by the Court's 2022 Dobbs ruling , which is undisputedly both unconstitutional, and contrary to the best tradition of this highest Court of the land, which by so doing had been literally hijacked and illegally taken under the control of the three Respondents SCOTUS justices herein.**

10. **Viewing the foregoing, American legislators should and must be both pro-life and pro-choice.** These two rights are not exclusive of, but complementary to, each other. **We cannot be pro-life without being pro-choice. We cannot be pro-choice without being pro-life.** None would be valid to the detriment

of the other. The ultimate value of the mother's life, and that of the unborn child must be taken into the highest consideration. They both must be balanced and taken into careful consideration at the same time for a peaceful and civilized human community to function, develop and succeed. As such only if the U.S. is a savage, barbarian, uncivilized, and legally uneducated country under the criminal traitor and hardcore liar Respondent misogynist Donald J. Trump, WE THE PEOPLE may not interfere with or abridge women's inalienable right to have at their free option safely induced miscarriages prior to the viability of their fetuses.

11. Any moral value that a liberal democracy wants CBA women not to abort, while the latter freely want to, can only be done by an intelligent, rational, and balanced system of education but not by imprisonment, heavy fines, extreme physical suffering, or risk of death, due to lack of professional medical assistance.

12. As such, as Justice Alito said, correctly this time, out loud and clear, *Dobbs* was only an opinion, which was worth whatever it may be worth. And, from many points of view, *Dobbs* is indeed worth nothing, being a very bad-faith, radical, irrational, arbitrary, and unbalanced misogynist opinion trying to resolve a very complex double intertwined issue from only one simplistic view of what life is or when it starts.

13. It is, consequently, important to note that, in Justice Alito's own words, *Dobbs* is <u>not</u> at all an indication that States may now ban abortion in any way they may deem rational. And unconditional protection of the voiceless unborn from gestation is <u>not</u> rational enough to ban all abortion.

14. As such, *Dobbs* is not a controlling legal authority, <u>at least in the case at bar, because</u> the *Dobbs* SCOTUS did not address the specific issues, raised in the instant Petition, of whether Texan Respondents' THA should be annulled and voided for violating women's constitutional rights to life, liberty, property, privacy, and the pursuit of happiness, the 13th and 14th Amendments, the 1866 and 1964 Civil Rights Acts, SCOTUS 1973 *Roe v. Wade* ruling, and/or Petitioner MacTruong's copyrighted intellectual property entitled the CCO Network. [A: 15-18]

15. In substance, since, any American legislator, both State and federal, must respect our Constitution that guarantees the most basic inalienable right of a citizen to life, liberty, property, privacy, and the pursuit of happiness, which undisputedly include above all their right to make their own choices concerning the survival and maintenance of their own bodies and how to satisfy their natural need for sex, whether to procreate or to mentally, emotionally, or physically enjoy their lives, whether to have it with or without protection. Such right to have free choice to have sex includes one to preserve or remove any blood clot, which eventually appears in the uterus of a CBA woman a few weeks after she had unprotected sex with a fertile male. Any law presuming any suspicious blood clots to be the greatest God-given gift of life to be preserved at any cost, i.e., even at the death of the CBA woman herself, banning abortion prior to the fetus's

viability outside the woman's womb, as determined by *Roe,* is undisputedly unconstitutional, hence illegal. It undisputedly interferes with and unacceptably violates both women's and men's fundamental natural right to have sex for pleasure to enjoy themselves physically and mentally, and pursue their happiness, rights protected literally by the U.S. Constitution in its totality, and specifically by its First, Third, Fourth, Fifth, Sixth, Ninth, Tenth and especially the 13th and 14th Amendments, the 1866 and 1964 Civil Rights Acts, and SCOTUS's 1973 *Roe v. Wade* ruling.

16. **The June 24 2022 *Dobbs* ruling by SCOTUS has nothing to do with the January 12 1973 *Roe v. Wade* ruling in the case at bar. As a matter of law, the former cannot and has not overturned the latter in spite of Justice Alito's contrary but incorrect *dicta* in this matter.**

17. **Rationally, since, like any right, the constitutional right to abort cannot be absolute, it must be limited to a time after the pregnancy has commenced. *Roe* has wisely limited the cut-off date of such right to abort at the fetus's viability outside the womb, meaning the fetus can be an unborn child capable of living without depending any further on its pregnant mother, who has no more an unconditional right to end its life, since she has the option of letting it live either inside or outside her body. As such, by the same token, the right to ban abortion by any State legislature should also be rationally limited at the cut-off date of the fetus's viability and not prior.**

18. Indeed, as long as the physical survival of the fetus depends on that of its creator-mother, she is the natural and constitutional ultimate decision-maker in this matter, far more reliable and better than any of her neighbors, such as the fantastic, nosy, brainless, and heartless Respondents herein and their subordinates, who, unless they egregiously violate the right to privacy of the woman, do not, in any event, have any relevant information in the circumstances to make fair just informed and appropriate decisions.

19. **The true issue, in the case at bar, is who has the right to decide what to do with blood clot(s) inside the womb of a woman,** she or her brainless and heartless neighbors, Respondents herein, who are strangers to her in the instant proceeding, but clever politicians enough to act in concert under color of State misogynist statutes to violate women's constitutional rights to life, liberty, property, privacy, and pursuit of happiness? The answer should be undisputedly the same as to the question, who should have the power to decide for a pregnant woman who does not want to abort even after having been gang-raped by a group of criminal rapists carrying HIV or lethal venereal diseases? The answer, by common sense, the U.S. Constitution, and almost 80% of the mature intelligent American people, is the woman in person. Since nobody can force a woman to abort, then nobody can stop her from deciding to remove any blood clot that appears to be undesirable in her personal judgment, whether it is in her uterus or anywhere else in her body.

Those neighbors like the legally uneducated, hypocritical, and mentally immature misogynist Respondents herein may try to widen their view to see that since nobody would force them, their dear loving mothers, wives, or daughters to keep unwanted blood clots in their uteruses or wombs, they should not try to violate the U.S. Constitution, the 1866 and 1964 Civil Rights Acts, the *Roe v. Wade* ruling and destroy under the color of State law other people's lives and/or peace of mind by making unconstitutional laws preventing their free citizen neighbors from enjoying sex and living their private lives in dignity, peace and happiness.

4. Do you feel that there are any other reasons why the USCA5's Dismissal Order was wrong? If so, what?

REASONS WHY APPELLEES-RESPONDENTS MUST BE FOUND GUILTY OF CONSPIRACY TO COMMIT MASS MURDER IN VIOLATION OF THE U.S. CONSTITUTION

20. It sounds incredible, but with full and rational explanation, based on reliable historic and current facts, known to the American public, SCOTUS will discover that **Respondents Trump *et al* must be found guilty of conspiracy to commit mass murder of CBA women in violation of the U.S. Constitution, no less than Hitler and Himmler should have been found guilty of having planned and actually mass-murdered 6 million Jews during World War II. These two of the most mass-murderous criminals of war could have and did justify their horrendous holocaust by telling their Nazi followers and/or the world that what they did was a necessary service to all humankind. They eliminated a group of people who also believe in murder like the Jewish God 1.0, who ordered the sacrifice of a faithful Jew's first-born son to show respect to Him, until Abraham cleverly substituted the latter with a delicious grilled lamb for all the neighbors to relax and enjoy.**

21. In *Dobbs* 100-page apparently intentionally leaked drafted decision by his honor, Justice Samuel Alito asked readers out loud in substance: **If we can ban post-viability abortion, then why can we not ban pre-viability abortion?** A life is a life, it is as precious, whether it is viable inside or outside the womb. As such, to protect life, we should be even more diligent and wiser to do so as soon as we can determine that a gift of God Almighty deserves to be granted personhood wonderfully starting at the beginning of the gestation. As such, conservative misogynist honorable Justice Samuel Alito observes that the authors of *Roe* were idiotic and irrational or lacked diligence not to commence the protection of life right on the first day it gloriously

appears. His honor wondered out loud for the whole of America to hear: Why should we have to be idiot helpless protectors of a pre-viability unborn child while we can certainly assume that LIFE is equally precious for a pre- or post-viability human being?

22. **Now why, by so wondering out loud, are *Dobbs* authors, but not those of *Roe*, not only ignorant for not knowing the obvious,** but also commit mass-murders and should be prosecuted for capital crimes and felonies like Hitler and Himmler should have been for having massacred 6 million Jews during WW II? *[**Note:** Like Respondents herein, Hitler never bluntly explained to a non-Nazi audience that he had ordered all Jews to be massacred because they did not have any right to life, liberty, property, privacy, and pursuit of happiness, as written in the naïve and silly American Constitution.]*

23. Justice Alito was incorrect on this point because **the material difference between a pre-viability unborn and a post-viability one is <u>not</u> a physiological or medical or scientific but a <u>legal</u> issue.** It makes sense for the *Roe* authors to decide that the pregnant woman's constitutional rights to life, liberty, property, privacy, and pursuit of happiness, including self-defense, freedom of religion, speech, learning, traveling, sport, entertainment, and so on, should start, not stop, from gestation and last so long as the unborn depends on her to grow and live. **<u>But such constitutional rights of the mother over the unborn will end when the latter can live outside her womb.</u>** And, as such the mother's power of life and death over her unborn baby should stop and yield before that of her State, which can, if it so volunteers, from this point on, make a choice on what to do in the best interest of the pregnant female citizen's unborn child so long as its viability does not depend on her anymore but on the medical personnel of her State and its hopefully competent social workforce.

24. For one sure thing, **<u>a State does not pass, as a matter of law, the rationality test,</u>** when it enacts anti-abortion legislation by **<u>presuming</u>** without any reliable qualified medical verification that an unborn child is whole, healthy, and viable right at gestation. Such guess by the State, if later it turns out to be wrong, should render the State liable as a matter of law to all the damages that such wrong guess would have caused to the concerned woman. And of course, if the woman dies because of such incorrect and irresponsibly optimistic guess, the anti-abortion State should be held accountable for her murder, or homicide. Her death was preventable but for the irrational anti-abortion legislation.

25. **As such, only a State's power to issue <u>post-viability</u> anti-abortion law is rational and constitutional.**

26. **The State's power to issue pre-viability anti-abortion law is irrational and would squarely and undisputedly violate all the pregnant woman's afore-said constitutionally-protected inalienable natural rights.** All U.S. citizens are born with these rights. They are guaranteed by the 13th and 14th

Amendments that have been obtained literally over the torn-up bloody dead bodies of more than 600,000 brave Americans including that of President Lincoln. Respondents herein may be quick to forget that greatest American unforgettable historic event because they probably are descendants or sympathizers of the losers of the Civil War or Hitler's Nazism, but the rest of us should rather not. It should even be our duty to remind all our fellow Americans of our days, that **evolution to a better, fairer, and more just community may have high costs to pay and cannot be all the time taken for granted or cheated away.** George Washington once said: ***"Government is not reason; it is not eloquence; it is force! Like fire, it is a dangerous servant and a fearful master."***

27. In other words, if properly asked, no modern woman in her mature right mind would say that she would not trust herself, her family, loved ones,, and personal doctors with her constitutional right to decide to abort or not, when she is pregnant, but would rather trust the brainless and heartless misogynist Respondents herein or their pro-Nazi followers to make such choice for her. These brainless nasty misogynist nosy people do exist. Some of them are even part of the U.S. federal court system, starting with SCOTUS Respondents herein. They are also literally the U.S. District Court for the Western District of Texas, Austin Division, and the USCA5, which issued the unconstitutional Dismissal Order(s) [A: 1-14.b] being appealed. In a way, they dreamingly believe that the people of the State of Texas are a royal family with the Government the king. It would be "normal" that beautiful princesses of Texas should ask the permission of king Greg Abbott if they want to abort. However, Respondents herein disregard the fact that as a matter of law, they have no right to be kings on this land of the free and the brave. Constitutionally, America is a republic and democracy, women are not princesses. They are much better. They are citizens with the same equal rights as all other citizens, male or female. They need no governmental authorities to tell them whether or when they can get a safely induced miscarriage. Abortion is a private, not a State business, a personal business, not that of the woman's neighbors.

28. The unconstitutional and absurd *Dobbs* ruling shows that their authors are alien to the true American spirit of freedom and equality, which is embodied in the Declaration of Independence and the U.S. Constitution. Appellees-Respondents as such are literally felons and murderers when they calculatedly violate women's most fundamental inalienable rights to own and control their vaginas and uteruses. They may and should be prosecuted for sexual harassment, sexual abuse, mass murder, and criminal reckless endangerment because they allow pre-viability anti-abortion laws, which will be the cause of death of any pregnant woman, who dies because she would have been prohibited by her State law to obtain a safely induced miscarriage when she urgently wants and needs it.

29. There is no need to wait until those deaths have indeed occurred in countless numbers and duly recorded with undisputed documentary evidence admissible in a court of law to prosecute Appellees-Respondents herein for murders. Indeed, only brainless and heartless criminals like them would argue in ludicrous bad faith that the deaths won't happen or that it won't be their fault or responsibility if those women die. They deserve to die after having intentionally violated the law, Respondents' criminal, and unconstitutional anti-abortion laws of course, which according to their ludicrous misleading propaganda are the noblest and life-saving legislation being issued from the beginning to the end of time.

A CAREFUL READING OF THE CONSTITUTION WITHIN ITS APPROPRIATE HISTORICAL CONTEXT SHOWS WHY AS A MATTER OF LAW AND DUE PROCESS *DOBBS* RULING HAS NO LEGAL AUTHORITY TO OVERTURN *ROE V. WADE.*

30. Undisputedly Appellees-Respondents SCOTUS members are traitors and cheaters and, probably unknowingly to them, mass sex abusers and murderers. They are proven traitors to the U.S. Constitution that embodies these lofty and proud ideals of Democracy, Equality, Freedom, Ownership, Privacy, and the Pursuit of Happiness for all, not for a few heartless or clever slave owners, misogynists, hypocrites, criminals, fraudster, liars, and cheaters like them.

31. Indeed, the foregoing fundamental inalienable constitutional rights of white male U.S. citizens to own and control our own lives and bodies to freely do our own things in private, and pursue our own happiness, as long as we would not bother anyone else, had been won on behalf of black and female citizens as well, not only by love and a sense of justice and fairness but also by true physical violent death and awful bloodbaths of more than 600,000 courageous American Civil-War soldiers of all colors on both sides, including the bravest and most honorable President Abraham Lincoln himself. This fundamental right had literally been written in black and white in the U.S. Constitution by the end of the Civil War, when in creating the Civil Rights Act of 1866, Congress had used the authority given it to enforce the newly ratified 13th Amendment, abolishing slavery and protecting the rights of Black Americans.

32. Southern Vice President Andrew Johnson, who became President after the assassination of President Lincoln by a Southerner, like many of the bad-faith Respondents herein, vetoed the bill. Luckily for those who love freedom, justice, and equality for all, then Congress successfully overrode Johnson's veto and made it into law in April 1866 and called it the Civil Rights Act of 1866, which is the valid law enforceable even right now to evidence that *Dobbs* is squarely illegal, and SCOTUS Respondents in this matter, who adopted

it, are literally criminals and traitors and should be indicted and prosecuted for treason by the U.S. DOJ, like criminal traitor respondent Trump herein now is. Undisputedly, they have conspired with one another under the clever MAGA slogan by Defendant Trump and a few innocent idealistic but misinformed and naïve so-called pro-life college girls to try to turn America back to pre-Civil War misogynist moral, social, cultural, and legal values.

33. The opening sentence of Section One of the 14th Amendment defined U.S. citizenship as follows: ***"All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."*** This clearly repudiated the Supreme Court's pre-Civil War notorious 1857 *Dred Scott* decision, in which reactionary **Chief Justice Roger Taney incorrectly and maliciously wrote that a Black man, even if born free, could not claim rights of citizenship under the federal constitution.**

34. Section One's second clause of the 14th Amendment was: ***"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."*** This greatly expanded the civil and legal rights of all American citizens by protecting them from infringement by the States as well as by the federal government.

35. The third clause, ***"nor shall any State deprive any person of life, liberty or property, without due process of law,"*** expanded the due process clause of the Fifth Amendment to apply to the States as well as the federal government. Over time, the U.S. Supreme Court, before being recently manned by a majority of radical, impostors, misogynists, who are the named Respondents Associate Justices herein, has interpreted this clause to guarantee a wide array of rights against infringement by the States, including those enumerated in the Bill of Rights (freedom of speech, free exercise of religion, right to bear arms, and so on,) as well as the right to privacy and other fundamental rights not specifically mentioned elsewhere in the Constitution.

36. Finally, the "due process" or "equal protection clause" ***("nor deny to any person within its jurisdiction the equal protection of the laws")*** **was clearly intended to stop State governments from discriminating against Black Americans and of course, WOMEN, and over the years would play a key role in many landmark civil rights cases.**

37. After beloved President Lincoln was assassinated in April 1865, his successor, President Andrew Johnson, a **Democrat and former slaveowner from Tennessee, supported emancipation, but differed greatly from the then Republican-controlled Congress** in his view on how Reconstruction should proceed. With Johnson's complicity, the newly elected Southern State legislatures (largely dominated by former Confederate leaders) enacted **Black Codes**, which were repressive and strictly regulated the behavior

of Black citizens and effectively kept them dependent on white planters. The **Black Codes** criminalize activities that would make it easy to imprison African Americans, and **effectively force them into servitude once more.**

38. In ***Plessy v. Ferguson* (1896),** the U.S. Supreme Court ruled that racially segregated public facilities did not violate the equal protection clause of the 14th Amendment, a decision that would help establish **infamous Jim Crow segregationist laws** throughout the South for decades to come.

39. But beginning in the 1920s, the Supreme Court increasingly applied the protections of the 14th Amendment on the State and local level. In its famous 1954 ruling in ***Brown v. Board of Education*,** the Supreme Court overturned the "separate but equal" doctrine established in *Plessy v. Ferguson*, ruling that segregated public schools did in fact violate the equal protection clause of the 14th Amendment.

40. Undisputedly, following this trend of protecting equal rights to both black and women, in 1973 this Supreme Court resolved the issue of abortion by issuing its fair and just ruling in *Roe v. Wade.*

41. Also undisputedly, Respondents herein being attached to their conservative misogynist tradition are now trying to return America to pre-Civil War conditions and values, i.e., they are trying to lead our great country backward from the progress WE THE PEOPLE have accomplished since the mid of the 19th Century with streams of blood and hills of bones of more than 600,000 dead bodies on the battlefields.

DOBBS COURT HAS INTENTIONALLY READ OUT OF HISTORICAL CONTEXT THE WRITTEN WORDS OF THE 13th and 14th AMENDMENTS TO MALICIOUSLY AND CRIMINALLY ABOLISH WOMEN'S SACRED RIGHT TO OWN AND CONTROL THEIR REPRODUCTIVE ORGANS AS LATER ASSERTED BY *ROE V. WADE.*

42. The treasons by Respondents Kavanaugh, Gorsuch, and Barrett have been known on public records to all informed Americans, **[See, A: 55-56]** as noted and emphasized on public TV by GOP U.S. Senator Susan Collins, **[See, A: 57-58]** to whom Respondents had promised in public and private hearings **not** to overturn *Roe v. Wade.*

43. This Court must have taken judicial notice that on May 17, 2023, Respondent Trump herein triumphantly and publicly bragged about his felony of acting in concert with Respondents Gorsuch, Kavanaugh, and Barrett to betray the U.S. Constitution and legally "kill" *Roe v. Wade*, and by the same token, what he did not say, physically murder in silence countless CBA women presently and in the future. **[A: 71]**

44. The treasons by Justices Alito, Thomas and Chief Justice Roberts are no less formal and fully documented since they have been publicly and solemnly sworn in to uphold, not to intentionally misinterpret and rewrite, the Constitution. Interestingly, on October 24, 2022, the NY Times sent Petitioner herein in my personal email address its even-date article showing **in 2005 Justice Sammuel Alito assured late Senator Ted Kennedy that he would not betray *Roe*, in the event he would be nominated to SCOTUS. [See, A: 56]** Undisputedly, the NY Times, who must have been aware of this civil action in the lower courts, wanted Petitioner herein to place on the records of this civil action in this Court that like Trump-appointed SCOTUS Associate Justices Gorsuch, Kavanaugh, and Barrett, honorable Associate Justice Samuel Alito too was a traitor and liar, whose lies and treason were duly and publicly recorded regarding the issue of *Roe v. Wade.* **[See, A: 56]**

45. **Undisputedly, all the three SCOTUS Associate Justices Respondents herein and Chief Justice Roberts have publicly committed perjury.** [A: 55-58] The issue is only how the American people can legally hold their honors accountable to preserve and defend the highest value and survival of the American liberty, republic, and democracy as a matter of principles and, in particular, life and happiness of millions of our beloved CBA women, who, Respondents herein have definitely forgotten or ignored, are undisputedly and literally the indispensable creators, mothers, caretakers, and first most devoted adorers of all the young generations to come.

46. All America is aware of that. This Court has taken judicial notice thereof. However, it is also undisputed that nobody, except Petitioner herein, feels the concern, painful injury, has the knowledge and courage to take necessary legal actions to save our CBA women from the extreme life-threatening hardship that they have, are and will continue to endure because of anti-abortion State legislation such as the **Texan THA, Ohioan HRHPA, and the Oklahoman SB 612.** This extreme hardship may be ultra difficult to overcome, because when Petitioner herein did follow my own individual conscience and speak up, I have been literally chastised and seriously menaced and threatened in writing by the respective MAGA conservative misogynist powerful U.S. District Courts of Texas, Florida, Oklahoma, Ohio, and Indiana allegedly for being frivolous, baseless, meritless, implausible, fanciful, malicious, delusional, fantastic, sanctionable, lacking arguable basis in fact or in law, and nationally known for being a frivolous litigant, something that is actually and legally untrue, **and personally known to Justice Sonia Sotomayor of this Court to be so. [See, A: 31]**

47. For one sure thing, the foregoing reaction by Defendants-Appellees-Respondents and the concerned District Courts, and the U.S. Courts of Appeals for the 2nd, 3rd, 5th, 6th, and 10th Circuits, taking their sides **illegally** without even their appearances to file affirmative defenses with the Courts, is undisputedly abusive, unjustified, and inappropriate. **[See, A: 31]** It is patently based on their biases and prejudices deriving from

their cultural and religious radical conservative racist and misogynist background, which is undisputedly both unconstitutional and illegal.

48. Undisputedly, Respondents' State anti-abortion statutes are like the 1865 Black Codes, which were unmasked and outlawed by the 1866 Civil Rights Act.

49. **In simple words, it can be said that the U.S. Constitution and/or *Roe v. Wade* correctly consider a pre-viability fetus a woman's nail, or hair or benign lump in her breast or a tumor in her brain.** As such, a State has no more right to tell a woman not to remove a blood clot in her uterus than not to cut her hair or nails or reduce her oversized breast or remove from her brain some benign or cancerous tumor. **[See, A: 32-35]**

50. **Viewing the foregoing, it may be said that Respondents SCOTUS Associate Justices Gorsuch, Kavanaugh, and Barrett deserve the death penalty or at least to be disbenched from the U.S. Supreme Court for having heartlessly and brainlessly calculated to issue the criminal and unconstitutional *Dobbs* ruling that allows such State death-trapping laws to mentally and physically torture sometimes to death millions of our beloved innocent CBA women with their unconstitutional State irrational and radical misogynist anti-abortion legislation.**

51. Viewing the foregoing true dramas resulting from any anti-abortion legislation, such as the Texan THA, Ohioan HRHPA, and the Oklahoman SB 612, and having been created by the Respondents herein, which violates both the U.S. Constitution and *Roe v. Wade*, it is undisputed that the Lower Courts' Dismissal Order(s) being appealed must be reversed by this USSC for being inhuman, irrational, and murderous, besides delusional, fantastic, unconstitutional, and illegal.

52. Finally, by casually treating the issue of abortion that involves literally the life, happiness, or death of hundreds of thousands or even millions of both CBA women and their unborn babies as if it were only the trivial issue of the amount of a traffic ticket, which can be left to States or even cities to decide and enforce, SCOTUS Respondents herein have irresponsibly abdicated from their main duty of upholding our Constitution and keeping an united and consistent coherent rational federal jurisprudence governing all of America, instead of State by State of the Union.

53. Under the (illegal) control of Respondents Associate Justices herein, current SCOTUS has as such created an extremely dangerous national condition very similar to the one that preceded the American deadly 1861-1865 Civil War, when the South was for slavery while the North against it. Then SCOTUS never declared that President Lincoln was wrong and had acted unconstitutionally when he led the armed forces of the North to defeat those of the South to abolish slavery, because the U.S. Constitution had never written in black and white that black people had the same right to live free and are equal to the white ones. Literally, the forces of justice,

fairness, equality, and liberty being led by history-making President Abraham Lincoln had courageously acted first with guns and swords, death, and bloodshed, then they wrote the 13th and 14th Amendments and the 1866 Civil Rights Act after. The rest can be correctly said to be the greatest new page of the most heroic democracy in the history of not only America but the entire world from the beginning of time.

54. **In any event, fact is, during the Civil War, many citizens of New York and New Jersey did bear arms and go to the South to kill or be killed in Texas, Alabama, or Oklahoma. None would argue with the military federal recruiters that they only have the duty to defend the States, of which they are citizens, but no other States of the Union. As such, it is ludicrous, incorrect, and outright illegal, unconstitutional, and un-American for a federal judge to dictate, from the bench to dismiss Petitioner's complaint, on behalf of the Respondents in default, that Petitioner herein, being a citizen of New Jersey, has no standing to sue for failing to prove actual or foreseeable imminent injury because of the Texan anti-abortion legislation, or no matter how patriotic I might be or claim to be, or how much I have been worried, sleepless, touched, and deeply concerned about the Texan, Ohioan, or Oklahoman misogynist and murderous anti-abortion legislation that may cause the second American Civil War, in which I and/or my son or daughter or grandchildren will have the legal duty to bear arms to go, wherever the U.S. government would decide, to kill or be killed.**

55. The foregoing is the most vivid physical historical moral logical philosophical legal and constitutional REALITY of the U.S.A. **as one single unit of a brave and free human collective brain,** of which each individual American citizen is a vivid living partner.

56. Therefore, it is completely incorrect and un-American for any U.S. federal judge to irresponsibly dictate that a NJ resident has no business or imminent injury to worry about the lives and welfare of millions of CBA women, being targets of powerful misogynist heartless groups of felons, who are discreetly murdering them by making laws and/or court orders depriving them of their inalienable human rights to healthcare and access to safely induced miscarriage procedures, be that by appropriate FDA approved drugs, or licensed surgeons at the place and time of their choice and convenience.

57. **However, as a matter of law, no violence is necessary to overturn *Dobbs*.** The American people do not need to take any violent action like desperate loser legally uneducated Appellee-Respondent Trump herein on January 6, 2021, to try to overturn by armed forces the result of the November 2020 Presidential Election.

58. **It is of note that this one of Appellee-Respondent Trump's most clearcut unconstitutional, illegal, criminal, anti-democratic, and anti-American felonies must be dealt with appropriately by the U.S. DOJ.** Also, this civil action is undisputedly further evidence of Trump's overall criminal misconduct against

America. Petitioner herein, who voted for Trump twice, is not systematically anti-Trump, but only when he violates the undisputed principles and the true spirit of the U.S. Constitution and statutes. It was former President Trump's right to nominate SCOTUS justices, when occasions arrived, but it was a felony for him to appoint a candidate knowing that they would lie to the U.S. Senate that they would uphold *Roe* to have their nomination secured, then once this was done, they would go back on their promises. That is exactly what TREASON means in this constitutional context, and time for TRAITORS to be investigated, indicted, and held accountable to save the American Republic, Democracy, and Freedom.

59. America does not need to remove SCOTUS members defendants-Respondents herein from the Court by violence, because **WE ARE PROUDLY A NATION OF LAW. WE CAN WORK INTELLIGENTLY TOGETHER BASED ON LOVE, REASON, MODERATION, BALANCE, WISDOM, AND LEGALITY.**

60. And soon, **with AI (Artificial Intelligence) as our latest most advanced tool,** our nation will be able to effectively detect and nip in the bud to timely clean up all types of moral, religious, political, or legal corruption to date, not only in America but also all over the planet, then well beyond. **[See, A: 46-54]**

JUSTICE ALITO'S *DOBBS* OPINION HAS BEEN MOST STRONGLY REJECTED AND CONDEMNED TO BE DEADLY REACTIONARY AND MISOGYNIST BY JUSTICES BREYER, SOTOMAYOR, AND KAGAN.

61. In their *Dobbs* joint dissenting opinion dated June 24, 2022, Justices Breyer, Sotomayor and Kagan wrote:

> *"For half a century, Roe v. Wade, 410 U. S. 113 (1973), and Planned Parenthood of Southeastern Pa. v. Casey, 505 U. S. 833 (1992), have protected the liberty and equality of women. Roe held, and Casey reaffirmed, that* ***the Constitution safeguards a woman's right to decide for herself whether to bear a child. Roe held, and Casey reaffirmed, that in the first stages of pregnancy, the government could not make that choice for women. The government could not control a woman's body or the course of a woman's life: It could not determine what the woman's future would be.*** *See Casey, 505 U. S., at 853; Gonzales v. Carhart, 550 U. S. 124, 171–172 (2007) (Ginsburg, J., dissenting). Respecting a woman as an autonomous being, and granting her full equality, meant giving her substantial choice over this most personal and most consequential of all life decisions. Roe and Casey well understood the difficulty and divisiveness of the abortion issue. The Court knew that Americans hold profoundly different views about the "moral[ity]" of "terminating a pregnancy, even in its earliest stage." Casey, 505 U. S., at 850.* ***And the Court recognized that "the State has legitimate interests from the outset of the pregnancy in protecting" the "life of the fetus that may become a child."*** *Id., at 846.* ***So, the Court struck a balance, as it often does when values and goals compete. It held that the State could prohibit abortions after fetal viability, so long as the ban contained exceptions to safeguard a woman's life or health.*** *It held that even before viability, the State could regulate the abortion procedure in multiple and meaningful ways.* ***But until the viability line was crossed, the Court held, a State could not impose a "substantial obstacle" on a woman's "right to elect the procedure" as she (not the government) thought proper, in light of all the circumstances and complexities of her own life.*** *Ibid.*
>
> *Today, the Court discards that balance. It says that from the very moment of fertilization, a woman has no rights to speak of. A State can force her to bring a pregnancy to term, even at the steepest personal and familial costs.*

An abortion restriction, the majority holds, is permissible whenever rational, the lowest level of scrutiny known to the law. And because, as the Court has often stated, protecting fetal life is rational, States will feel free to enact all manner of restrictions. (...) Some States have enacted laws extending to all forms of abortion procedure, including taking medication in one's own home. They have passed laws without any exceptions for when the woman is the victim of rape or incest. (...) ***So too, after today's ruling, some States may compel women to carry to term a fetus with severe physical anomalies (...), sure to die within a few years of birth.*** *(...) Across a vast array of circumstances, a State will be able to impose its moral choice on a woman and coerce her to give birth to a child.*

Enforcement of all these draconian restrictions will also be left largely to the States' devices. ***A State can of course impose criminal penalties on abortion providers, including lengthy prison sentences.*** *But some States will not stop there. Perhaps, in the wake of today's decision, a state law will criminalize the woman's conduct too, incarcerating or fining her for daring to seek or obtain an abortion.* ***And as Texas has recently shown, a State can turn neighbor against neighbor, enlisting fellow citizens in the effort to root out anyone who tries to get an abortion, or to assist another in doing so." [Emphasis added]***

62. SCOTUS Minority has as such entirely shared its identical view with Petitioner herein in this matter, amazingly even concerning my claims against Appellees-Respondents herein for their violation of my copyrighted intellectual property, entitled THE CCO NETWORK [See, A: 15-18] using private citizens to detect and prosecute concerted organized crimes. The only difference is that the Minority Court has failed to be more resolute in its power of CORRECT reasoning based on **ABSOLUTE RELATIVITY** as the supreme principle of the changing universe, showing that the Majority has erred as a matter of logic and rationality based on outdated traditional Aristotelian logic of non-contradiction, **not knowing how to appropriately balance the competing vital interests between the fetus's life and that of its mother, the host woman**, who may be either the greatest benefactor in its life to come, as literally giving it LIFE, if one believes in the so-called God 1.0 of the Jewish Torah, **[A: 39-45]** and now under color of State law, but in fact unconstitutionally, by the heartless, hypocrite, unbalanced, misogynist Appellees-Respondents herein, or the fetus' worst enemy, depending on her power to choose as given her by the U.S. Constitution under the RIGHTS TO LIFE, LIBERTY, PROPERTY, PRIVACY, AND THE PURSUIT OF HAPPINESS.

63. It is of note that SCOTUS Minority's *Dobbs* June 24 2022 Opinion was written and published subsequent to Petitioner's May 7 2022 service and filing of summons and complaint in *Dmt MacTruong v. G. Abbott, et al.* in the U.S. District Court for the Western District, Austin Division, Texas, Dkt No. 1-22-Cv-476. USCA5 Dkt No. 22-51024. As such, I was not at all an opportunist, who just plagiarized the Minority Court's correct position in this matter. On the contrary, I may even claim the great unexpected honor that the Minority Court might have adopted mine, which in fact is that of any jurist and lawyer, who knows how to reason with AR logic, [A: 73] and pursuant to the spirit and literal guidance of the great U.S. Constitution.

64. **Clearly, had the Majority Court, including the 3 Respondents Justices herein, been better informed with open minds in general culture and specifically trained to think, reason, decide, and act justly, fairly, and appropriately according to the correct principle of ABSOLUTE RELATIVITY, instead of the limited Aristotelian logic of non-contradiction, as explained rationally hereinabove, hereinafter, and in Petitioner's 414-Page book under that title, [A: 53-54]** then obviously the Court would have preserved *Roe* and rejected *Dobbs*, and America would not have been plunged, as right now, into the mightiest turmoil and legal chaos, we have not been since the end of the 19th Century Civil War.

65. **Viewing the foregoing, Petitioner herein respectfully moves this Highest Court of America to take this unique opportunity to not only bring justice and fairness, but also peace, unity, reason, progress, wisdom, freedom, civilization, and creativity to America,** starting by striking down Respondents' misogynist anti-abortion legislation everywhere under the Court's subject-matter jurisdiction in so far as it undisputedly violates the most basic principles already appropriately laid down by *Roe v. Wade* and the U.S. Constitution, which protect all American citizens' rights to life, liberty, property, privacy, and the pursuit of happiness, and granting all reasonable relief sought in Petitioner's Complaint, and/or Motion for Summary Judgment, and/or any relief that the Court would deem fair just and appropriate.

GROUNDS UPON WHICH THIS PETITION FOR A WRIT OF CERTIORARI SHOULD BE GRANTED

66. The facts and circumstances of this case glaringly and undisputedly show on public court records that:

(a) The United States Court of Appeals for the Fifth Circuit has entered a decision in total conflict with its prior decisions and those of a majority of other United States Court of Appeals on the same important issue regarding women's right to safely induced miscarriages in that the Court has so far departed from the accepted and usual course of judicial proceedings or sanctioned such a departure by a U.S. Court of Appeals, as to call for an exercise of this USSC's supervisory power.

(b) To be right on the point, no other U.S. Courts of Appeals have demonstrated an open departure from *Roe v. Wade* ruling after June 24 2022 *Dobbs v. Jackson* ruling, causing undisputedly (i) deep mistrust for the first time ever by the American public in the wisdom and sense of justice of this highest Court of the land, and (ii) America to go back about 162 years to the pre-Civil War condition as in 1861, when the South formally separated from the North, and President Lincoln declared war to save the Union.

(c) As such, in the interest of justice and for the sake of effectively defending any litigant's most fundamental constitutional right to due process, this Supreme Court of the United States of America should absolutely intervene and reverse the USCA5's failure to put the U.S. District Court for the Western District of Texas, Austin Division, on the right tract of justice that has been established by President Lincoln at the cost of more than 600,000 American lives and his own on April 15, 1865, and strongly affirmed by the 1866 and 1964 Civil Rights Acts, and *Roe v. Wade* on January 22, 1973.

CONCLUSION

5. What action do you want SCOTUS to take in your case?

67. All Appellees-Respondents herein are admittedly Respondent Trump's co-conspirators, misogynists, criminals, anti-constitutional, anti-American, and murderers. Defendant Trump's misogynism was determined to be a fact by a preponderance of the evidence, in May 2023, by a jury after a civil trial in the SDNY. SCOTUS Respondents need to be legally removed from SCOTUS to restore the dignity, decorum, and honor of this one of the very few most respected and trusted American institutions left.

68. As such, may it please this Supreme Court of America not to allow these offenders to soil it in CBA women's blood, shame, and humiliation one second further. Our women have been liberated for 50 years. They won't and should not be compelled by Respondents under color of State law to go back in time to cages or waterbeds to be raped, sometimes at 10 years of age, without even having the legal option of getting a safely induced miscarriage in privacy while fighting back their rapists in court or recovering from such terrifying and humiliating drastically life-changing ordeals. **[A: 32-35]**

69. To be accurate, the Texan THA, and other State anti-abortion laws such as the Ohioan HRHPA, which was signed into State law after it, is much worse than the Jim Crow laws or the 1865-1866 Black Codes, and an egregious violation of the 1866 and 1964 Civil Rights Acts and this Court's 1973 *Roe v. Wade*.

70. The U.S. Constitution must have the first and final legal words on what to do with any foreign object entering with or without CBA women's permission inadvertently or intentionally in their vaginas or uteruses. CBA women's rights to life, liberty, property, privacy, and pursuit of happiness are openly and undisputedly protected by the U.S. Constitution. These rights may not be second-guessed by any brainless and heartless hypocritical demagogue misogynist politician, legislator, or judge, who cheated their way to sit on federal

benches, including the U.S. Supreme Court, or who, like the Respondents herein, can be proven to lie to destroy the U.S. Constitution instead of upholding it, as they are sworn in under oath to, arguably deserve the death penalty for treason, or at least a life or several years in prison for having calculatedly committed such Hitlerian and sadistic heinous mass-murder felonies against millions of our beloved CBA women with their irrational unconstitutional illegal misogynist State anti-abortion legislation, unscientifically and arbitrarily determining when a blood clot can be deemed life and given "legal personhood" protection, literally endangering and rendering extremely miserable and troublesome the lives of millions of American CAB women and their loved ones.

71. As duly and correctly noted by Minority SCOTUS, *Dobbs* ruling is so divisive for America that its authors have set our people on the brink of a second civil war for the North Blue States to fight the South Red ones to liberate all American women this time, instead of black slaves as during the First by the great and beloved President Abraham Lincoln upholding the U.S. Constitution at any cost, including more than 600,000 American lives and his own. Respondents are so murderous and heartless and legally ignorant of logical reasoning that it would be much better for the American people just to put them physically and quickly out of action, instead of our nation going into another devastating murderous civil war.

72. Notwithstanding, no violence should be required to remove these undesirable individuals from SCOTUS, because as a matter of law this noble Supreme Court has all the power under the Constitution to discipline itself by referring them to the U.S. DOJ for further investigation, indictment, and prosecution, for such serious actual crimes of sexual harassment, sexual abuses, voluntary homicide, or even first-degree murders, while fully respecting their constitutional rights to due process, precious rights that they have heartlessly denied to innocent rape victims of 10-years of age, by the unconstitutional and illegal *Dobbs* ruling, and have set our nation on the brink of civil war.

THE CORRECT WAY FOR THIS COURT TO HELP AMERICA AND OUR ENTIRE PLANET MEET OUR GREATEST CHALLENGE IN THE YEARS AND DECADES TO COME

73. Undisputedly humanity will not be able to elevate itself to the next level of interplanetary civilization in the years and decades to come if we cannot upgrade the way we reason, think, speak, and act to implement our correct thoughts and ensure that our positive collective plans of action for the future are carried out by all humankind as one community living together peacefully under one unifying system of law based on RPR IN

AR **[See, SIDENOTE (*****) Page 17, for Definition]** by universal education and universal partnership. **[See, A: 46-54, 59-67, 72-99]**

74. It's time however for America and our entire planet to courageously face the ultimate challenge of our cultural, spiritual, scientific, and technological evolution. Externally, we now must daily face such hostile powerful national forces as those of China, Russia, North Korea, Iran, Saudi Arabia, and Israel. Internally, we are confronted with violence-provoking issues of discrimination based on race, ethnicity, sex, gender, culture, politics, religion, and especially morality. All the foregoing challenges can be easily met with our collective understanding of the supreme principle of our changing universe: **Absolute Relativity**, which holds the key to our discovery of truth and justice, wisdom, balance, moderation, and reasonability, and which is the essential element leading us to universal peace and harmony that will open our greater collective vision and allow the entire human race to make the new bold steps forward and rise together to the next level of interplanetary civilization, saving our planet from both natural and man-made disasters such as climatstrophe, pandemics, deforestation, floods, wildfires, droughts, hurricanes, global pollutions, hunger, wars, crimes, frauds, rapes, overpopulation, underpopulation, sexual frustration, lack of affordable renewable energy. As such, **understanding and applying Absolute Relativity is the key to our new world of peace, freedom, happiness, and positive creativity to come.**

75. Luckily for all humankind, **ABSOLUTE RELATIVITY, [See, A: 46-54, 59-67, 72-99, for its simple and straightforward meaning and some practical applications]** as the ultimate principle of logical reasoning to pursue truth and do justice for every human being of all ages, skin colors, genders, nationalities can be learned, understood, expanded, widely practiced, and upgraded. Truth, justice, peace, collective scientific inner harmony and partnership, and exterior technological progress will be achieved in America and the whole planet Earth when all lawyers, judges, legislators, political, moral, and religious leaders would have proven that they had been taught in schools this ultimate method of reasoning and mastered it before they are licensed to practice law, and are duly sworn in to uphold the principles and high ideals of the U.S. Constitution, which is the most balanced and wisest political and legal document the world has ever written, believed in and forcefully practiced in good faith with the Principle of Absolute Relativity always present in all minds and total realities.

76. It is of note that the new **WORLD STRUCTURE Constitution [See, A: 74]** that was written by Petitioner herein back in 1975 to lead legally and peacefully all humanity to the next level of interplanetary civilization has been deeply inspired by the U.S. Constitution with Absolute Relativity **[See, A: 75]** as the logical foundation and ultimate breakthrough.

77. In substance, our entire planet will be governed by **THE WORLD STRUCTURE,** a kind of world government of, by, and for all humankind, on a federal, republican, democratic, and liberal basis. **[See, A: 29-30, 35-38, 49-54, 59-64, 73-75]**

78. Finally, with due respect, Petitioner submits hereinafter the **very short Table of Content of my 4000-page super book entitled SUPERHUMANKIND IN ACTION** for the Court to review and recognize that AR is indeed the legal principle and spirit to be learned and practiced worldwide if a wonderful future for all humankind is to be legally developed and secured. **[See, A: 49-54]** It took Petitioner almost 50 years to write it from scratch based on my learning, experience, and creativity after having grown up and was most seriously educated with a purpose, mission, and vision in literally three most brilliant civilizations in the world of all time: Asia, Europe, and America. **[A: 65-67]**

79. SUPERHUMANKIND IN ACTION THE BOOK reflects substantively the logic, reasoning, and spirit of the Principle of Absolute Relativity as undisputedly described in 20 Simple Statements without Explanation or Demonstration, which can be reviewed at **A: 73** and **A: 75.**

80. In simple final words, all Petitioner herein strongly wishes now, in the highest interest of the American people, as one single legal living entity, more commonly known as a nation of law, is this dutiful Supreme Court performs its duty under the U.S. Constitution and Congressional statutes, and the American spirit, by which the Court has been established with great power and honor to recognize directly or implicitly that indeed, unlike the main teaching of the Jewish Torah, Aristotelian Organon, Christians' New Testament that truth is one and unchanged. **TRUTH IS ONE AND MULTIPLE. IT IS IMMUTABLE, AND CONSTANTLY CHANGING.** Every man-made statement, including of course the Jewish Torah, Aristotelian Organon, Christians' New Testament, the U.S. Constitution, U.S. Congressional statutes, every Court's decision, within or without the U.S. legal system, is relative, i.e., one and multiple, immutable, and constantly changing. They all can and will be under the proper control of **Universal Intelligence,** which is naturally and inevitably a balanced and intelligent combination of human and artificial intelligence as we will all know it, while confidently progressing based on the principle of diversity toward the absolute diversified manifestation in all directions, and inversely based on the principle of identity to constantly return to their ultimate one universal essence, all that through infinite learning and practicing RPR IN AR. **[See, SIDENOTE (*****), Page 17, and A: 72-99]**

81. The ultimate key to open this elusive but wonderful state of TRUTH and REALITY is to locate a system of reference, find the related fragments thereof, connect them by their identity or common point, and still understand and accept that the latter is itself temporary and fragmented due to their inherent endless diversity.

82. As such, currently, for America to effectively protect CBA women's constitutional rights to control their bodies and health, the following guidance is undisputed. It should be carefully instructed and followed by all.

83. By the will of most Americans, since 1789, the U.S. Constitution has reigned supreme on this land of the free and the brave. **Being written in 1787, ratified in 1788, and in operation since 1789, the U.S. Constitution is the world's longest surviving written charter of government.** No uttered word in America can be deemed higher authority unless the Constitution has been appropriately amended or abolished, like traitor Appellee-Respondent Trump and his supporters tried to violently do but failed on January 6, 2021. **[A: 71]**

84. As a result, since none of the Appellees-Respondents herein have appeared in this civil action to oppose Petitioner's complaint and motion for summary judgment, they admitted and agreed with Petitioner that *Roe* is undisputedly a constitutional ruling, while *Dobbs* is not, this U.S. Supreme Court has no choice but to declare as a matter of constitutional law that the Texan **THA,** or any comparable State anti-abortion legislation, being unconstitutional and an egregious violation of *Roe v. Wade,* is annulled and voided for the sake of America's free Republic, Liberal Democracy, the safety and happiness of millions of its beloved CAB women.

WHEREFORE, may it please this noble U.S. Supreme Court to hold dear on reason, justice, wisdom, balance, integrity, humanity, the U.S. Constitution, the 1866 and 1964 Civil Rights Acts, the 1973 *Roe v. Wade* ruling, and (i) grant Petitioner herein an order directing that the Texan THA or any comparable anti-abortion State legislation within the jurisdiction of this Court, is annulled and voided, and (ii) grant all other and further appropriate ancillary relief, such as fining Respondents herein Ten Dollars or any sum deemed appropriate by the Court for their use without prior leave by Petitioner herein of my copyrighted intellectual property entitled the CCO NETWORK, [See, A: 15-18,] and/or GRANT any relief the Court may deem fair, just, appropriate, and reasonable in the premises.

Dated: **October 4, 2023,**

Dmt MacTrương, Petitioner *pro se*