No. _____ ORIGINAL

25-5393

FILED
JUN 13 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

_____

Ross Farca — PETITIONER
(Your Name)

vs.

California — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

California Supreme Court
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ross Farca
(Your Name)

3149 Jordan Way
(Address)

Antioch CA 94509
(City, State, Zip Code)

(530) 407-2009
(Phone Number)

## QUESTION(S) PRESENTED

I. Is California's Assault Weapon Control Act: §30605, §30600, §30800 & §30950 constitutional, especially when Prosecution "Firearm Expert" conceded that my AR-15 is suitable for self-defense?

II. Are FIREARM ACCESSORIES are constitutionally protected in any significant capacity? ---Are such Mallus Prohibitum schemes unconstitutional both facially and especially as-applied to me?

III. Is it acceptable that rapacious circumvention of 4th amendment rights aggravated my predicament by enabling those charges to even exist?

IV. Is my rifle an "assault weapon" if it did NOT exhibit the features §5471(z) & (oo), whilst prosecution also failed to prove it was Semiautomatic §5471(hh) and Centerfire §5471(j)?

Is entrapment via Provocation on §422 & amidst a personal frolic OUTRAGEOUS GOVERNMENT CONDUCT?

V. Is it a Violation of Due Process & Entrapment by CADOJ because I could not register my rifle as an "assault weapon"?

VI. Are Appellate judgements valid when Lacking Subject-Matter jurisdiction because the panel was haplessly ignorant of firearm mechanics & features in defiance of Cargill v. Garland (VanDyke Dissent Video)?

VII. Was it a severe violation of 5th Amendment that Defense Counsel #167626, overconfident of victory, prevented me from testifying at trial and refused to promulgate all my arguments?

VIII. Is it acceptable that Appellate Panel perniciously evaded constitutional challenge against §30605 etc. by claiming my incompetent attorney failed to raise it prior to Bruen being decided, when in fact I told her multiple times to raise a Second Amendment challenge?

X. Was it improper to disqualify jurors based on firearms knowledge and autism expertise?

XI. Does blatantly disregarding the Intersection of Severe Autism (Mental Illness) with Mens Rea Culpability create a FATAL REHAIF ERROR in the context of firearm prosecutions both criminal & civil?

XII. Was Probable Cause non-existent for original 6/10/19 warrant because the §422 charge upon which it is predicated got struck down by the same judge who approved that objectively ridiculous warrant?

XIII. Should all evidence acquired through invalid search warrants (such as the 6/10/19 abomination issued against me) be suppressed pursuant to Fruit of the Poisonous Tree doctrine, under 4th amendment & any charges derived from that accursed warrant irrevocably dismissed?

## LIST OF PARTIES

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

[ ] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

## RELATED CASES

-Marbury v. Madison, 5 U.S. (1 Cranch) 137 (1803)
-Duncan v. Bonta, 23-55805, 3:17-cv-01017BEN-JLB (9th Cir. 5/20/25)
-Miller v. Bonta, 19-cv-01537 BEN (9th Cir. 6/4/21 & 10/19/23) Benitez
-US v. Rehaif, 588 U.S. 225, 139 S. Ct. 2191 (6/21/19)
-Cheeseman v. Platkin, 1:22-cv-04360-RMB-JBD, (N.J. 7/30/24)
-U.S. v. Justin Bryce Brown, 3:23-CR-123-CWR-ASH (S. Dist. Miss. 1/26/25)
-United States v. Morgan, No. 23-10047-JWB (D. Kan. Aug. 26, 2024)
-US v. Freeman, No. 23 CR 158, (N.D. Illinois November 07, 2023)Gettleman
-United States v. Bullock, 679 F. Supp. 3d 501 (S.D. Miss. 2023)
-Barnett v. Raoul, 3:23-cv-00209-SPM, (S. D. Illinois, 11/8/24)
-Sorrells v. United States, 287 U.S. 435 (1932)
-No. 21-902 BRIEF OF ARIZONA, WEST VIRGINIA,& 23 OTHER STATES AS AMICI CURIAE IN SUPPORT OF PETITIONERS
-H.R. 2395: SHORT Act (Stop Harassing Owners of Rifles Today)
-H.R.404 - Hearing Protection Act
-LEGAL FICTION AND FORFEITURE, 40 Duq. L. Rev. 77
-Case: 24-30043 Document: 129-1 5/23/25 US v. Peterson No. 22-231
-Rupp v. Bonta, Case 8:17-cv-00746-JLS-JDE (C. Dist. CA 7/22/19) Stratton
-Andrews v. State, 50 Tenn. 165, 179–80 (1871)
Bliss v. Commonwealth, 12 Ky. (2 Litt.) 90 (1822)
-*VanDyke's Dissent Video* https://youtu.be/DMC7Ntd4d4c

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## INDEX TO APPENDICES

E=Exhibit (Appendix C)

## TABLE OF AUTHORITIES CITED

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

## OPINIONS BELOW

[ ] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix B to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[✓] is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

## JURISDICTION

[ ] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

[ ] No petition for rehearing was timely filed in my case.

[ ] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ___A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[✓] For cases from **state courts**:

The date on which the highest state court decided my case was 3/19/25. A copy of that decision appears at Appendix A.

[ ] A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ___A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

-Supremacy Clause
-Commerce Clause
-Takings Clause
-Due Process
-California's "Assault Weapons Control Act": §30515, §30605, §30600 etc.
-Second Amendment to US Constitution
-Fourth Amendment (Directly-Opposing PERSONIFICATION LEGAL FICTION)
-Eighth Amendment (Antithetical to the Very Idea of CONTRABAND & its Rapacious Application through Various TYRANNICAL-STATUTES)
-Title 11 CCR §§§§5471(z),(oo), (j) & (hh) CADOJ "Assault Weapon" Definitions: "Pistol Grip conspicuously protruding beneath the Action", "Telescoping Stock", "Centerfire" & "Semiautomatic"
-*Article I, Section* 9, *Clause* 8 *of the Constitution*-(Titles of Nobility)
-10 U.S. Code § 950t(17) (Using Treachery & Perfidy)
-Fish& Wildlife §§4150(a-b), [Selling Antlers, Possessing Fur]
-EXECUTIVE ORDER N-79-20 [Bans petrol only vehicles by 2035]
-Government Code Title 2, Division 1, Chapter 13 §8899.90(-95), [Defiles Cultural Legacy through Compulsory Renaming in egregious violation of First Amendment by CENSORING "Squaw"].
-CAPC §16660 & 18 USC §921(a)(17) Both Defining Armour-Piercing Handgun Rounds
-18USC §1001(a)(2) "False Statements or Entries"
-CAPC §422 "Criminal Threats"
-26 USC §5801 et. seq. 1934 NFA Registration Scheme with Criminal Penalties & Accursed Civil Forfeiture in Violation of Second Amendment
-18 USC §922(o) (Machine Guns)
-18 USC §922(g)(1-9) & §924(a)(2) {Institutionalized Class Warfare)
-CAPC §16590 (Concealable/disguised Weapons)
-CAPC §29180 (Ghost Guns)
-CAPC §§§422, 71 & 422.6 (Generic, Official & Collective Threats)
-CAPC §12355 BOOBYTRAPS (Definition & Penalty)
-CAPC §1118.1 Insufficiency of Evidence motion
-CAPC §1385 (Pursuant to the Interests of Justice)
-CAPC §1260 (Bruen Remand)

## STATEMENT OF THE CASE

On 6/10/19, CPD Detective Mahan decided to petition Contra Costa Superior Court judge Nancy Stark for arrest and search warrants on me because of a steam post mischaracterized as a §422 criminal threat. (CPD never proved I wrote that Steam post even at trial, and definitely lacked probable cause to search my residence then arrest me.) The original search/ arrest warrant signed by magistrate Nancy Stark was predicated exclusively on this erroneous §422 allegation which didn't even survive the preliminary hearing phase. In fact Nancy Stark herself would later strike down that charge because evidence was clearly insufficient! This conclusively established the 4th amendment violation.

But that was only an insult to a pernicious injury. Upon seeing my lawfully possessed and registered rifle, detective Mahan wrongfully declared it an "assault weapon" simply because I had a regular magazine release on it. "Telescoping stock" and "pistol grip conspicuously protruding beneath the action" were alleged during trial but never proven to CADOJ specifications or at all.

---On 10/8/20 detective Mahan pursued me to Antioch. My family moved out of Concord to escape his vile clutches.He claimed the spurious pretext of "informational assistance" to USMSFATF (US probation) which was so retarded even 1st district appellate court struck down §71 on this basis. The truth is that he was engaged in a personal frolic by searching my Antioch residence even though he was CPD. He has no business harassing me in Antioch because he's a Concord LEO & subsequently venturing beyond his jurisdiction. Mahan purjured himself by saying he didn't participate in the search, cross over to my side of the street and simultaneously interact with me. He was an opposing party in a civil proceeding against me and the prosecution's primary investigator. All I said is "why are you here? This is a federal search. Sieg Heil Pvt. Mahan." The "he can arrest me for PC§187 on him" was a spontaneous utterance after Mahan already left and prompted by the questioning of USMSFATF LEOs during a moment of frustration. They literally asked me what I was going to do about it and recommended that I take some form of drastic action granted the present inadequacies of the judicial system, then reminded me of a contemporaneous PC§187 investigation where they collectively sympathized with the perpetrator. Previously I was lured out of my residence at 7AM on the perfidy that USP Richard Brown had to check my ankle monitor, then ambushed while my rear was disadvantageously turned. +30 LEOs suddenly manifested before my eyes! This was all a coordinated process hence I had no idea they were going to communicate my nonsensical remark to Mahan & what would subsequently transpire. I didn't "cut" the ankle monitor, I snapped it & even if Mahan actually believed I was serious, which he didn't, any resulting inference would be patently unreasonable. He couldn't possibly be afraid of me & his reluctance to discuss security measures during trial is ludicrous, which is why I laughed when he was testifying. Mahan was being blatantly idiotic, even saying that he likes "hardened criminals since they follow unspoken rules".

---Finally I was prohibited from testifying to any of this because "it's incompatible with the values & official position of Public Defender's Office." You are not going to testify since it "damages our optics" so if you say something about it to the judge I'm going to "question your competence."

---Because I never got to explain to the jury why my rifle was NOT an "assault weapon" according to established CADOJ definitions & the actual circumstances of Pvt. Mahan affair, they erroneously/perniciously found me guilty of violating §30605, §30600, §422, §71 & 422.6 (cyberbullying misdemeanor) which in aggregate constitutes a grievous injury. Last two charges were dismissed by 1st Appellate Ct.

This case shall be the most important of current decade because it relates to quintessential constitutional rights & the audacity of inferior courts to blatantly defy S. Ct. mandates.!

## REASONS FOR GRANTING THE PETITION

If S. Ct. fails to accept certiorari of this case, that would be tantamount to abdicating its role in USA's political life, & by extension its continued existence. During this century, SCOTUS has consistently proven its absolute impotence because its rulings hold absolutely ZERO weight not only with Appellate Circuits, politicians, Congress & executive branch, but above all forfeited relevancy in the eyes of the average person. Thomas & Alito know this better than anyone, that S. Ct. stands on the verge of extinction (through defunding, DOGE) should it not rapidly & decisively reestablish ultimate judicial authority against all contenders! Given the magnitude of the issues hitherto promulgated, I have every expectation that this case shall be granted certiorari forthwith, at least in order to stave off S. Ct.'s impending suicide.

I. 9th Appellate Circuit & its subsidiary 1st Appellate District, both of which have been thoroughly corrupted by their location in San Francisco, profligately defied SCOTUS's decrees especially Bruen, 6/24/22 by persistent application of means-end scrutiny. Duncan is particularly alarming in its absolute rejection of the most obvious facts as illustrated in VanDyke's dissent. Since "a law repugnant to the Constitution is void" under Marbury v. Madison, SCOTUS must intervene NOW to prevent MASS CIVILIAN DISARMAMENT in the egregious manifestation of HARDWARE BANS. Using the false label of ASSAULT WEAPON, California's legislature/DOJ has contrived to prevent MERE POSSESSION of the most commonly owned firearms for self-defense especially the AR-15. Hence the reason I was viciously persecuted. I merely built an AR-15 using aftermarket features, which is my constitutional 2A right, but because it's black & scary, the rapacious jury has determined that my AR-15 rifle must not exist in the borders of California, which illustrates my next point.

II. The abhorrent notion that certain types of property can be prohibited to possess by the masses is a perfidious outrage that must be eradicated from all USA jurisdictions & ideally the entire world! The very idea of CONTRABAND is used to circumvent 4th amendment because when MERE POSSESSION, carrying, transportation, distribution & other presumptively lawful activities are magically transformed into "crimes", the citizenry can no longer be "secure in their persons, houses, papers, and effects" as constitutionally guaranteed. The mythical protection "against unreasonable searches and seizures" is at once exposed as worthless text, lacking any tangible impact on the material world. Searches & seizures predicated on UNREASONABLE LEGISLATION automatically violate 4th Amendment in every conceivable situation! Real crimes require ACTUAL CONCRETE INJURY to have been perpetrated in fact & not merely fulfill compelling government interests or reduce the likelihood of their perpetration. Consequently all victimless "crimes" are honestly not crimes at all, but rather LEGISLATIVE FIAT! Hence the primary grievance against the British crown during the 1775-83 Revolutionary War. Certain policy decisions are, from their inception, directly antithetical to the US national identity! The vile notion of CONTRABAND is the most arbitrary manifestation of government-TYRANNY & naturally induces sanguinary reprisals!

III. The specific items proscribed by law are only banned from the civilian population because government personnel openly brandish their CONTRABAND items in order to flagrantly demonstrate their superiority to the "unclean masses." US soldiers and SWAT LEOs carry post-1986 fully-automatic SBRs without needing to pay the $200 Tax Stamp & submit to NFA registration, 26 USC §5801 et. seq., which not only defies the Second Amendment on its face, but simultaneously imposes an ARTIFICIAL INEQUALITY in violation of the 14th Amendment. USA was founded on the premise of EQUALITY UNDER THE LAW, which unfortunately is constantly eroded every passing day and shall inevitably usher a new CIVIL WAR!

---Because Mallus Prohibitum legislation is inherently oppressive and laws restricting possession of particular items constitute the height of tyranny, they eventually become fundamentally intolerable to subject populations, not only in aggregate but even as standalone decrees. The greatest outrage is when politicians & their exalted classes indulge in the exact items which are denied to ordinary civilians. This legal disparity between classes foments violent resentment. 1986 Hughes amendment which closed the Machine Gun registry for civilians is a blatant manifestation of class warfare. Such disenfranchisement is not limited to firearms legislation, perpetually degrades national identity and functions as a prerequisite for the physical extermination of specific populations.

---When the interests of a national populace (even if they happen to be a demographic minority) are persistently disregarded, or worse, subjugated through both judicial & legislative means, only two possible outcomes exist! The mandates of world history are perfectly clear on this! Either genocides shall be perpetrated against the increasingly rebellious national populations (11 October 1899 – 31 May 1902 Boer Wars, ~800 Rape of the Sabines, Mao's 1958-62 Great Leap Forward & Ukraine's 1932-33 Holodomor) or they shall successfully overthrow the tyrannical government which has so brutally oppressed them, just like the 1775-83 US/American, 1917 Bolshevik, 1979 Iranian and 1789 French Revolutions. The iron law of nature overrules both criminal statutes & established judicial precedent, especially when they're promulgated by tyrants like the contemporary Democrat Party which unyieldingly pursues MASS CIVILIAN DISARMAMENT for this exact reason!

---But fortunately SCOTUS has the opportunity to prevent the coming 2nd US CIVIL WAR, with its ensuing devastation & millions of deaths. THAT OPPORTUNITY IS ACCEPTING CERTIORARI OF MY CASE & REACHING THE CORRECT CONCLUSION: STRIKING DOWN ALL CONTRABAND LAWS OR AT THE VERY LEAST, STATE ASSAULT WEAPON BANS!!! Failure/refusal to accept certiorari of my case is tantamount to signing the death warrant for millions of US civilians. Obviously this is not a legal concern, but I nevertheless presented it because it holds quintessential importance affecting USA's fate. Don't ACCELERATE the collapse of our wonderful country through the subversive agenda of Democrat Party Tyrants like CA-representative Adam Schiff.

IV. All CONTRABAND legislation (universally prohibiting items from civilian use and possession) in Anglo-Saxon jurisprudence is derived from IN REM FORFEITURE. As a perversion of admiralty law, Civil Forfeiture seeks to subvert established constitutional protections by exploiting the PERSONIFICATION legal fiction against US domestic populations.

*Whenever a politician denounces any type of item as CONTRABAND, title is automatically vested to the government through the RELATION-BACK fiction of civil forfeiture but with criminal penalties attached! Subsequently the very notion of CONTRABAND is FACIALLY UNCONSTITUTIONAL under ALL CIRCUMSTANCES!*
--40 Duq. L. Rev. 77 explains the origins/development of PERSONIFICATION Legal Fiction & its deleterious ramifications afflicting contemporary US domestic life:

"In J.W. Goldsmith-Grant Co. v. United States, in 1921, the United States Supreme Court justified the personification fiction by observing: the law ascribes to the property a certain personality, a power of complicity and guilt in the wrong. In such case there is some analogy to the law of deodand by which a personal chattel that was the immediate cause of the death of any reasonable creature was forfeited.69"

"Despite the murky source of the European tradition, "[r]etribution against inanimate objects, such as the sword of John at Stile or against irrational beasts, became common in the Middle Ages."78 European Christians believed that these objects were DEMONICALLY POSSESSED and if not executed or destroyed, the community would be the victim of the divine wrath and fury of God.79 In the face of such compelling circumstances, little consideration was given to the owners of these objects.80"

"The deodand was thus transformed from a religious expiation of guilt to a useful revenue-generating device for the English crown, guaranteeing the perpetuation of the tradition for many centuries.89 This medieval European practice is the true root of the current fiction of in rem forfeiture. Divorced from reality and concepts of right and wrong - or guilt and innocence - it is a grossly harsh, unjust, and inequitable procedure in relation to the civilian conception of the legal fiction.90 Unlike Roman legal fictions, which were applied sparingly and only to achieve an equitable result, the English statutory and common law of the deodand evolved over time to apply the presumptions of forfeiture to the Crown in all circumstances, masking the fiction as a dogmatic rule.91"

"Although deodands were abolished in England, their underlying principles formed the foundations of civil forfeiture in the United States, and the fiction of the guilty object persists.98 The rationalization that deodands and the forfeiture of property were not punitive measures, because no person was found to be guilty, also continues to this day.99 Nowhere is this more apparent than in the admiralty law of the United States."

"Admiralty, perhaps as much as or even more than deodands, shaped the development of the American law of forfeiture.100 Like the deodand, which provided the foundation for the fiction that the "thing can be guilty," Colonial admiralty courts often proceeded in rem against a vessel rather than in personam against the vessel's owner.101 A suspicious vessel could be arrested and prosecuted by name by the government, and the law treated the ship as if it were a guilty person.102"

The very notion of CONTRABAND in forfeiture proceedings (both in rem/personam) is directly opposed to the founders' intent & morality because they repealed all historical analogues. Hence the idea of CONTRABAND would obviously be struck down under the Bruen methodology.

"After the Revolution, the Founders limited forfeiture in cases of treason to the offending individual, forbidding the punishment of relatives by "Corruption of Blood."121 Moreover, the First Congress in 1790 abolished criminal forfeiture for felony, as well as for treason.122 This eliminated some of the strongest financial motives for criminal forfeiture in the early United States, and discouraged the use of extreme dogmatic fictions in criminal forfeiture."

"These early renunciations of the legal fiction added to the greater equity of the American criminal forfeiture experience.123 However, confronted by the scourge of organized crime in the late 1960s, Congress attempted to get tough with the Racketeer Influenced and Corrupt Organizations Act of 1970 ("RICO"), which provided for the criminal forfeiture of properties involved in the commission of a crime or acquired from it.124"
"RICO and similar laws, however, proved ineffective in the fight against organized crime, largely because the criminal forfeiture provisions as enacted in those laws did not provide for the "relation back" of title of proceeds of crime, and because the assets could not be seized pending trial.125 In other words, because these two legal fictions were omitted from the new laws, the laws initially did not work very well. The introduction of the relation back legal fiction in 1984, and the addition of "substitute asset forfeiture" - another legal fiction that allowed the government to seize assets in place of forfeitable assets that could not be traced - ameliorated these issues, while further diminishing a defendant's constitutional rights.126"

"This is where the personification fiction comes in. The property itself is ascribed the qualities of a person and can, therefore, be found guilty in a court of law. Common sense suggests that an inanimate object is not capable of culpability. The legal fiction, however, allows the court to ignore common sense and prosecute the object as if it were a person. By employing this fiction the courts have been able to side-step the question of whether civil forfeiture imposes a punishment on the owner of the property seized, because the proceeding takes place against the property itself. Thus technically, the outcome is not a punitive measure against the owner. Again, common sense tells us that seizure of a person's property is punitive, regardless of the purpose of the seizure. If a person's property is found to be guilty because, unbeknownst to the owner, the lessee has committed a crime, it is the owner, and not the property, who suffers the consequences."

"The in rem legal fiction goes so far beyond reality that arguably it does not qualify as a "legal fiction." Instead, perhaps the in rem personification is simply an outright "fiction," being so far removed from reality that the civilian definition of the contra veritatem element - that is, the facts of the case at hand are contrary to only the facts as stated, not reality - is stretched beyond all reasonable limits.132 For our purposes, therefore, we classify in rem legal fiction as a "dogmatic legal fiction".13"

The persistent defilement of civilian rights continues.

"If convictions are not the object of the police, they will not be deterred by the exclusionary rule.142 Although illegally seized evidence cannot be used to meet the probable cause standard for forfeiture, law enforcement officials can establish cause with other, untainted circumstantial evidence.143"

"Today, over 150 federal statutes mandate the forfeiture
of property.150 These "laws" allow forfeiture of "guilty" firearms, unsafe and uninspected food products, conveyances containing minute amounts of marijuana, and "guilty" animals used in fighting.151"

---Because the "GUILTY FIREARM" is responsible, then logically the shooter is innocent and must be exonerated. The live human did not possess the firearm, but rather the firearm possessed the human through its demonic influence. Most importantly, for the firearm to actually be guilty, it must have perpetrated some tangible material harm which can be PHYSICALLY MEASURED. Consequently, brandishing and any "offenses" which are dependent upon the characteristics of the firearm or the live human it possessed must not qualify as crimes! Crimes must be externally manifested!

No discharge=no possible crime under all circumstances!!! 1) Serial numbers are purely cosmetic so the firearm cannot be guilty of altered, defacing and missing serial numbers.
2) Simultaneously "Possession of a Loaded Felon by a Concealed Pistol" because the background of the possessor has absolutely ZERO impact on objective reality, firearms are supposed to be loaded, and the method of visual perceptability by third parties has nothing to do with the firearm itself.
3) The features present on a firearm, mode of shooting (full vs semi automatic) and barrel measurements are simultaneously not caused by the firearm's actions.

***If you're necessarily going to maintain the GUILTY FIREARM legal fiction then at least make it consistent, which means striking down all state and Federal statutes regarding firearms that don't involve PHYSICAL HARM! Especially all state "assault weapon" restrictions must be eradicated since they are the fundamental equivalent of banning the importation, transport, manufacture, sale and possession of Negroes because they conspicuously exhibit wide gorilla noses, small round ears, prognated jaws, swarthy epithelial complexions, black irises against a yellow sclerotic background, ebonics dialect and sub-70 IQs.***

|||. Granted the historical racism of the Democrat Party, "Assault Weapon" & other hardware bans are merely the promulgation of INSTITUTIONALIZED WHITE SUPREMACY by covert means since the vast majority of defendants who violate firearms laws are Negroes, amerindians, mestizo Hispanics, Dravidians or otherwise belonging to the dark races.

https://racism.org/articles/law-and-justice/criminal-justice-and-racism/136-criminal-law-generally/2484-federal-felon-in-possession?start=4

Every time a governmental entity attempts to proffer historical analogues for weapons laws, Negro slavery is inevitably brought up not only as a distortion but because the post-Reconstruction legal empowerment of Negroes constitutes the origin of all firearm restrictions in US history. Notwithstanding any denials in opposition, every single government entity that defends firearm restrictions & bans is, in reality, enforcing slavery by proxy. Since Negroes are conspiratorially prevented from accessing legal avenues for the redress of grievances & discriminated against at all levels, this creates an environment where the only realistic method to affect policy decisions in their favour is to violate as many Mallus Prohibitum laws as humanly possible. To whites, those Mallus Prohibitum legislations are merely random statutes that coincidentally have criminal penalties, but to the Negro collectivity they represent the fundamental embodiment of INSTITUTIONALIZED WHITE SUPREMACY! Accordingly whenever Negroes (and other dark races) violate Mallus Prohibitum schemes, those are not mere "crimes", but rather unconscious retaliation against the prevailing white supremacy which has ushered forth our current age of mass incarceration. This is especially the case with armed violence, because even if the victims are fellow Negroes, their ultimate objective of degrading the prevailing climate of white supremacy in legal affairs stands fulfilled! Consequently the greatest aspiration of US Negroes is to violate WHITE MAN'S LAWS in the most egregious manner possible, thus avenging the legacy of slavery relentlessly inflicted upon their race!

The primary purpose of firearm laws especially state "assault weapon" bans & really all Mallus Prohibitum legislation is to promulgate disproportionately the mass incarceration of Negroes astride other dark-skinned races. Nevertheless, given the inherent rapacity of Mallus Prohibitum laws, substantial numbers of whites (like me) have been victimized by them as collateral damage. Mallus Prohibitum legislation, especially firearm restrictions are devised to be overbroad & all-encompassing in order to generate as many criminal defendants as possible. Aside from generating tax revenue & subsidizing the JUDICIAL INDUSTRY, such laws are nothing more than a pretext for universal incarceration because they are MEANT to be VIOLATED! Furthermore the violation of firearms laws, having developed the characteristics of a unified struggle, is widely considered across all races to be the foundational insignia of manhood & ultimately fulfilling the American dream!!! But I personally don't see it that way because I'm innocent. Rather, ***I AM A WHITE COLLATERAL DAMAGE VICTIM OF MALLUS PROHIBITUM LEGISLATION, SPECIFICALLY COMMIEFORNIA'S "ASSAULT WEAPONS CONTROL ACT", ALL BECAUSE CADOJ FAILED TO PROVIDE A RELIABLE MEANS OF REGISTRATION, ALONG WITH A CONTUMELIOUS CPD-DETECTIVE'S MALICIOUS AGENDA TOWARDS ME***!

Despite being white collateral damage, I feel compelled to make you aware of the Negroes' current struggle against INSTITUTIONALIZED WHITE SUPREMACY because tensions are reaching a boiling point! As a result, a literal race war shall be waged parallel to the coming CIVIL WAR against Democrat Party tyranny, ***ALL OF WHICH COULD BE EFFECTIVELY PREVENTED IF ONLY YOU ACCEPTED CERTIORARI OF MY CASE & PROCEEDED TO IRREVOCABLY EXTINGUISH ALL STATE ASSAULT WEAPON BANS AFFLICTING USA***!

IV. Our predicament grows increasingly dire every single day granted the eternally insatiable malice of Democrat Party Tyrants. Commanded by Adam Schiff of infernal California, Chris Murphy (D-Conn.), Lucy McBath (D-Ga.), Richard Blumenthal (D-Conn.), Charles Schumer (D-N.Y.) & Alex Padilla (D-Calif.) mount a coordinated endeavour to resurrect the dreaded 1994-2004 national Assault Weapons Ban. ***ACCEPT CERTIORARI OF MY CASE NOW BEFORE THAT VILE ABOMINATION OF A BILL IS RAPACIOUSLY-ENACTED INTO LAW THROUGH THE COLLABORATION OF CERTAIN TREASONOUS REPUBLICANS & STRIKE DOWN ALL STATE ASSAULT WEAPON RESTRICTIONS TO PREVENT FURTHER DEPREDATIONS***!!!

https://www.schiff.senate.gov/news/press-releases/news-sens-schiff-murphy-blumenthal-padilla-rep-mcbath-colleagues-reintroduce-assault-weapons-ban/

V. Notwithstanding the quintessential importance of the Assault Weapon question, 1st Appellate District shocking EVADED this issue by claiming Defense Counsel failed to launch a Bruen analysis even though 1) SBI: 167626 was incompetent and 2) she actually did mount a constitutional inquiry. Specifically she extracted from Prosecution's Firearms "Expert Witness" the admission that my particular AR-15 is suitable for self-defense. Translation: under intermediate scrutiny & the interest-balancing approach abrogated by Bruen, my AR-15 is CONSTITUTIONALLY PROTECTED because it's "in common use for self defense!" Upon that basis, AR-15s (& SUBSTANTIALLY IDENTICAL FIREARMS) were declared immune from NJ's CONTRABAND legislation by Cheeseman v. Platkin's judge Peter Sheridan, even though he upheld the rest of "NJ's Assault Firearms Law." "State Defendants' argument fails because, like in Heller, the Assault Firearms Law categorically bans a type of weapon that is commonly used for self-defense. Based upon the Supreme Court's clear direction on this point, the AR-15 Provision of the Assault Firearms Law is unconstitutional for the Colt AR-15 for use for self-defense in the home." "The AR-15 Provision of the Assault Firearms Law is unconstitutional under Bruen and Heller as to the Colt AR-15 for use of self-defence within the home."

---1:22-cv-04360-RMB-JBD creates an obvious CIRCUIT SPLIT so it's absolutely ridiculous how 1st Appellate District perfidiously avoided objective reality by disingenuously (& FALSELY) claiming that my constitutional challenge was forfeited! Defense Counsel was operating under the Interest Balancing paradigm which dominated the 9th Circuit back then & actually still does, hence the atrocious judgement in Duncan v. Bonta on 3/19/25 idiotically claiming magazines holding more than 10 rounds are "mere accessories" not protected by the 2nd Amendment. Subsequently there was no procedural avenue available for Defense Counsel to mount any constitutional challenge in the trial court. This contention is so preposterous even CADOJ in its reply brief didn't allege that I forfeited my constitutional challenges, but rather stipulated to a Bruen remand under PC§1260 with the express purpose of establishing a factual record satisfactory to Appellate panel judges. Instead, the 1st Appellate District panel insidiously buck-passed using this slight of hand retardation all because they desired to evade the "Assault Weapons" question which is patently unacceptable & MUST be OVERTURNED BY SCOTUS forthwith! Judicial laziness cannot be tolerated at any level given its propensity to substantially degrade public trust & incite violent revolutions throughout history!

VI. Prosecution committed a fatal Rehaif error in their proposed jury instructions to which judge Cope & incompetent Defense Counsel SBI: 167626 wickedly acquiesced. A defendant must have ACTUAL CONCRETE knowledge of the features which subject the firearm to registration requirements.
---This implies that I had the REALISTIC opportunity of registering my rifle after I brought it home from Glazer Arms FFL on 3/18/2019, specifically the CADOJ website needed to have a FUNCTIONAL portal for registering my rifle. Unfortunately when I checked the website that Saturday and afterwards, there was no page where I could register my rifle as an "assault weapon". ***The ONLY rational conclusion is that when the incompetence & negligence of the appropriate government agency frustrated your attempt to comply with applicable law, this INDISPUTABLY qualifies as ENTRAPMENT, which subsequently absolves your ensuing defiance***!
---Nevertheless this doesn't mean I consciously built an "assault weapon" from my lower receiver because if CADOJ spontaneously fixed their servers at the crack of doom, that would pass the buck onto me. Prior to ordering all requisite aftermarket components, I methodically checked the seller's description against CADOJ's official definitions for features which comprise an "assault weapon", because I endeavoured to build my rifle devoid of such features. {Title 11, CCR §5471} Since I passed a background & purchased the rifle lower receiver from an FFL dealer LEGALLY, I had no intention to create a weapon restricted by Commiefornia law. Consequently I reasonably determined that my rifle would be in compliance with all relevant Commiefornia statutes & STILL MAINTAIN THAT PERSPECTIVE! The libtarded jury was so ABHORRENTLY WRONG I even called on Judge Cope at sentencing to strike down those accused charges under CAPC §1385 (pursuant to the interests of justice) because I am factually innocent & genuinely believed that outcome would come true! Tragically it failed to manifest.
---Government Counsel SBI: 328491 never cited §§5471(z) & (oo) which constitute the official CADOJ definitions of the features she alleged turn my rifle into an "assault weapon." Because my rifle's features do NOT correspond to the aforementioned definitions, it's factually NOT an "assault weapon." ***FATAL REHAIF ERROR***!!!

(z) "Pistol grip that protrudes conspicuously beneath the action of the weapon" means a grip that allows for a pistol style grasp in which the web of the trigger hand (between the thumb and index finger) can be placed beneath or below the top of the exposed portion of the trigger while firing. This definition includes pistol grips on bullpup firearm designs.

(oo) "Stock, telescoping" means a stock which is shortened or lengthened by allowing one section to telescope into another portion.

SBI: 328491 failed to even mention the semiautomatic & centerfire which are essential regardless of what features my rifle might have. These elements also were not proven. With massive effort, I managed to convince Defense Counsel SBI: 167626 to submit an §1118.1 Insufficiency of Evidence motion, but disputing only the semiautomatic element.

(j) "Centerfire" means a cartridge with its primer located in the center of the base of the case.

(hh) "Semiautomatic" means a firearm functionally able to fire a single cartridge, eject the empty case, and reload the chamber each time the trigger is pulled and released. Further, certain necessary mechanical parts that will allow a firearm to function in a semiautomatic nature must be present for a weapon to be deemed semiautomatic. A weapon clearly designed to be semiautomatic but lacking a firing pin, bolt carrier, gas tube, or some other crucial part of the firearm is not semiautomatic for purposes of Penal Code sections 30515, 30600, 30605(a), and 30900.

Not only did SBI:328491 fail to establish my rifle exhibited the characteristics which she alleged make it an "assault weapon" & prove I consciously decided not to register if that opportunity existed, but also never attempted to show I possessed the requisite knowledge of its features. Defense Expert Witness Alexis Smith confirmed my autism diagnosis then testified that based on her experience, when autistic persons become fixated on a particular activity/interest they impetuously disregard social context & the feelings of others. She used the example of LEGOs to illustrate this phenomenon because in clinical studies, autistics would physically prevent ambient individuals from interfering & frequently erect structures that are socially inappropriate/offensive or simply occupy too much space. Finally she extrapolated this archetype onto me, theorizing I was so hyper-focused on building my rifle, that I didn't address or contemplate any peripheral issues such as legality. By this point it was already established that no single firearm component on my rifle was precluded from civilian possession, but rather the assortment of features I had made it problematic. Furthermore you can have all 6 evil features with a fixed magazine, but none with a detachable magazine. Even if my rifle truly had the pistol grip & telescoping stock as alleged, I could not reasonably be expected to know that & at this point the fatal Rehaif error becomes blatantly obvious. Assembling a firearm just like importation, transport, sales, etc. is totally innocuous since there are no victims whatsoever. But instead of my status being at issue it's the rifle's status which crosses the rubicon into illegality (all because of the extensively discussed PERSONIFICATION LEGAL FICTION.) The Rehaif error is fatal & not harmless since I was substantially prejudiced at trial as result.

"Beyond the text, our reading of §922(g) and §924(a)(2) is consistent with a basic principle that underlies the criminal law, namely, the importance of showing what Blackstone called "a VICIOUS WILL." 4 W. Blackstone, Commentaries on the Laws of England 21 (1769). As this Court has explained, the understanding that an injury is criminal only if inflicted knowingly "is as universal and persistent in mature systems of law as belief in freedom of the human will and a consequent ability and duty of the normal individual to choose between good and evil." Morissette, 342 U. S., at 250. Scienter requirements advance this basic principle of criminal law by helping to "separate those who understand the wrongful nature of their act from those who do not." X-Citement Video, 513 U. S., at 72–73, n. 3."

Where's my "*VICIOUS WILL*" in creating a rifle that's perfectly legal in 44 states & which I reasonably determined was lawful in Commiefornia as well? ZERO Malice=No Crimes!

"Assuming compliance with ordinary licensing requirements, the possession of a gun can be entirely innocent. See Staples, 511 U. S., at 611. It is therefore the defendant's status, and not his conduct alone, that makes the difference. Without knowledge of that status, the defendant may well lack the intent needed to make his behavior wrongful. His behavior may instead be an innocent mistake to which criminal sanctions normally do not attach. Cf. O. Holmes, The Common Law 3 (1881) ("even a dog distinguishes between being stumbled over and being kicked")."

"In contrast, the maxim does not normally apply where a defendant "has a mistaken impression concerning the legal effect of some collateral matter and that mistake results in his misunderstanding the full significance of his conduct," thereby negating an element of the offense. Ibid.; see also Model Penal Code §2.04, at 27 (a mistake of law is a defense if the mistake negates the "knowledge . . . required to establish a material element of the offense"). Much of the confusion surrounding the ignorance-of-the-law maxim stems from "the failure to distinguish [these] two quite different situations." LaFave, Substantive Criminal Law §5.1(d), at 585."

"We applied this distinction in Liparota, where we considered a statute that imposed criminal liability on "whoever knowingly uses, transfers, acquires, alters, or possesses" food stamps "in any manner not authorized by the statute or the regulations." 471 U. S., at 420 (quotation altered). We held that the statute required scienter not only in respect to the defendant's use of food stamps, but also in respect to whether the food stamps were used in a "manner not authorized by the statute or regulations." Id., at 425, n. 9. We therefore required the Government to prove that the defendant knew that his use of food stamps was unlawful—even though that was a question of law. See ibid."

"This case is similar. The defendant's status as an alien "illegally or unlawfully in the United States" refers to a legal matter, but this legal matter is what the commentators refer to as a "collateral" question of law. A defendant who does not know that he is an alien "illegally or unlawfully in the United States" does not have the guilty state of mind that the statute's language and purposes require."

"We conclude that in a prosecution under 18 U. S. C. §922(g) and §924(a)(2), the Government must prove both that the defendant knew he possessed a firearm and that he knew he belonged to the relevant category of persons barred from possessing a firearm."

---SBI: 328491 contented herself with merely proving that I knew those two "EVIL" features were on my rifle but this is vastly insufficient because it's the functional equivalent of §922(g)(1-9)'s possession element. Yes, the rifle is registered to me so I obviously possessed & assembled it ***WHICH CONSTITUTES ONE OF THE PROUDEST MOMENTS IN MY LIFE***! Just like with food-stamps & §922(g)(1-9), I MUST know UNEQUIVOCALLY that putting those features on my rifle necessitates CADOJ registration as an "assault weapon." Then I MUST have maliciously decided not to register my rifle at a moment when this possibility REALISTICALLY existed! Both aspects form scienter's natural analogue.

---Although in §922(g)1-9) the person's status comprises scienter, here in CAPC§30605 it is the rifle's status (both physically & digitally,) which affects scienter. That is the ONLY logical method of bridging the gap between these two statutes & another reason why SCOTUS MUST ACCEPT CERTIORARI OF MY CASE NOW! The concept of status appropriated by §922(g)(1-9) is derived from status (or social credit score like Communist China) & from widely discredited theories like the VIRTUOUS CITIZENRY idea blatantly rejected by most Appellate courts post-Bruen. Throughout human history, the chimerical notion of social status has whimsically fluctuated due to the impact of military conquest, indigenous cultures, sanguinary revolutions & local superstitions. This creates a separate invisible hierarchy where certain social groups are inherently superior to others such as in USA, the hitherto discussed Personality Cult of the Law Enforcement Officer. ***The concept of social status being totally ARBITRARY & CAPRICIOUS, is fundamentally incompatible with a free democratic society***. Hence why titles of nobility are prohibited in USA by (***Article I, Section*** 9, ***Clause*** 8 ***of the Constitution***) & all visible proponents of social status were guillotined during the 1789 French Revolution. The negative social status appropriated by §922(g)(1-9) is an obvious circumvention of accepted equalitarian precedent & consequently illegitimate. ***Even more atrocious is the social status affecting a discrete property item*** (***as with CAPC*** §30605) ***through the natural extension of the PERSONIFICATION LEGAL FICTION because it's ILLOGICAL, OBJECTIVELY FALSE, ARBITRARY & UNJUSTIFIABLY TYRANNICAL***, which brings us to the next point.

V||. The US domestic populations trust their state & federal legislators to exclusively promulgate RATIONAL policies based on OBJECTIVE REALITY that provide physically identifiable benefits. In other words, all legislation must make sense! Unfortunately, that trust is horribly misplaced especially if you reside in Commiefornia like me. This terrible curse has birthed such UNCONSTITUTIONALLY-RETARDED abominations as Fish & Wildlife §§4150(a-b), [Selling Antlers, Possessing Fur]; EXECUTIVE ORDER N-79-20 [Bans petrol only vehicles by 2035] along with Government Code Title 2, Division 1, Chapter 13 §8899.90(-95), [Defiles Cultural Legacy through Compulsory Renaming in egregious violation of First Amendment by CENSORING "Squaw"]. This triad demonstrates that the Rapacious Curse of Commiefornia transcends the 2nd Amendment & doesn't affect weapons exclusively.
---Notwithstanding the plethora of nonsensical laws afflicting Commiefornia violative of the 2nd Amendment, the most rapacious is §30605 because it doesn't prohibit from civilian possession any discernable weapons like CAPC §16590 nor even require specific cosmetics engraved into the receiver as in CAPC §29180, but rather particular firearm configurations/brands. ***The stricter a given law is, the more burdensome*** & ***by extension TYRANNICAL it becomes***. Stunned by overbreadth in CAPC §30515 (listing prohibited models & the six EVIL features), the natural question is who in their supposedly right mind would ever draft such a retarded abomination. It turns out the pre-heller Commiefornia legislature did NOT intend to prevent mass shootings but only to numerically reduce their victims which standing alone is patently absurd. "A less accurate rifle in the hands of a mass shooter may very well result in different victims, but not necessarily less victims." Miller v. Bonta, 19-cv-01537 BEN (9th Cir. 6/4/21)

---Miller v. Bonta, 19-cv-01537 BEN (9th Cir. 6/4/21) further highlights the immense delusions afflicting the ossified brains of Commiefornia's retarded legislature.

"In contrast, the Attorney General argues that better accuracy makes it a more dangerous weapon. According to the Attorney General, "assault weapons enable a shooter to fire more rounds rapidly in a given period with greater accuracy, increasing the likelihood that more individuals will be shot and suffer more numerous injuries."

---Apparently obliteration of the human cranium with a morning star is humane murder because lack of bullets and scary §30515 features.

"17 Stenberg v. Carhart, 530 U.S. 914, 1001 n.16 (2000) (Thomas, J., dissenting) ("Prior to 1989, the term 'assault weapon' did not exist in the lexicon of firearms. It is a political term, developed by anti-gun publicists to expand the category of 'assault rifles' so as to allow an attack on as many additional firearms as possible on the basis of undefined 'evil' appearance."

"Instead, the State's litigation stance is more like the view recently expressed by a police chief in Oakland, California: we do not want victims to arm themselves; we want them to be good witnesses.18 Of course, a dead victim is a lousy witness." Unironically, according to the report, "[n]o one was hit, but when police arrived, the man with the gun was arrested while the robbery suspect got away."

"If use by criminals could justify a weapon's ban, it would amount to something like a disfavored "heckler's veto." We might call it the "criminal's veto." See e.g., Santa Monica Nativity Scenes Comm. v. City of Santa Monica, 784 F.3d 1286, 1292-93 (9th Cir. 2015) (explaining "heckler's veto" doctrine) ("If speech provokes wrongful acts on the part of hecklers, the government must deal with those wrongful acts directly; it may not avoid doing so by suppressing the speech."). Just as a heckler's veto wrongly punishes persons who speak their ideas, California's ban punishes persons who choose modern rifles for home defense."

"56 The arbitrary and capricious nature of these restrictions is perhaps best reflected by the telescoping stock restriction. If the total length of the rifle is 30 inches as required, what difference would it make if the telescoping stock would lengthen the rifle to 31, 32, or 34 inches?"
AWCA provides no exception for those that may have physical or medical reasons for seeking certain characteristics on a home-defense firearm. Those of small stature or less strength may need an adjustable stock, pistol grip, or vertical foregrip to maintain proper control of their firearm. For those that have trouble handling the recoil of a pistol, AWCA forces a choice between: (1) using a firearm that is difficult to properly control; or (2) a different and potentially inferior firearm. Those with medical disabilities are left to operate firearms that lack characteristics that would make the firearm more comfortable or easier to operate.

---The last point is especially relevant to me because I'm 5 feet, 6 inches in height, have small hands & necessitate specific textures granted my AUTISTIC tactile sensitivity which is why I chose the "HEXMAG Advanced Tactical RIFLE Grip." It's not even a "pistol grip" & literally doesn't "protrude conspicuously beneath the action." Sadly this quintessential truth was diabolically withheld from the jury because I was prohibited from testifying by SBI: 167626! INEFFECTIVENESS OF COUNSEL

"Even if they did make a difference, the Plaintiffs say that the notion, that improvements that make firearms better and safer for lawful use likewise make them comparably better for unlawful use, simply leads to the absurdity that firearms may never be improved because the harm of a more accurate firearm in a criminal's hands will always justify a ban."

"Recall that AWCA's § 30515 has no present exception allowing a typical Californian to lawfully acquire a modern rifle for home defense. There are no exceptions for urban dwellers and there are no exceptions for rural farmers. There are no exceptions for wealthy targets of armed home invaders. There are no exceptions for the impoverished who can afford only one self-defense firearm for all situations."

"Recall that to pass intermediate scrutiny, AWCA must have at least been designed to address a real harm and alleviate the harm in a material way. Turner II, 520 U.S., at 195. The evidence described so far proves that the "harm" of an assault rifle being used in a mass shooting is an infinitesimally rare event. More people have died from the Covid-19 vaccine than mass shootings in California. Even if a mass shooting by assault rifle is a real harm, the evidence also shows that AWCA's prohibited features ban has not alleviated the harm in any material way."*

"From Allen's list of mass shooting events, it is reported that in California there have been 25 mass shooting events over approximately 40 years.118 How well has the California ban on assault weapons worked? Before AWCA, twice in a decade, an assault weapon was used in a mass shooting. On average, since AWCA, twice a decade, an assault weapon was used in a mass shooting.119 The assault weapon ban has had no effect. California's experiment is a failure."

"It is important to note that mass shooting fatalities are a very small percentage of overall murders. Hence, even if a certain type of gun control measure were found to eliminate mass shooting (which assault weapons bans do not), the overall murder rate would decline by a very small amount."121

"Contrary to public misinformation, mass shootings are rare events."

"According to Allen's list, the total number of persons, killed or injured, during all mass shooting events with an assault weapon during the years of 2003 to 2007 was 38."

---According to VAERS, 490 people were killed by the COVID-vaccine in Commiefornia during 2019, 2020 & 2021.* During those same years, the aggregate total of mass shooting deaths in the whole USA (not just Commiefornia) is a pathetic 125 & from a population of 332,180,000!

https://www.statista.com/statistics/811504/mass-shooting-victims-in-the-united-states-by-fatalities-and-injuries/
https://www.statista.com/statistics/263762/total-population-of-the-united-states/

---The evidence is appallingly clear! ***Democrat Party Tyrants have suckered us out of our property*** & ***civil rights because mass shootings don't kill enough people to even matter***!!!

---Yes, any legislation remotely similar to an "Assault Weapons Ban" inherently VIOLATES 1st, 8th, 4th, and especially 2nd Amendments to the point that it's a truism, which is why I'm not satisfied merely pointing out why a specific statute or series is blatantly unconstitutional! Justice Clarence Thomas remarked during Bruen that the 2nd Amendment is NOT a "second-class right", but his statement is unequivocally FALSE! In reality, the Second Amendment is treated by courts/legislatures across the USA as a special, lofty & magnanimous privilege largely denied to the peasants (average civilians.) Sadly the 6/24/22 Bruen decision is an absolute joke because government counsel could easily nullify established history through the "nuanced analysis" & it didn't even achieve any significant change. 1) You're nibbling at the periphery since SCOTUS was fixated on the "good cause" requirement! 2) ***AT LEAST ELIMINATE CARRY PERMITS ENTIRELY SO STATE LEGISLATURES CANNOT CONTRIVE OTHER PRETEXTS TO REPLACE THE GOOD CAUSE REQUIREMENT***!!! Democrat Party Tyrants are as cunning as they are EVIL & shall exploit every otherwise negligible vulnerability to impose their rapacious agenda of TOTAL CIVILIAN DISARMAMENT, even if they must utilize the most retarded pretexts like with Commiefornia's AWCA. None of these unconstitutional abominations could even pass intermediate scrutiny, granted of course, you have a rational judge like Benitez or Gettleman & not a far-left lunatic moonbat like Josephine L. Stanton in Rupp v. Bonta!

---Ultimately, all "assault weapon"/hardware bans don't address an actual concrete & SIGNIFICANT harm because no person has yet stepped forward & declared under penalty of perjury that this particular firearm prohibition saved their life. "Were it not for the"assault weapons" ban I would've been long dead because CAPC §30515 characteristics transform mere bullets into precision-guided missiles." But even if those statutes really did save lives & at an impossible ratio of 2,500/year, they'd be equally worthless since their effects would be so disproportionately infinitesimal. Consequently every last "assault weapons" restriction is, at best, nothing more than a frivolously wasteful monetary expenditure with absolutely ZERO objectively verifiable benefits whatsoever. When legislatures make financially retarded decisions like enacting state "assault weapon" bans it becomes the quintessential duty of the judicial branch to repeal such statutes with utmost haste because precious taxpayer funds are being irredeemablely wasted on trivial pursuits, hence exacerbating the $36,210,000,000,000 national debt.

*---Legislatures MUST be UNEQUIVOCALLY prohibited from enacting statutes based on virtually non-existent or infinitesimal events like mass shootings which are extremely rare & don't kill enough people to constitute a REAL-PROBLEM! Even if every single claim espoused by Democrat Party Tyrants, Gifford's law centre, etc were perfectly true, "assault weapon" restrictions would still be rapaciously unacceptable because they're predicated on mass shootings which objectively aren't that bad.*

---Categorical bans on any discrete property item are unjustifiably expensive to enforce precisely because they are so severe in effect. The stricter the law, the harder & more expensive it is to enforce especially if it's illogical! When laws don't make sense, voluntary compliance is substantially reduced!

"Even under intermediate scrutiny, a court must determine whether the legislature has based its conclusions upon substantial evidence. Turner Broad. Sys., Inc. v. F.C.C. (Turner II), 520 U.S. 180, 196 (1997). The government "must do more than just simply posit the existence of the diseases sought to be cured," and "demonstrate that the recited harms are real, not merely conjectural, and that the regulation will in fact alleviate these harms in a direct and material way."

"In Turner II, an expanded record permitted the Court to consider whether Congress' must-carry provisions "were designed to address a real harm, and whether those provisions will alleviate it in a material way." 520 U.S., at 195. Moving through the trial record here, it becomes clear that AWCA's assault weapons ban-by-prohibited-features was not designed to address a real harm, and even if it did, does not alleviate the harm in a material way."

VIII. 1st Appellate District perfidiously claims that I forfeited my 2nd Amendment challenge under Bruen because incompetent Defense Counsel SBI: 167626 failed to raise it during my November 2021 trial. It's painfully obvious that 1st Appellate District was deliberately EVADING the facial & as-applied challenge to Commiefornia's AWCA because like most of the 9th Circuit, ***they have absolute contempt for the 2nd Amendment PRIVILEGE***! This harkons back to Duncan v. Bonta's retarded pretense that magazines are only accessories & creates a circuit split with Miller where Judge Benitez vanguished Commiefornia's AWCA TWICE. Why is SCOTUS cravenly permitting the 9th Circuit & 1st Appellate District to conspire with the Commiefornia legislature in circumventing our 2nd Amendment right by avoiding relevant issues?

"Indeed, the government has barely tried to meet that burden. And the Supreme Court has indicated that the Bruen analysis is not merely a suggestion. In Vincent v. Garland, 80 F.4th 1197 (10th Cir. 2023), the Tenth Circuit side-stepped the Bruen analysis in a challenge to the prohibition against felons possessing firearms under 18 U.S.C. § 922(g)(1), concluding that Bruen did not abrogate the Tenth Circuit's prior decision, United States v. McCane, 573 F.3d 1037 (10th Cir. 2009), which upheld the constitutionality of § 922(g)(1) in the face of a Second Amendment challenge.. Vincent, 80 F.4th at 1202. Nevertheless, just last month the Supreme Court vacated Vincent and remanded for further consideration in light of Rahimi. Vincent v. Garland, No. 23-683, 2024 WL 3259668 (U.S. July 2, 2024).." US v. Morgan, 8/21/24

V|V. In its 5/23/25 submission for rehearing of US v. Peterson, USDOJ proclaimed "the government's view is that the Second Amendment protects firearm accessories and components such as suppressors. As a result, restrictions on the possession of suppressors burden the right to bear arms, and a ban on the possession of suppressors or other similar accessories would be unconstitutional." Because suppressors are simultaneously more "dangerous" & less-essential than all six §30515 EVIL-features combined but still 2nd Amendment protected, this automatically protects"assault weapons" as well. In addition to a circuit split, there's a schism between various state legislatures & the US Executive Branch.

X. Notwithstanding the prevailing judicial/legislative distain for 2nd Amendment rights, I feel compelled to usher such arguments so that I can never be pedantically reproached in the manner accursedly perpetrated by 1st Appellate District. A cross-jurisdictional consensus exists that machine guns are the most "dangerous" firearm, as such this is the default strawman for 80% of MASS CIVILIAN DISARMAMENT proposals. In fact the salient argument against "assault weapons" is their strong resemblance with machine guns.

"In enacting the now-defunct federal ban on assault rifles, Congress found that their rate of fire--300 to 500 rounds per minute--makes semiautomatic rifles "virtually indistinguishable in practical effect from machineguns."6" Rupp v. Bonta, 7/22/19

---Nevertheless, machine guns were determined to be constitutionally protected under Bruen by at least TWO courts. US v. Morgan, No. 23-10047-JWB 8/21/24

"Moreover, to the extent that the Second Amendment would allow weapons to be prohibited solely on the basis that they are "highly unusual in society at large", Bruen, 597 U.S. at 47, as the government suggests, the government has not made that showing here. As Defendant points out, "[t]here are over 740,000 legally registered machineguns in the United States today." (Doc. 29 at 4 (citing Alcohol, Tobacco, Firearms and Explosives, Firearms Commerce in the United States – Annual Statistical Update 2021.https://www.atf.gov/firearms/docs/report/2021-firearms-commerce-report /download).) Machineguns have been in existence for well over a century."

"The government found this out the hard way in Morgan. There, Judge Broomes observed that as Congress did not ban machinegun possession until 1986, the modern ban is inconsistent with history and tradition." US v. Brown, 3:23-CR-123-CWR-ASH (1/26/25)
---Because MGs are indisputably protected by 2nd Amendment, so are "assault weapons."

"The American tradition is rich and deep in protecting a citizen's enduring right to keep and bear common arms like rifles, shotguns, and pistols. However, among the American tradition of firearm ownership, there is nothing like California's prohibition on rifles, shotguns, and handguns based on their looks or attributes. Here, the "assault weapon" prohibition has no historical pedigree and it is extreme. Even today, neither Congress nor most states impose such prohibitions on modern semiautomatic arms." Miller v. Bonta, 19-cv-01537 BEN (9th Cir. 10/19/23)

"This Court has previously determined that the State's ban on modern semiautomatics has no historical pedigree. Prior to the 1990's, there was no national history of banning weapons because they were equipped with furniture like pistol grips, collapsible stocks, flash hiders, flare launchers, or threaded barrels. In fact, prior to California's 1989 ban, so-called "assault weapons" were lawfully manufactured, acquired, and possessed throughout the United States. Before the Bruen decision, the State had unpersuasively argued that its laws are analogous to a handful of state machinegun firing-capacity regulations from the 1920s and 1930s and one District of Columbia law from 1932—a law that the Supreme Court ignored while dismantling the District of Columbia's handgun ban in Heller."

"This Court has reviewed all of the declarations of the State's experts and historians as well as many of their cited sources, and finds no support for the State's ban."

--- ***WHY DOES THIS ABOMINABLE RETARDATION OF A LAW" STILL EXIST***? Every person (WITH A FUNCTIONING BRAIN) knows that all "assault weapon" bans are unconstitutional, hence I persistently fail to understand their continued existence. Perhaps Commiefornia's domestic populations boast a masochistic affection for tyranny or there's a far-left cabal upholding AWCA through conspiratorial means. Even pre-Heller, Commiefornia's "assault weapon" ban should've been struck down ab initio.

" It is certainly the case for the World War II M1A1 Carbine paratrooper version with its folding stock and 15-round detachable magazine and flash suppressor."

"Between 1607 and 1815 ... the colonial and state governments of what would become the first fourteen states neglected to exercise any police power over the ownership of guns by members of the body politic . . . . These limits on colonial and early state regulation of arms ownership outlined a significant zone of immunity around the private arms of the individual citizen."82 "

No Prohibitions on Possessing Guns

"It is remarkable to discover that there were no outright prohibitions on keeping or possessing guns. No laws of any kind.86 Based on a close review of the State's law list and the Court's own analysis, there are no Founding-era categorical bans on firearms in this nation's history.87 Though it is the State's burden, even after having been offered a clear opportunity to do so, the State has not identified any law, anywhere, at any time, between 1791 and 1868 that prohibited simple possession of a gun.88"

"[W]e would hold, that the rifle of all descriptions, the shot gun, the musket, and Repeater, are such arms; and that under the Constitution the right to keep such arms, cannot be infringed or forbidden by the Legislature."175 To his credit, professor Vorenberg did see that Governor Scott of South Carolina had said in 1870, "the Winchester rifle is the best law that you can have."176 Andrews v. State, 50 Tenn. 165, 179–80 (1871)

"Government simply does not have the authority to dictate a list of firearms or configurations that it finds "suitable" for citizen self-defense, hunting, target practice, militia use, or some other lawful use. "

"Unfortunately, governments tend to restrict the right of armed self-defense. Punishing every good citizen because bad ones misuse a gun offends the Constitution. A state supreme court in 1878 said it succinctly: "If cowardly and dishonorable men sometimes shoot unarmed men with army pistols or guns, the evil must be prevented by the penitentiary and gallows, and not by a general deprivation of a constitutional privilege."247

"Cesare Beccaria, On Crimes and Punishments (1766), chap. 40, recorded by Thomas Jefferson: laws "which forbid to wear arms, disarming those only who are not disposed to commit the crime which the laws mean to prevent . . . makes the situation of the assaulted worse, and of the assailants better, and rather encourages than prevents murder, as it requires less courage to attack unarmed than armed persons." Jefferson's Legal Commonplace Book 521 (Princeton Univ. Press ed., 2019). "

"Bliss said, "it is the right to bear arms in defense of the citizens and the state, that is secured by the constitution, and whatever restrains the full and complete exercise of that right, though not an entire destruction of it, is forbidden by the explicit language of the constitution."187" 155 Bliss v. Commonwealth, 12 Ky. (2 Litt.) 90 (1822) (declaring unconstitutional state law banning the carrying of concealed weapons finding "in principle, there is no difference between a law prohibiting the wearing concealed arms, and a law forbidding the wearing such as are exposed; and if the former be unconstitutional, the latter must be so likewise.")."

"[N]o statutes or court opinions can be found during the period that banned civilian possession of artillery pieces, hundreds of which existed unused after the Civil War."

"[O]ver 170,000" Winchester 66's "were sold domestically."112 The successors that replaced the Model 1866, the deadly Model 1873 holding 15 rounds and Model 1892, sold more than 1,700,000 in the ensuing decades.113 In fact, so common were the lever-action Winchester rifles that anyone could order one from the Sears Roebuck & Co. catalog and have it delivered to their door in 1898.114"

"With the popularity of these deadly, high-capacity, lever action rifles, it is telling that there are no state laws banning possession or manufacturing of these firearms in the State's law list."

---***Under the Bruen analysis, all state"assault weapon" bans INDISPUTABLY fail even the nuanced approach***. There's really no controversy here! What exactly is preventing you from mandating the ultimate repeal of such tyrannical abominations through Snopes v. Brown? 15 relists & 1 year's pendancy. ***Seriously grow a backbone & relegalize "assault weapons"***!

---In Self-Defense, your duty is to strike ONLY the threat and nobody else. If you merely graze the hair of a bystander, that's assault with deadly weapon. This means accuracy, firearm retention and recoil absorption are QUINTESSENTIAL to not merely incapacitating the threat but most importantly preventing collateral damage! Hence the applicability of my alleged §5471(z) and (oo) features which affirmatively qualify as "arms" under 2A.

---The 1771 NJ Trap Gun law is NOT analogous to §30605 but rather §12355. https://law.justia.com/codes/california/2007/pen/12355.html These are VICTIM-ACTIVATED not SHOOTER-ACTIVATED weapons. This prohibits the METHOD of DISCHARGE not items designed to increase the lethality of firearms. Cargill v. Garland, No. 20-51016 1/6/23

---USC§922(g)(1) was unconstitutionally retarded ab initio for several reasons even more than CA PC §30605. Honestly you don't need the entire Bruen analysis to reach the conclusion. (Bruen is also wrong because 2A was intended to function as a LEGISLATIVE STRAITJACKET not a flexible/hedging loosely defined concept which disenfranchised 2A from a right to a privilege.) 5th graders could EASILY see how both legislations are unconstitutional, but by some magical contrivance §922(g)(1) has survived THOUSANDS of constitutional challenges. Hence either those hundreds of federal judges are stupider than 5th graders or logically function within an outlined conspiracy, which is exactly why the non-aligned judges like Robert Gettleman stand out so ardently. US v. Freeman, Case No. 23 CR 158, 11/7/23

"Because this court determines that defendant is a member of "the people" protected by the Second Amendment, and because neither type of historical regulation offered by the government satisfies its burden to show a history and tradition of "relevantly similar" analogues to § 922(g)(1)'s permanent, categorical firearm dispossession of all felons, the court is forced to grant defendant's motion to dismiss the indictment against him under Bruen, whether he is challenging the statute as applied or on its face."

---On 10/08/24 Appellate Counsel raised the disturbing possibility that the empaneled jury would erroneously find me guilty purely for "community safety" ***which is sufficient demonstration of irreconcilable prejudice against me***. Such optics is exactly why my public pretender hated going to trial in my case. Had those jurors not been prejudiced by all the politically incorrect evidence they would have accorded greater scrutiny to the fine print, (§1118.1 semi automatic functionality through mechanical lens & Cargill ruling) likely resulting in acquittal of remaining 3 counts. Cargill v. Garland,144 S. Ct. 1613 (6/14/24)
---I personally NEVER forfeited a 2A challenge, hence 1st Appellate District's insinuation to this effect is highly offensive! At sentencing pursuant to §1385 I demanded the judge strike down §30605 because MvB. I incessantly harangued my first lawyer Tully & Weiss about 2A claims but he told me every single time LEGAL ARGUMENTS cannot be raised in the trial court & my only chance was on appeal. This was the era of intermediate scrutiny (compelling government interest) & pre-bruen. Courts never considered history & tradition beyond dicta. Any attempt to bring up such arguments was summarily rebuffed with traitor Scalia's infamous cockblocking statement that no right is absolute. ***VANQUISH irrevocably all "assault weapon" bans astride every other contraband legislation in existence because they're without exception, UNCONSTITUTIONALLY RETARDED & TYRANNICALLY RAPACIOUS***!!!

---*Any statute or legislative scheme which prevents, reduces, deters or otherwise impedes civilian possession of weapons, regardless of extent or motivation, necessarily violates 2nd Amendment under all circumstances*! Remove the nuanced approach!

X|. Faulty search warrant based on unsubstantiated claims & irrational inferences lacking probable cause which obviously trigger FRUIT of the POISONOUS TREE Doctrine. First off, Concord PD did absolutely no investigation on their own to 1) identify who posted the Steam comment, 2) is it even an actual threat & 3) from the totality of the circumstances would the average person take it seriously! I obviously had my lower receiver registered to me because I purchased it legally at an FFL which allowed CPD Detective Mahan #0419 to confirm possession using a law enforcement database. But this cannot substantiate the "threat" since the average civilian doesn't have access to Commiefornia LE databases. When CPD Detective Billington who forensically examined all my electronics was cross-examined at trial, SBI: 167626 asked him point-blank under penalty of perjury if there's any evidence or suggestion to prove that I, Ross Farca posted the underlying "threat" he consequently declared no, although he could proclaim I had access to the relevant Steam account, & knew of the threat's existence, he remained unable to positively identify me as its author or rule out anybody else. Ultimately the criminal threats CAPC §422 charge which served the basis for the 6/10/19 search/arrest warrant was dismissed at the preliminary hearing by Nancy Stark, the very judge who approved that accursed warrant in the first place & its successor charge CAPC §422.6 reversed by 1st Appellate District panel. ***In both cases the reasoning was identical: prosecution failed to establish all elements to meet the probable cause standard at preliminary hearing*** & ***insufficiency of the evidence on appeal***!

---Because both dismissed charges were predicated on the exact same alleged conduct which ushered the whole of my misfortunes & I am subsequently innocent of that conduct, this means all successor charges are retroactively invalid even if I was guilty as sin. If CPD would have conducted a proper investigation BEFORE seeking a search/arrest warrant or judge Nancy Stark was less retarded on 6/10/19, that search/arrest warrant would never get drafted/approved in the first place, which means Detective Mahan would never have mischaracterized my rifle as an "assault weapon" and later antagonize me on 10/8/20. Essentially CAPC §§422 & 422.6 served as the TROJAN HORSE which spawned all other charges because I would never have been prosecuted for anything had they not existed. My predicament is the quintessential FRUIT of the POISONOUS TREE situation.

---Initially I had retained private attorneys Tully & Weiss who I told multiple times to suppress that accursed warrant. But instead of filing to suppress that obviously invalid warrant, he decides to focus on CAPC §995 & Due Process motions which are ultimately unsuccessful even at the Appellate level. During July 2021 I ran out of money & reverted to Public Pretenders' Office, who similarly refused to file motions to suppress. I strongly desired to suppress the 6/10/19 search/arrest warrant under CAPC §1538 and made several futile appeals but my attorneys instead provided INEFFECTIVE ASSISTANCE of COUNSEL!

---It all started with an obviously MAKE-BELIEVE subjunctively written post by "(99) Adolf Hitler (((6 Million)))" on Haj_Agen's Steam profile. He squealed to FBI because he was emotionally distressed, who then convinced a Seattle, Washington grand jury to order Valve's (company that owns steam) divulgance of (99) Adolf Hitler (((6 Million)))'s IP address & other identifying data. Next, FBI connected that IP address with an extortion complaint they incorrectly allege I submitted to them in 2015. After supposedly discovering similarities between the email addresses of the compliant & (99) Adolf Hitler (((6 Million)))'s steam account, FBI falsely determined that those TWO separate addresses belong to the same person despite the 4 years' difference & insignificance of the alleged similarities. Specifically the email addresses were based on a 20th century US president who was well-known & controversial hence 1000s of people would necessarily have appropriated his name into their own email addresses. Finally FBI did a plain web search on "Ross Farca" and the only result for that query was a Twitter account. That account had my name, a picture of Adolf Hitler & a single tweet of "Heil." Based on these highly spurious findings, FBI "positively identified Ross Farca as the author of (99) Adolf Hitler (((6 Million)))'s threatening statements" & transmitted this erroneous conclusion to Guy Swanger, CPD Chief. Objectively, the aforementioned FBI findings, both piecemeal & in aggregate, do NOT comprise anything remotely close to probable cause! Furthermore, even if I actually was the author of underlying Steam posts, it's extremely apparent to any person with a functional brain that these Steam posts do NOT qualify as true threats. At worst they constitute shock-porn/roleplay & cyberbullying but definitely NOT threats, which is exactly why both charges relating to the Steam affair were ultimately dismissed for insufficient evidence! This atrocious 4th Amendment violation is a particularly salient manifestation of OUTRAGEOUS GOVERNMENT CONDUCT & Judicial Malfeasance, which notwithstanding any other circumstance, mandates ultimate dismissal of ALL charges arising that fundamentally INVALID search/arrest warrant! Even if the alleged offenses were far worse than my actual charges, up to/including first-degree murder & there was incontrovertible evidence to prove me guilty BEYOND ALL DOUBT, they would still need to be totally dismissed because the magnitude of prosecutorial/judicial misconduct vastly eclipses the aggregate severity of such extreme crimes!!! I, Ross Farca, am undisputably the victim here!
---But the OUTRAGEOUS GOVERNMENT CONDUCT even applies to the manner of arrest. Specifically Detective Mahan #0419 took my mother hostage, forced her to call me & kept her in +100°F heat until I came outside. He lied to her saying "Ross Farca is not in any trouble, we just want to talk to him & make sure he's okay" which logically translates to a welfare check. He further declared "we don't want to enter the residence but if Ross refuses to come out we'll have no choice because we must ascertain that he is mentally stable." Mahan's lies were transmitted to me by Dorinta Farca after he convinced her they were true! He lied while representing himself as a peace officer (outside of interrogations) which is viciously abhorrent!

---I emerged with my iPhone 7 plus recording so that the CPD LEOs couldn't allege I made threats to harm myself as a pretext for institutionalization. Nevertheless I was confident that I'd resolve the whole nuisance misunderstanding in 10 minutes maximum. I made it to 8 paces of uniformed LEO Steven Smith, declared "I'm Ross" & asked "what do you want to talk about" after which he oddly said put your phone down on the ambient curb. It took me 5 prompts to comply because I was so confused! Then "turn around" which I did but I immediately looked back questioning reality. He told me to turn around again as he was approaching. When he was 1 foot away from me put your hands behind your back. It was very surreal & extremely bizarre when he handcuffed me. I felt like a deer in the headlights. "Do you have any ID?" "Do you suspect me of a crime?" "Yes, criminal threats." Then he grabbed my wallet & I thrice exclaimed "I don't consent to any searches or seizures." I eventually asked "what the hell is going on am I under arrest?" "No you are only being detained at this time." "Why?" "For criminal threats." "We have reports that you've made some threats so we are detaining you." Finally he had me sit in the adjacent curb behind an unmarked CPD cruiser, looked into my wallet & announced "that's him" even if I told him "I'm Ross" at least 3 times by then. The resulting atmosphere was eerily unusual & highly disturbing once I realized I was tricked! This incident of gaslighting is called AMBUSH ARREST VIA SOLICITATION & I still experience flashbacks almost every single day! Nobody ever told me I was under arrest on 6/10/19. AAvS: any form of deception contrived in whole or partially to inflict artificial vulnerability upon a given subject & exploitable as an advantageous position for launching surprise attacks, arrests, captures, detentions, assassinations, neutralizations or any other physical endeavour by uniformed LEOs.

---This rapacious situation reoccurred when I lured outside my ANTIOCH residence through the"ankle monitor checking" ruse at 7:13 AM, 10/08/20. US Probation LEO was purposely distracting me & deliberately stalling me until the trap was successfully sprung. ~80 minutes later I witnessed Pvt. Mahan descend upon my residence & it became immediately apparent he was singularly responsible for that day's collective misfortunes. (The reason I called him Pvt. is because I knew he was a military policeman in the US Army but not his rank.)

"We believe that there undoubtedly are cases where conduct on the part of Government officers is so plainly the provocation for violation of law that public policy requires that the courts should not permit a prosecution for such violation to continue." Sorrells v. United States, 287 U.S. 435, December 12, 1932

"It is clear that the evidence was sufficient to warrant a finding that the act for which defendant was prosecuted was instigated by the prohibition agent, that it was the creature of his purpose, that defendant had no previous disposition to commit it, but was an industrious, law-abiding citizen, and that the agent lured defendant, otherwise innocent, to its commission by repeated and persistent solicitation in which he succeeded by taking advantage of the sentiment aroused by reminiscences of their experiences as companions in arms in the World War."

"Thus, it has been held that the acts of its officers estop the government to prove the offense. The result has also been justified by the mere statement of the rule that, where entrapment is proved, the defendant is not guilty of the crime charged."

"He has committed the crime in question, but, by supposition, (Page 287 U. S. 459) only because of instigation and inducement by a government officer. To say that such conduct by an official of government is condoned and rendered innocuous by the fact that the defendant had a bad reputation or had previously transgressed is wholly to disregard the reason for refusing the processes of the court to consummate an abhorrent transaction."

"The applicable principle is that courts must be closed to the trial of a crime instigated by the government's own agents."

---Entrapment does NOT necessarily require being the subject of undercover operations in order to be valid because it can be effectively perpetrated by uniformed LEOs without elaborate ruses. AAvS is pragmatically indistinguishable from the military offence of PERFIDY because they function exactly identical. (10 USC §950+17)
---Despite being a Concord (MUNICIPAL) PD LEO, Pvt. Mahan wielded effective control over US Marshals Service Fugitive Apprehension Task Force (I was on US Supervised Release in 2020 pursuant to a Time-Served sentence for violating USC§1001(a)(2) "False Statements or Entries") Granted the background of the state charges at issue here, Pvt. Mahan's commanding role in a Federal search of an Antioch residence, but as a CONCORD PD LEO is ***outright provocation deliberately effectuated to incite anger***. Watching him advance upon our Antioch residence, ***blithely in stride*** & ***his face suffused with glee was,*** given the fact that my family fled Concord specifically to escape Pvt. Mahan's wrath, ***an invideous transgression which paralyzed me with shock*** & ***dismay, hence depriving me of specific intent***. Because Pvt. Mahan #0419 pursued me BEYOND HIS JURISDICTION with such affrontery, crossing over to my side of the street, contrary to his subsequent perjurious declaration, ***I was compelled to retaliate in some form, however slight, to affirm my manhood, prevent further harassment by him*** & ***avoid sinking into the morass of pussilanimity***. The apparent inducement, is self-evident & irrefutable, so objectively speaking, any logical/ valid analysis MUST be launched from this precise point. Trial Counsel SBI: 167626 was EGREGIOUSLY INCOMPETENT for failing to request an instruction regarding entrapment, its hallmarks staring her in the face. ***Any lawyer who, in light of the facts in evidence, does NOT immediately perceive this blatant entrapment, is remarkably*** & ***fundamentally incompetent***!

---Obviously Pvt. Mahan had zero business being in Antioch, (other than provoking negative reactions from me), so his cumulative actions necessarily amount to an unacceptable personal frolic/vendetta against me, & by extension, OUTRAGEOUS GOVERNMENT CONDUCT! Nevertheless, my supposed "threat" was fictitious since Pvt. Mahan couldn't possibly arrest me for murdering him after he's dead. In addition to my statement NOT qualifying as a valid threat because there was no "realistic possibility of execution", I simultaneously lacked the specific intent necessary to commit this offense. (CALCRIM 1300) INSUFFICIENT EVIDENCE & INEFFECTIVE ASSISTANCE of COUNSEL!

***XIV. VANQUISH TOTALLY the rapacious notion of CONTRABAND which is inherently retarded & worthlessly tyrannical, fulfilling ZERO benefits to the public!***

---The following statement from 1st Treasury Secretary: Tench Cox, Pennsylvania Gazette, Feb. 20, 1788 is perfectly dispositive!

"The power of the sword, say the minority..., is in the hands of Congress. My friends and countrymen, it is not so, for the powers of the sword are in the hands of the yeomanry of America from sixteen to sixty. The militia of these free commonwealths, entitled and accustomed to their arms, when compared with any possible army, must be tremendous and irresistible. Who are the militia? Are they not ourselves? Is it feared, then, that we shall turn our arms each man against his own bosom. Congress has no power to disarm the militia. Their swords and every terrible implement of the soldier are the birthright of Americans."

**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Russ Dunlap

Date: 6/2/25